



# Board of Commissioners

## Open Meeting

Friday, September 23, 2022 at 8:30 AM

Virtual Meeting

Headquarters - Board Room, 6th Floor

One Metropolitan Square, 211 N. Broadway, Suite 650

St. Louis, Missouri 63102



## Board of Commissioners, Open Meeting - September 23, 2022 at 8:30 AM

### Notice of Meeting and Agenda

1. Call to Order	Approval	Chair Simmons
2. Roll Call	Quorum	M. Bennett
3. Public Comment	Information	Chair Simmons
4. Approval of the Minutes of the June 24, 2022, Board of Commissioners, Open Meeting	Approval	Chair Simmons
A. Draft Minutes - June 24, 2022 - Board of Commissioners - Open Meeting - 5		
5. Approval of the Minutes of the August 11, 2022, Special Meeting, Board of Commissioners, Open Meeting	Approval	Chair Simmons
A. Draft Minutes - August 11, 2022 - Special Board of Commissioners - Open Meeting - 14		
6. Approval of the Minutes of the September 7, 2022, Special Meeting, Board of Commissioners, Open Meeting	Approval	Chair Simmons
A. Draft Minutes - September 7, 2022 - Special Meeting, Board of Commissioners - Open Meeting - 18		
7. Report of the President	Information	T. Roach
8. Report of the Operations Committee	Information	Commissioner Windmiller
A. Draft Minutes - August 19, 2022 - Operations Committee, Open Meeting - 20		
9. Report of the Audit, Finance & Administration Committee	Information	Commissioner Beach
A. Draft Minutes - August 19, 2022 - Audit, Finance & Administration Committee - Open Meeting - 25		
10. Report of the Safety & Security Committee	Information	Commissioner Simmons
A. Draft Minutes - August 11, 2022 - Safety and Security Committee - Open Meeting - 32		
11. Adjustment of the Consent Agenda	Approval	Chair Simmons
12. Consent Agenda	Approval	Chair Simmons
A. Attracting and Retaining Talent (Resolution #1221)		
1. Briefing Paper - 36		
2. Attraction and Retention Initiatives - 38		
3. List of Initiatives with Costs - 39		
4. Board Policy - Attraction and Retention Committee Meeting - 42		

5. Resolution #1221 - 43

B. Contract Award: Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training (Resolution #1222)

1. Briefing Paper - 46

2. Resolution #1222 - 49

C. Board Policies, Chapter 30 – Audit, Finance, and Budget (Resolution #1223)

1. Briefing Paper - 52

2. Resolution #1223 - 54

3. Chapter 30 Audit Finance Budget - Current - 57

4. Chapter 30 Audit Finance Budget - Proposed Red-lined Version - 85

5. Chapter 30 Audit Finance Budget - Proposed Clean Copy - 114

13. Contract Modification: Elevator Escalator Full Maintenance and Repair (Resolution #1224)	Approval	T. Curran
A. Briefing Paper - 141		
B. Resolution #1224 - 144		
14. Annual Approval of the Bi-State Development Public Transportation Agency Safety Plan (Resolution #1225)	Approval	T. Roach / A. Ghiassi
A. Briefing Paper - 146		
B. Bi-State Development - Public Transportation Agency Safety Plan (PTASP) - 148		
C. Resolution #1225 - 317		
15. Fare Discount - Daily Pass, Weekly Pass, and Monthly Pass (Resolution #1226)	Approval	T. Fulbright
A. Briefing Paper - 319		
B. Resolution #1126 - 320		
16. Emergency Sole Source Contracts – Replacement of MetroLink DeBaliviere Signal House, Uninterruptible Power Source, and Automatic Transfer Switch at the Forest Park MetroLink Station	Information	T. Roach / T. Curran
A. Briefing Paper - 322		
B. Memorandum dated September 12, 2022 - 324		
C. Memorandum dated September 7, 2022 - Emergency Flood Expenses - 326		
17. Implementation of a 457(f) Executive Deferred Compensation Plan	Information	D. Bentz / D. Toben
A. Briefing Paper - 328		
B. 457(f) Plan Board Policy - 331		
C. 457(f) Deferred Compensation Plan Document - 334		
D. 457(f) Executive Summary of Plan - 353		

E. 457(f) Salary Reduction Agreement - 355

F. 457(f) Notice of Award - 356

G. 457(f) Beneficiary Election Form - 358

18. Unscheduled Business	Approval	Chair Simmons
19. Operations Report	Information	C. Stewart
A. Metro Service Performance Summary - 359		
B. Workforce Update - 362		
20. Call for the Dates of Future Board & Committee Meetings	Information	M. Bennett
21. Adjournment to Executive Session	Approval	Chair Simmons
If such action is approved by a majority vote of The Bi-State Development Agency's Board of Commissioners who constitute a quorum, the Board may go into closed session to discuss legal, confidential, or privileged matters pursuant to Bi-State Development Board Policy Chapter 10, Section 10.080 (D) Closed Records: Legal under §10.080(D)(1).		
22. Reconvene to Open Session	Approval	Chair Simmons
23. Adjournment	Approval	Chair Simmons



**BI-STATE DEVELOPMENT  
BOARD OF COMMISSIONERS MEETING  
(Virtual Meeting)  
OPEN SESSION MINUTES  
June 24, 2022 at 8:30 AM**

**Board Members in Attendance via Zoom**

**Missouri**

Rose Windmiller, Chair  
Fred Pestello, Secretary – Absent  
Vernal Brown  
Nate Johnson – Absent  
Sam Gladney

**Illinois**

Herbert Simmons, Treasurer  
Irma Golliday  
Derrick Cox  
Terry Beach  
Debra Moore

**Staff in Attendance via Zoom**

Taulby Roach, President and Chief Executive Officer  
Brenda Deertz, Director Executive Services  
Barbara Enneking, General Counsel and Deputy Secretary  
Myra Bennett, Manager of Board Administration  
Kevin Scott, General Manager Security  
Tom Curran, Executive Vice President Administration  
Charles Stewart, Executive Director Metro Transit  
Mary Lamie, Executive Vice President Multi Modal Enterprises

**Others in Attendance**

Erin Stumpf, ASL Interpreter  
Rebecca Pursley, ASL Interpreter

1. **Open Session Call to Order**  
**8:30 a.m.** Chair Windmiller called the Open Session of the Bi-State Development Agency, Board of Commissioners Meeting to order at 8:30 a.m.
2. **Roll Call**  
**8:30 a.m.** Roll call was taken, as noted above.
3. **Public Comment**  
**8:31 a.m.** Myra Bennett, Manager of Board Administration, noted that one public comment was received. She read the public comment as follows:

Name: Tanner Tucker

Representing: Self

Topic: Abandoned Bus Shelters

Comments: This comment is for the Friday, June 24 Commissioners Meeting.

President Roach and Members of the Board,

The Metro Reimagined Service Plan of 2019 brought the promise of more frequent service along fewer routes, the elimination of which brought hardship to many families in the region. While many long-standing routes were removed, the promise of more frequent service never came to fruition due to the pandemic's ongoing effects to the workforce and decreased ridership overall. Bi-State Development and Metro continued down the path of Metro Reimagined but failed to return to those abandoned routes and remove the infrastructure left behind. Bus shelters, many decaying or with broken glass, continue to remind neighborhoods of the service many relied on. Even in higher trafficked areas, the [99] Downtown Trolley route still has bus stops peppering the City of St. Louis' Downtown and Downtown West Neighborhoods. While no longer used for passenger traffic, these eyesores now confuse tourists and residents alike. The most egregious offense of these remaining structures is the updated advertising. While the busses no longer come, the structure advertising signage is still updated on a regular basis. It's insulting that while these routes may not have been good enough for the riders that relied on them, the advertising income is still worth keeping the structure.

I ask that this board adopt a resolution and contract with a vendor to dismantle these structures as soon as possible. Let those of us in neighborhoods with unused structures reclaim our sidewalks and not have to stare at pointless advertising.

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This e-mail was sent from the public comment form on [bistatedev.org](https://bistatedev.org)

4. **Approval of the Minutes of the April 22, 2022, Board of Commissioners, Open Meeting**  
**8:33 a.m.** The minutes from the April 22, 2022, Board of Commissioners, Open Meeting, were provided in the Board packet. A motion to approve the minutes, as presented was made by Commissioner Cox and seconded by Commissioner Brown.

**The motion passed unanimously.**

5. **Approval of the Minutes of the May 9, 2022, Special Meeting, Board of Commissioners, Open Meeting**  
**8:34 a.m.** The minutes from the May 9, 2022, Special Meeting, Board of Commissioners, Open Meeting, were provided in the Board packet. A motion to approve the minutes, as presented was made by Commissioner Moore and seconded by Commissioner Golliday.

**The motion passed unanimously.**

6. **Report of the President**  
**8:34 a.m.** President and Chief Executive Officer, Taulby Roach, briefly addressed the public comment that was submitted for the meeting, noting that a formal reply will be sent to Mr. Tucker. Mr. Roach acknowledged that there have been service disruptions due to the workforce shortage, and noted that the Agency continues to offer financial incentives in an attempt to build the workforce. He also acknowledged that, due to the pandemic and economic changes, there

have been changes to the original Metro Reimagined program, which was developed several years ago.

President and CEO Roach reported that the Agency has received budget approval from the City of St. Louis, and there is a bill in process to approve the St. Louis County budget. He noted that there will be a meeting of the whole for St. Louis County on June 28<sup>th</sup>. Mr. Roach also noted that the Agency is in active negotiations with St. Clair County regarding the budget. He reported that Chuck Stewart, Executive Director Metro Transit, and Tammy Fulbright, Executive Vice-President and Chief Financial Officer, are leading the negotiations, and a modest extension may be needed to finalize those negotiations.

**7. Report of the Operations Committee**

**8:38 a.m.** Chair Windmiller reported that a virtual meeting of the Operations Committee was held on June 10, 2022, at 8:30 a.m., and the draft minutes of that meeting are included in the meeting materials, under Item #7. She reported that the Operations Committee is introducing one (1) item on the Agenda for consideration today, with the Committee's recommendation of approval, under Item #12 – Law Enforcement Services between Bi-State Development Agency and St. Clair County, Illinois for services provided by the St. Clair County, Illinois Sheriff's Department (Resolution #1214).

Chair Windmiller stated that Item #13 – Cooperation Agreement - Operation and Maintenance of Cortex MetroLink Plaza and Bike Path Located within the Brickline Greenway (Resolution #1215) was also presented to the Operations Committee; however, this item was postponed for further discussion at today's meeting.

She stated that, at the June 10<sup>th</sup> Committee meeting, an Operations Report, including a Workforce Update, was provided by Charles Stewart, Executive Director Metro Transit.

**8. Report of the Audit, Finance, & Administration Committee**

**8:39 a.m.** Commissioner Beach reported that a virtual meeting of the Audit, Finance, & Administration (AFA) Committee was held on June 10, 2022, immediately following the Operations Committee Meeting. He noted that the draft minutes of that meeting are included in the meeting materials under Item #8.

He noted that the AFA Committee is introducing two (2) items on the Consent Agenda for consideration today, with the Committee's recommendation of approval:

**Item 11. Consent Agenda**

- A. Contract Award: Financial Advisory Services (Resolution #1212)
- B. Collected Board Policies, Chapter 30 – Audit, Finance, and Budget (Resolution #1213)

Commissioner Beach noted that Item #14 – Contract Award: Audit Services - Bi-State Development (BSD) Pension Plans and 401(k) Retirement Savings Program (Resolution #1216) is also being presented at today's meeting, with the Committee's recommendation of approval. He stated that Item #15 – Collected Board Policies, Chapter 50 – Purchasing Revisions (Resolution #1217) was presented at the Audit, Finance & Administration Committee, as well; however, no action was taken, and the item was postponed for further discussion at today's Board Meeting.

Commissioner Beach reported that, at the June meeting, the Committee approved Revision #4 to the Internal Audit Policies and Procedures Manual, and several informational items were presented to the Committee, including:

- Internal Audit Follow-Up Summary – 3rd Quarter FY2022
- Internal Audit Status Report – 3rd Quarter FY2022
- Internal Audit State Safety Oversight Status Report - 1st Quarter Calendar Year 2022
- Quarterly Financial Statements
- Treasurer's Report
- Treasury Safekeeping Report – March 31, 2022
- Procurement Report

**9. Report of the Safety & Security Committee**

**8:41 a.m.** Commissioner Simmons reported that a virtual meeting of the Safety and Security Committee was held on May 5, 2022, at 8:30 a.m., and he stated that the draft minutes of that meeting are included in the meeting materials, under Item #9.

Commissioner Simmons noted that, at the May meeting, the Committee authorized Kevin Scott, General Manager Security, to proceed with design solicitation for professional engineering services for the MetroLink Secure Platform Plan. He stated that, in addition, staff provided an update regarding CCTV upgrades and Police Department Feeds.

Commissioner Simmons reported that an Executive Session was not held at the May 5<sup>th</sup> Committee meeting.

**10. Adjustment of Consent Agenda**

**8:42 a.m.** Chair Windmiller asked if there are any adjustments to the Consent Agenda.

**11. Consent Agenda Items**

**8:42 a.m.** Consent Agenda Items:

- A. Contract Award: Financial Advisory Services (Resolution #1212)
- B. Collected Board Policies, Chapter 30 – Audit, Finance, and Budget (Resolution #1213)

A motion to approve the Consent Agenda Items: Item A. and Item B., as referenced in the Committee Reports and as outlined on the Agenda, was made by Commissioner Gladney and seconded by Commissioner Brown.

**The motion passed unanimously.**

**12. Law Enforcement Services Agreement between Bi-State Development Agency and St. Clair County, Illinois for Services provided by the St. Clair County, Illinois Sheriff's Department (Resolution #1214)**

**8:43 a.m.** A briefing paper was included in the meeting materials, regarding a request that the Board of Commissioners approve a Law Enforcement Services Agreement between Bi-State Development and St. Clair County, Illinois, for law enforcement services provided by the St. Clair County, Illinois Sheriff's Department. Kevin Scott, General Manager of Security, gave an overview of this item, noting that there has been a modification of the expiration dates for the terms, in order to bring all three law enforcement contracts (St. Louis City Police, St. Louis

County Police, and St. Clair County Sheriff) into alignment. Mr. Scott also noted that the Operations Committee recommended this item for approval at the June 10, 2022 meeting.

Commission Simmons asked if the proposed agreement has any impact on secondary officers. Mr. Scott noted that it does not, as there is a separate agreement regarding secondary offices. Chair Windmiller noted that Exhibit A only provides budget figures for 2023. Mr. Scott stated that is correct, and that the Board is not approving budget figures for 2024, at this time.

Commissioner Golliday made a motion to approve this item, as presented. The motion was seconded by Commissioner Simmons.

**The motion passed. (Commissioner Simmons abstained from the vote.)**

**13. Cooperation Agreement - Operation and Maintenance of Cortex MetroLink Plaza and Bike Path Located within the Brickline Greenway (Resolution #1215)**

**8:50 a.m.** A briefing paper was included in the meeting materials, regarding a request that the Board of Commissioners approve a cooperation agreement with Cortex and the Great Rivers Greenway District for the operation and maintenance of Cortex MetroLink Plaza and Bike Path, located within the Brickline Greenway. Chuck Stewart, Executive Director Metro Transit gave an overview of this item, noting that Cortex already has a landscaping contract in place, and the proposed agreement would allow BSD to reimburse Cortex approximately \$20,000 per year, for greenscape and snow removal services.

Commissioner Gladney made a motion to approve this item, as presented. The motion was seconded by Commissioner Moore.

**The motion passed unanimously.**

**14. Contract Award: Audit Services - Bi-State Development (BSD) Pension Plans and 401(k) Retirement Savings Program (Resolution #1216)**

**8:52 a.m.** A briefing paper was included in the meeting materials, regarding a request that the Board of Commissioners approve a request to authorize the President & CEO enter into a five-year contract for Audit Services for BSD's Pension Plans and 401(k) Retirement Savings Program with UHY LLP, in the not-to-exceed amount of \$302,445.00. Tom Curran, Executive Vice President – Administration, gave an overview of this item, noting that due to UHY being the only firm that participated in submitting pricing, the sealed bid method was converted to a negotiated procurement. Mr. Curran noted that the Audit, Finance and Administration Committee recommended approval of this item at the June 10, 2022 meeting.

Commissioner Cox made a motion to approve this item, as presented. The motion was seconded by Commissioner Brown.

**The motion passed. (Commissioner Beach abstained from the vote.)**

**15. Collected Board Policies, Chapter 50 - Purchasing Revisions (Resolution #1217)**

**8:54 a.m.** A briefing paper was included in the meeting materials, regarding a request that the Board of Commissioners approve a request to incorporate revisions to the Collected Board Policies of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, Chapter 50, Purchasing. Tom Curran, Executive Vice President Administration, gave an

overview of this item, noting that the briefing paper presents updates to expenditure thresholds that require Board of Commissioners approval, the addition of specific language addressing single bid situations, and clean-up of spelling and title errors. He reported that, at the June 10, 2022, Audit, Finance & Administration Committee Meeting, the Committee postponed this item for further review at today's Board meeting. Mr. Curran stated that the Committee requested additional information, and a memo has been distributed to the Board containing that information. Questions were posed regarding the need to modify the existing expenditure thresholds. Commissioner Gladney asked if this issue is currently affecting the Agency's ability to operate. Mr. Curran stated that it is not currently; however, this Board Policy will possibly not be revisited for many years, and with costs continuing to rise, staff felt that the issue should be addressed. He noted that many other transportation agencies are making similar changes. President/CEO Roach stated that the Agency can continue to operate under the current policies; however, staff is trying to ensure that the policy is continues to be reasonable, with the consideration of future rising costs. Commissioner Simmons stated that he is opposed to increasing the thresholds at this time. Commissioner Cox agreed with Commissioner Simmons. Discussion was held pertaining to the possibility of approving some of the proposed changes that do not include increasing the expenditure thresholds.

Commissioner Gladney made a motion to approve only the addition of specific language addressing single bid situations, and clean-up of spelling and title errors, to Chapter 50 – Purchasing, as presented. The motion was seconded by Commissioner Simmons. Chair Windmiller asked for a roll call vote on this item, with the poll of the Board being as follows:

Rose Windmiller – Yea  
Vernal Brown – Yea  
Sam Gladney – Yea

Herbert Simmons – Yea  
Irma Golliday – Yea  
Derrick Cox – Nay  
Terry Beach – Yea  
Debra Moore – Yea

**The motion passed.**

**16. Approval of Slate of Officers 2022-2023 Board of Commissioners**

**9:05 a.m.** Chair Windmiller reported that a virtual meeting of the Nominating Committee was held on May 25th at 2:00 PM. She stated that the draft minutes of that meeting have been included in the meeting materials, under Item #16. Chair Windmiller noted that the Nominating Committee voted unanimously to accept, and forward to the Board of Commissioners for approval, the following slate of officers for 2022-2023, whose positions would take effect at the adjournment of today's meeting, if approved:

Commissioner Herbert Simmons (Illinois), Chair  
Commissioner Sam Gladney (Missouri), Vice-Chairman  
Commissioner Terry Beach (Illinois), Treasurer  
Commissioner Nate Johnson (Missouri), Secretary

Chair Windmiller asked if any discussion is needed regarding the proposed slate or if there are other nominations from the floor. Being none, Commissioner Moore made a motion to approve the Slate of Officers for 2022-2023, as presented. The motion was seconded by Commissioner Brown.

**The motion passed unanimously.**

**17. Gateway Riverboat Kitchen Roof and HVAC Repairs**

**9:07 a.m.** A briefing paper was included in the meeting materials, providing a follow up report regarding the May 3, 2022 emergency procurement waiver for the Gateway Riverboat kitchen roof and HVAC repairs, located on the dock barge moored along the Riverfront. Mary Lamie, Executive Vice President of Multimodal Enterprises, gave an overview of this item noting that, on May 3<sup>rd</sup>, President & CEO, Taulby Roach, approved an emergency procurement waiver for the roof repairs and the HVAC units, pursuant to Board Policy, Purchasing, Section 50.010, Procurement and Contract Administration Section M. Part 1, Waiver of Procurement Policy in the event of an emergency, and as required under the policy, notified Chair Windmiller of the following:

- A leaking roof presents a threat to food safety and potentially a code violation by the St. Louis Department of Public Health. Additionally, a leaky roof can lead to a wet floors which could result in employee slip and fall incidents and the possible exposure to mold and building dampness that could be associated with respiratory symptoms and infections – all potential OSHA violations.
- The Dockside Café was unable to open as scheduled on April 1, 2022. Furthermore, food preparation for the Riverboat dinner cruises and private charters during these conditions became logistically complicated and labor intensive due to having to use the much smaller food preparation areas and galleys on the Riverboats.
- Two bids for the roofing repairs were obtained based on site visits. Three bids were obtained for curb adjustments required for the roof repair as well as replacing the seven (7) HVAC units. Two bids were a combined bid by a roofing and HVAC contractor and the third bid was a single HVAC contractor. The third bid by an HVAC contractor did not include roof repairs and exceeded the combined roofing/HVAC bids. The low bid of \$112,420 was selected. This bid was \$6,504 less than the other combined bid and \$7,320 less than the single HVAC bid with no roof repairs.

Ms. Lamie reported that the emergency procurement waiver reduced the procurement process by several weeks and allowed the contractor to place the order for the HVAC units, while facing supply chain disruptions, and to secure staff availability for installation and repairs. She reported that the roof repairs and curb adjustments were completed the week of May 23<sup>rd</sup>, and the seven HVAC units are scheduled to be installed on June 28<sup>th</sup>.

Ms. Lamie stated that Chair Windmiller requested that this procurement, and an update regarding this expenditure, be presented at today's Board Meeting. Commissioner Cox complemented staff for proceeding with these repairs. This information was presented as information only.

**18. Northside-Southside Corridor Plan**

**9:09 a.m.** President and CEO, Taulby Roach, shared a map with the Board of Commissioners, outlining the proposed revised Northside-Southside Corridor Plan. He noted that there was a study conducted in 2018, with a locally preferred alternative in place; however, that alternative has not been moving forward, primarily due to concerns regarding the taxing capacity of the City of St. Louis. Mr. Roach stated that the Agency has been working closely with the Mayor's office and other leaders, as they look at alternative routes. He reported that the proposed route has been shared with Mokhtee Ahmad, FTA Regional Administrator Region VII, and he noted that the proposed Northside/Southside alignment is now based exclusively on Jefferson. Mr. Roach stated that this proposed alignment is quick and straight forward, and is a lower cost alternative. He noted that this alignment will also capitalize on one of the biggest public investments in the

future, as it will include two stations immediately adjacent to the new MLS Stadium on Market Street.

Mr. Roach stated that, with regard to a timeline for the project, the Agency will need to meet with the Metropolitan Planning Organization (MPO) and East-West Gateway Coordinating Council. He reported that the Agency will need to do more public outreach. He noted that a team will do ridership analysis and will be determining where the stations will be placed, and this will include a financial analysis of the alignment, so that the Agency can determine an estimated cost. Mr. Roach stated that the intent would be to apply for a new federal grant funding for a total of approximately \$420 - \$550 million. He stated that under this scenario, the proposed alignment is affordable with current resources, and these estimates have been reviewed by the Mayor's office. He reported that Mayor Jones is very supportive of the project, and the proposed alignment fits within tax revenues of a "City only" project, financially.

Mr. Roach reported that Mr. Ahmad, will be sending FTA staff in August to review the proposed financials for the alignment. He noted that Mr. Ahmad has stated that he feels this is a highly qualified project for federal grant funding, and looks forward to reviewing the Agency's application. Mr. Roach stated that the project is receiving momentum from the Agency's Federal partners. He also noted that this Northside/Southside alignment is located in a corridor of need.

**19. Unscheduled Business**

**9:17 a.m.** There was no unscheduled business.

**20. Call for the Dates for Future Meetings**

**9:17 a.m.** Myra Bennett, Manager of Board Administration, noted the following upcoming meetings:

Special Meeting:	Thursday	August 11, 2022	8:30 AM
Safety & Security Committee:	Thursday	August 11, 2022	Following Special Mtg.
Operations Committee Meeting:	Friday	August 19, 2022	8:30 AM
Audit, Finance & Administration:	Friday	August 19, 2022	Following OPS Mtg.
Board of Commissioners Meeting:	Friday	September 23, 2022	8:30 AM

**21. Adjournment to Executive Session for the purpose of discussing legal, confidential, or privileged matters, as permitted under Bi-State Development Board Policy, Chapter 10, Section 10.080; (D) (1) – Legal and (D) (10) - Auditors.**

**9:18 a.m.** Chair Windmiller stated that, with the exception of the Minutes, there is only one item on the Executive Session Agenda for approval. She noted that, as she will be abstaining from the vote on that item, therefore there will not be a quorum of the Board present to vote; therefore, she stated that she will remove Item 5. from the Executive Session Agenda, to be voted on at a future Board of Commissioners meeting, when a quorum is present.

Chair Windmiller stated that the only other item for consideration on the Executive Session Agenda is the Approval of the Minutes of the April 22, 2022, Board of Commissioners, Executive Session. She noted that, if there are no corrections to these minutes, and no discussion is needed, the Board could proceed to a vote, without going into Executive Session.



Commissioner Cox made a motion to approve the minutes from the April 22, 2022, Board of Commissioners, Executive Session, as presented, as a closed record. The motion was seconded by Commissioner Simmons. The poll of the Board being as follows:

Rose Windmiller – Yea  
Vernal Brown – Yea  
Sam Gladney – Yea

Herbert Simmons – Yea  
Irma Golliday – Yea  
Derrick Cox – Yea  
Terry Beach – Yea  
Debra Moore – Yea

**The motion passed unanimously.**

**23. Adjournment**

**9:19 a.m.** Chair Windmiller asked if there was any further business, and being none, Commissioner Brown made a motion to adjourn the meeting. The motion was seconded by Commissioner Gladney. Unanimous vote in favor was taken. The motion passed, and the meeting was adjourned at approximately 9:20 a.m.

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Deputy Secretary to the Board of Commissioners  
Bi-State Development

**BI-STATE DEVELOPMENT  
BOARD OF COMMISSIONERS SPECIAL MEETING  
(Virtual Meeting)  
OPEN SESSION MINUTES  
August 11, 2022  
8:30 AM**

**Board Members**

**Missouri**

Sam Gladney, Vice Chair  
Nate Johnson, Secretary  
Fred Pestello  
Vernal Brown  
Rose Windmiller

**Illinois**

Herbert Simmons, Chair  
Terry Beach, Treasurer  
Irma Golliday – Absent  
Derrick Cox  
Debra Moore

**Staff**

Taulby Roach, President and Chief Executive Officer  
Lisa Stump, Lashly & Baer, Legal Counsel  
Myra Bennett, Manager of Board Administration  
Brenda Deertz, Director of Executive Services  
Tammy Fulbright, Chief Finance Officer / Executive Vice President  
Charles Stewart, Executive Director Metro Transit  
Tom Curran, Executive Vice President Administration  
Kevin Scott, General Manager Security  
Andrew Ghiassi, General Manager Safety / Chief Safety Officer  
Tim Nittler, Senior Director Capital Projects

**Others Participating via Zoom**

Melony Self, ASL Interpreter

**1. Open Session Call to Order**

**8:30 a.m.** Chair Simmons called the Open Session of the Special Meeting of the Bi-State Development Agency, Board of Commissioners to order at 8:30 a.m.

**2. Roll Call**

**8:30 a.m.** Roll call was taken, as noted above.

**3. Contract Award: MetroLink Stations Secure Platform-Design Services (Resolution #1219)**

**8:31 a.m.** President/CEO Roach thanked the Commissioners for their time in reviewing the complex package regarding the proposed contract award. He also thanked Project Manager, Kevin Scott, and Executive Vice President of Administration, Tom Curran, for their work on this project. Mr. Roach stated that this project will have a significant impact, and will, in effect, change how we do transit in St. Louis.

Mr. Curran gave an overview of this issue. He stated that management is requesting that the Board of Commissioners authorize the President & CEO to enter into a contract for MetroLink Secure Platform design services with HNTB for \$6,948,587.09, plus a five percent (5%) contingency. He stated that during the Open Meeting on May 5, 2022, the Safety & Security Committee approved Metro Transit to move forward with soliciting proposals from qualified engineering design firms to perform the final design of the security barrier gates, fencing, and camera installation for the Secure Platforms Project, and Solicitation 22-RFP-327128-CG - MetroLink Stations Secure Platform-Design Services was issued on June 3, 2022. Mr. Curran reported that in response to the solicitation, one (1) sealed proposal was received from HNTB. The single proposal was forwarded to the evaluation team, composed of staff from BSD's Engineering and Safety Departments, and HNTB's technical proposal was scored according to the technical evaluation criteria, as specified in the solicitation package. He reported that the evaluation of the proposal from HNTB, confirmed that the technical proposal met the requirements, qualifications and experience, in accordance with the scope of work described within the solicitation. Mr. Curran stated that HNTB's cost proposal of \$8,104,323.06, significantly exceeded the Independent Cost Estimate of \$4,291,001.10; however, through three separate negotiations with HNTB, costs were identified that could be reduced, including: Overhead Burden, Fixed Fee, and Labor Hours for HNTB and Sub-consultants. He reported that, upon conclusion of these discussions, BSD's Project Team requested submission of the firm's revised cost proposal. Mr. Curran stated that the Agency has received and reviewed HNTB's revised proposal, which has been adjusted from \$8,104,323.06, down to \$6,948,587.09.

Kevin Scott, General Manager – Security, addressed the Board of Commissioners. He noted that the Agency has received overwhelming support for this project from the community. He stated that the Agency is leading the way in this industry; however, management must have the support of the Commissioners on this effort to be successful. Mr. Scott stated that, after discussions with HNTB, he is certain that this is the right bidder for this project. He stated that they know and understand the system well, and were very cooperative, and open to discussion and negotiation in this complex endeavor. Mr. Scott stated that the region expects results, and the Agency intends to provide that.

Commissioner Cox asked for the amount of the original cost estimate. President/CEO Roach stated that the original estimate was \$4.2 million; however there was a significant gap between that estimate and the submitted proposal. He noted that information has been included in the packet regarding details of the five meetings that were held to discuss the proposal. Mr. Roach reported that HNTB provided valuable insights regarding the project, and adjustments were made to incorporate that input, and the layers of complexity of the project that were not anticipated. Commissioner Gladney asked if there are other aspects of the overall project that may encounter similar issues. Mr. Roach stated that this is possible, due to this being a highly complex process. He noted that HNTB has demonstrated detailed knowledge of the Metro Transit system, and staff will need to readdress issues, as we move forward through the process.

Commissioner Pestello stated that he is glad that the Agency has a firm that it has confidence in, and is exhibiting fiduciary responsibility. He noted that supply chain issues continue to impact the economy, and understands that previous estimates may not be as accurate, due to these issues. He reported that he has experienced a similar issue at the University, where costs were approximately three times the anticipated costs. He asked that Management keep these issues in mind, and leave room in the budget moving forward. Commissioner Windmiller stated that she agrees with Commissioner Pestello. She noted that a 5% contingency is noted in the contract, and posed questions regarding the size of the contingency amount. Mr. Scott stated that conversations were held with HNTB regarding the contingency amount, and HNTB has stated that they feel comfortable with this amount. Commissioner Moore asked if the contingency amount should be increased, and asked for clarification regarding the underestimation of the anticipated cost. It was noted that, due to the complexity of the project, HNTB was able to provide a better understanding of the various components of the project. Chair Simmons stated that he has had these same conversations with Mr. Roach and Mr. Scott, as he was also surprised by the costs. He stated that this is a “must do” project, and would like to see more in house accountability in the future. (Commissioner Brown noted that she was experiencing technical difficulty during the meeting, and was unable to hear much of the discussion. Chair Simmons noted the Board’s current discussion, regarding the project.)

Chair Simmons asked if the higher cost for the project has had an effect on our funding partners. Mr. Roach stated that the Agency is not asking our partners for increased funding, and residual grant funding will be allocated to the project to assist with the cost. Mr. Roach noted that a memo has been provided by CFO, Tammy Fulbright, regarding funding for the project.

Chair Simmons noted that Mr. Scott set a time frame of August 11<sup>th</sup>, to bring this issue to the Board, and has met that deadline. He stated that he has faith that Mr. Scott will continue to meet the deadlines established for the project, and he commended Mr. Scott for his efforts. Chair Simmons asked the proposed timeline for the completion of the design phase. Mr. Scott stated that he anticipates a 12 month time frame for completion of the design. He noted that, with regard to the construction phase of the project, it is anticipated that the project will be rolled out in a phased process, and the fare collection process will be included within this phase. Mr. Scott stated that a project of this caliber and complexity cannot be built all at once. Chair Simmons stated that he agrees, and he encouraged the other Commissioners to support today’s proposal. Commissioner Beach stated that he supports the project wholeheartedly.

Commissioner Beach made a motion to authorize the President & CEO to enter into a contract for MetroLink Secure Platform design services with HNTB for \$6,948,587.09, plus a five percent (5%) contingency, as presented. The motion was seconded by Commissioner Moore.

Sam Gladney – Yea  
Nate Johnson – Yea  
Fred Pestello – Yea  
Vernal Brown – Yea  
Rose Windmiller – Yea

Herbert Simmons – Yea  
Terry Beach – Yea  
Debra Moore – Yea  
Derrick Cox – Yea

**The motion passed unanimously.**

- 4. Motion to Move to Executive Session – If such action is approved by a majority vote of the Bi-State Development Agency’s Board of Commissioners who constitute a quorum, the Board may go into closed session to discuss legal, confidential, or privileged matters pursuant to Bi-State Development Board Policy Chapter 10, §10.080(D)(1), Personnel under §10.080(D)(3), Employee Negotiations under §10.080(D)(5), Purchasing and Contracts under §10.080(D)(7), and Auditors §10.080(D)(10).**

**9:05 a.m.** Chair Simmons requested a motion to allow the Committee to move into closed session as permitted under Bi-State Development Board Policy, Chapter 10, Section 10.080; (D)(1) – Legal, (D)(3) – Personnel, (D)(5) – Employee Negotiations, (D)(7) – Purchasing and Contracts, and (D)(10) – Auditors. A motion to move into Executive Session was made by Commissioner Windmiller and seconded by Commissioner Brown. A roll call vote was taken as follows:

Sam Gladney – Yea  
Nate Johnson – Yea  
Fred Pestello – Yea  
Vernal Brown – Yea  
Rose Windmiller – Yea

Herbert Simmons – Yea  
Terry Beach – Yea  
Debra Moore – Yea  
Derrick Cox – Yea

**The motion passed, and the Committee moved into Executive Session at 9:06 a.m.**

- 5. Reconvene to Open Session**

**9:23 a.m.** The Board of Commissioners reconvened to the Regular Meeting at approximately 9:23 a.m.

Commissioner Cox made a motion to approve the Draft Procurement Card Program Audit Report (Resolution #1218), as presented. The motion was seconded by Commissioner Windmiller. A roll call vote was taken as follows:

Sam Gladney – Yea  
Nate Johnson – Yea  
Fred Pestello – Yea  
Vernal Brown – Yea  
Rose Windmiller – Yea

Herbert Simmons – Yea  
Terry Beach – Yea  
Debra Moore – Yea  
Derrick Cox – Yea

**The motion passed unanimously.**

- 6. Adjournment**

**9:24 a.m.** Chair Simmons asked if there was any further business, and being none, Commissioner Cox made a motion to adjourn the meeting. The motion was seconded by Commissioner Brown. Unanimous vote in favor was taken. The motion passed, and the meeting was adjourned at approximately 9:24 a.m.

**BI-STATE DEVELOPMENT  
BOARD OF COMMISSIONERS SPECIAL MEETING  
(Virtual Meeting)  
OPEN SESSION MINUTES  
September 7, 2022  
8:30 AM**

**Board Members participating via Zoom**

**Missouri**

Sam Gladney, Vice Chair  
Nate Johnson, Secretary  
Fred Pestello  
Vernal Brown – Absent  
Rose Windmiller – Absent

**Illinois**

Herbert Simmons, Chair  
Terry Beach, Treasurer  
Irma Golliday  
Debra Moore  
Derrick Cox – Absent

**Staff**

Taulby Roach, President and Chief Executive Officer  
Lisa Stump, Lashly & Baer, Legal Counsel  
Myra Bennett, Manager of Board Administration  
Brenda Deertz, Director of Executive Services  
Charles Stewart, Executive Director Metro Transit

**Others Participating via Zoom**

Darrell Jacobs, ASL Interpreter

1. **Open Session Call to Order**  
**8:31 a.m.** Vice Chair Gladney called the Open Session of the Special Meeting of the Bi-State Development Agency, Board of Commissioners to order at 8:30 a.m.
2. **Roll Call**  
**8:31 a.m.** Roll call was taken, as noted above.
3. **Motion to Move to Executive Session – If such action is approved by a majority vote of the Bi-State Development Agency’s Board of Commissioners who constitute a quorum, the Board may go into closed session to discuss legal, confidential, or privileged matters pursuant to Bi-State Development Board Policy Chapter 10, §10.080(D)(1), Personnel under §10.080(D)(3), and Employee Negotiations under §10.080(D)(5).**  
**8:33 a.m.** Vice Chair Gladney noted that the information for the item to be addressed under the Executive Session agenda was provided in advance of today’s meeting. He stated that, if no discussion is needed regarding the item, the Board can proceed to vote on the issue; however, if discussion is necessary, the Board will move into Executive Session. He asked if any discussion was needed pertaining to the item.

Being no discussion needed, Commissioner Beach made a motion to approve the Extension of Contract with the ATU Local 788 O&M Division and Clerical Division Bargaining Units (Resolution #1220), as presented. The motion was seconded by Commissioner Simmons.

A roll call vote was taken as follows:

Sam Gladney – Yea  
Nate Johnson – Yea  
Fred Pestello – Yea

Herbert Simmons – Yea  
Terry Beach – Yea  
Irma Golliday – Yea  
Debra Moore – Yea

**The motion passed unanimously.**

**6. Adjournment**

**8:36 a.m.** Vice Chair Gladney asked if there was any further business, and being none, Commissioner Simmons made a motion to adjourn the meeting. The motion was seconded by Commissioner Johnson. Unanimous vote in favor was taken. The motion passed, and the meeting was adjourned at approximately 8:36 a.m.

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Deputy Secretary to the Board of Commissioners  
Bi-State Development

**BI-STATE DEVELOPMENT  
OPERATIONS COMMITTEE MEETING  
OPEN SESSION MINUTES  
(Virtual Meeting)  
August 19, 2022 at 8:30 AM**

**Operations Committee Members participating via Zoom**

Rose Windmiller, Chair  
Derrick Cox – joined the meeting at approximately 8:35 a.m.  
Vernal Brown  
Irma Golliday – Absent

**Other Commissioners participating via Zoom**

Terry Beach  
Herbert Simmons – joined the meeting at approximately 8:56 a.m.  
Sam Gladney  
Debra Moore  
Fred Pestello – Absent  
Nate Johnson – Absent

**Staff participating via Zoom**

Taulby Roach, President and Chief Executive Officer  
Brenda Deertz, Director of Executive Services  
Lisa Stump, Lashly & Baer, Legal Counsel  
Myra Bennett, Manager of Board Administration  
Thomas Curran, Executive Vice President – Administration  
Charles Stewart, Executive Director Metro Transit

**Others participating via Zoom**

Erin Stumpf, ASL Interpreter  
Melony Self, ASL Interpreter

- 1. Open Session Call to Order**  
**8:30 a.m.** Chair Windmiller called the Open Session of the Operations Committee Meeting to order at 8:30 a.m.
- 2. Roll Call**  
**8:30 a.m.** Roll call was taken, as noted above.
- 3. Public Comment**  
**8:32 a.m.** Ms. Bennett noted that no public comment cards were received for today's meeting.



4. **Approval of the Minutes of the June 10, 2022 - Operations Committee, Open Meeting**  
**8:32 a.m.** The minutes of the June 10, 2022, Operations Committee, Open Meeting were provided in the Committee packet. A motion to approve the minutes was made by Commissioner Brown and seconded by Commissioner Moore. **The motion passed unanimously.**
5. **Approval of the Minutes of the June 10, 2022 - Combined Audit, Finance & Administration and Operations Committee, Open Meeting**  
**8:33 a.m.** The minutes of the June 10, 2022, Combined Audit, Finance & Administration and Operations Committee, Open Meeting were provided in the Committee packet. A motion to approve the minutes was made by Commissioner Beach and seconded by Commissioner Moore. **The motion passed unanimously.**
6. **Contract Modification: Elevator Escalator Full Maintenance and Repair**  
**8:33 a.m.** A briefing paper was included in the meeting materials to approve Contract Modification #4, for the continued maintenance and repair of the elevators and escalators that service MetroLink, to ThyssenKrupp Elevator in an amount not to exceed \$600,000.00, and to extend the contract time period through November 30, 2022. Tom Curran, Vice President of Administration, gave an overview of this item noting that the current contract for elevator and escalator maintenance was approved by the Board of Commissioners on April 28, 2017, at a not to exceed amount of \$4,000,000. He stated that the current request is to include additional funds and a time extension, so that the Agency can keep the current contract in place, until a new contract is awarded. Mr. Curran reported some of the notable contributors to the overages during this last contract option year, as well as out of scope maintenance requests. He stated that assessments were scheduled and performed in April 2022 for each Metro facility and rail station elevator, and these assessments provided a forecast of future maintenance needs and helped the Agency understand the current operating conditions, remaining lifespans, and ultimately repair and/or replacement costs.  
  
A motion to approve this agenda item for referral to the Board of Commissioners for approval, as presented, was made by Commissioner Brown and seconded by Commissioner Gladney. **The motion passed unanimously.**  
  
(Commissioner Cox joined the meeting at approximately 8:35 a.m.)
7. **Unscheduled Business**  
**8:37 a.m.** There was no unscheduled business.
8. **Operations Report**  
**8:37 a.m.** An operations report for Metro Transit was included in the Committee packet. Charles Stewart, Executive Director Metro Transit, provided a summary of the report for the Committee, noting current ridership numbers have increased for MetroBus and MetroLink (1.6% and 18.4%, respectively); however, the numbers are still below those for 2019. He noted that actual expenses, year to date, as compared to the budget, are down \$28 million. Mr. Stewart reported that Call-A-Ride had a trip denial rate of 16.4% in June, due to the shortage of Operators, as well as other issues.

Mr. Stewart stated that Metro Transit has had 325 new hires since the start of the bonus program, and 105 sign on bonuses have been paid to date. He noted that the Agency is hiring; however, it

is not retaining employees. He noted that MetroBus missed nearly 2,500 trips, or 2.23% of its total trips, due to the workforce shortage. He reported that MetroLink has not missed any trips; however, this is due to the fact that TSM's have supplemented this service. Mr. Stewart stated that, as previously noted with Call-A-Ride, the missed trips have been due to the workforce shortage, and a recruiting and retaining item will be going before the Audit, Finance & Administration Committee today, to address these issues. He stated that 106 applications were received in June, with 24 candidates in process and 11 trainees in process. He added that not only is the Agency having issues in recruiting new employees, it is also having issues retaining employees through the entire process of training. Mr. Stewart reported that Metro Transit is down 157 MetroBus Operators, 13 MetroLink Operators, and 55 Call-A-Ride Operators. He stated that with regard to Mechanic and Maintenance positions, they are down 64.

Chair Windmiller asked if exit interviews are being conducted. Mr. Stewart stated that, with many employees quitting during the training process, they just stop showing up, and therefore, no interviews can be conducted. He attributed this to individuals not understanding the job when first joining the team, and the fact that the initial assignments are not the most glamorous routes. Chair Windmiller noted that the budgeted revenue, versus the actual passenger revenue did not meet projections, and posed questions as to why. Mr. Stewart stated that this is due to reduced ridership.

This item was provided as information only.

## **9. President/CEO Report**

**8:44 a.m.** Bi-State Development President/CEO Taulby Roach addressed the Committee noting that on Monday, August 22<sup>nd</sup>, MetroLink trains will be running all the way through the system. He noted that the system will be operating more slowly, as construction continues; however, he stated that it was important to get the trains running, as school is resuming, and many students use MetroLink as their primary source of transportation. Mr. Roach commended staff for their work with the flood recovery efforts, noting that Darren Curry and his team have been working overtime to develop the system change.

Mr. Roach noted that he continues to meet with City of St. Louis Aldermen regarding the Northside/Southside alignment, and will be holding an update meeting with East-West Gateway on August 31<sup>st</sup>.

Mr. Roach noted that FTA representatives were in town to discuss funding and flood recovery efforts. He noted that the Agency is working towards improvements to ensure this type of event causes less disruption in the future, such as plans to raise the MetroLink station houses. He noted that there are complicated layers regarding the construction process and with federal funding efforts.

Mr. Roach noted that the Agency continues to address issues with attracting and retaining employees, stating that it is his goal to get people to join the Agency and establish careers with Metro.

Commissioner Gladney commended staff for their efforts.

Commissioner Brown posed questions regarding eligibility for funding through the federal government regarding the flood event. Mr. Roach stated that the Agency is eligible for assistance from the Federal government; however, it is a multi-tiered application process. He also noted that the total estimated construction costs of \$40 million, will be offset through an insurance policy with Lloyd's of London.

This item was provided as information only.

**10. Call of Dates for Future Board and Committee Meetings**

**8:52 a.m.** Myra Bennett, Manager of Board Administration, advised the Committee of the upcoming meetings, as follows:

Tentative schedule:

Board of Commissioners Meeting:	Friday, September 23, 2022	8:30 AM
Safety & Security Committee Meeting:	Thursday, October 6, 2022	8:30 AM
Operations Committee Meeting:	Friday, October 14, 2022	8:30 AM
Audit/Finance/Administration Committee Meeting:	Friday, October 14, 2022	Following OPS

**11. Adjournment to Executive Session**

**8:53 a.m.** Chair Windmiller asked for a motion that the Committee go into Executive Session for the purpose of discussing legal, confidential, or privileged matters, as permitted under Bi-State Development Board Policy Chapter 10, Section 10.080, (D) (1) – Legal, (D) (3) – Personnel, and (D) (5) – Employee Negotiations. The motion was made by Commissioner Beach, and was seconded by Commissioner Brown.

A roll call vote was taken as follows:

Sam Gladney – Yea	Terry Beach – Yea
Vernal Brown – Yea	Derrick Cox – Yea
Rose Windmiller – Yea	Debra Moore – Yea

**The motion passed unanimously, and the Committee moved into Executive Session at approximately 8:55 a.m.**

**(Commissioner Simmons joined the Executive Session meeting at approximately 8:56 a.m. Commissioner Cox left the meeting at approximately 9:20 a.m. Commissioner Simmons left the meeting at approximately 9:32 a.m.)**

**12. Reconvene to the Open Meeting**

**9:33 a.m.** Chair Windmiller noted that the Committee has reconvened to the Open Meeting.

Commissioner Moore made a motion to approve the minutes of the June 10, 2022 - Combined Audit, Finance & Administration and Operations Committee, Executive Session, as presented, as a closed record. The motion was seconded by Commissioner Brown.

A roll call vote was taken as follows:

Sam Gladney – Yea  
Vernal Brown – Yea  
Rose Windmiller – Yea

Terry Beach – Yea  
Debra Moore – Yea

**The motion passed unanimously.**

**13. Adjournment**

**9:34 a.m.** Chair Windmiller asked if there was any further business, being none, Commissioner Brown made a motion to adjourn the meeting. The motion was seconded by Commissioner Beach. Unanimous vote in favor was taken. The motion passed, and the meeting was adjourned at approximately 9:35 a.m.

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Deputy Secretary to the Board of Commissioners  
Bi-State Development

**BI-STATE DEVELOPMENT  
AUDIT, FINANCE & ADMINISTRATION COMMITTEE MEETING  
OPEN SESSION MINUTES  
(Virtual Meeting)  
August 19, 2022**

**Immediately following Operations Committee Meeting**

**Audit, Finance & Administration Committee Members participating via Zoom**

Terry Beach, Chair  
Sam Gladney  
Debra Moore  
Herbert Simmons – Absent  
Fred Pestello – Absent  
Nate Johnson – Absent

**Other Commissioners participating via Zoom**

Rose Windmiller  
Vernal Brown  
Derrick Cox – Absent  
Irma Golliday – Absent

**Staff participating via Zoom**

Taulby Roach, President and Chief Executive Officer  
Brenda Deertz, Director of Executive Services  
Lisa Stump, Lashly & Baer, Legal Counsel  
Myra Bennett, Manager of Board Administration  
Thomas Curran, Executive Vice President – Administration  
Tammy Fulbright, Executive Vice President, Chief Financial Officer  
Crystal Messner, Chief Audit Executive  
Charles Stewart, Executive Director Metro Transit  
Diana Bentz, Vice President – Talent Management  
Dave Toben, Director of Benefits

**Others participating via Zoom**

Erin Stumpf, ASL Interpreter  
Melony Self, ASL Interpreter

**1. Open Session Call to Order**

**9:35 a.m.** Chair Beach called the Open Session of the Audit, Finance & Administration Committee Meeting to order at 9:35 a.m.

**2. Roll Call**

**9:35 a.m.** Roll call was taken, as noted above.

**3. Public Comment**

**9:36 a.m.** Ms. Bennett, Manager of Board Administration, noted that no public comment cards were received for today's meeting.

**4. Minutes of the June 10, 2022, Audit, Finance & Administration Committee, Open Meeting**

**9:36 a.m.** The minutes of the June 10, 2022, Audit, Finance & Administration Committee, Open Meeting, were provided in the Committee packet. A motion to approve the minutes was made by Commissioner Moore and seconded by Commissioner Brown. **The motion passed unanimously.**

**5. Minutes of the June 10, 2022, Combined Audit, Finance & Administration and Operations Committee, Open Meeting**

**9:37 a.m.** The minutes of the June 10, 2022, Combined Audit, Finance & Administration and Operations Committee, Open Meeting, were provided in the Committee packet. A motion to approve the minutes was made by Commissioner Brown and seconded by Commissioner Gladney. **The motion passed unanimously.**

**6. Attracting and Retaining Talent**

**9:37 a.m.** A briefing paper was included in the meeting materials, presenting a request to invest \$2,654,426 in various tactics and programs to improve the Agency's ability to attract and retain talent. Diana Bentz, Vice President – Talent Management, gave a PowerPoint presentation and overview of this item. She noted that the significant staffing shortage, over the past several months, has been compounded by a higher than normal turnover rate, and in order to maintain levels of service, attracting and retaining talent is critical. She reported that the "quit rate" has been greater than the hiring rate for FY2022, through May.

Dave Toben, Director of Benefits, reviewed some of the tactics and programs that are being proposed, including: Paid Parental Leave; Child Care & Elder Support Programs; Tuition Reimbursement and Student Loan Subsidies, providing details for each program. Commissioner Gladney asked if the Tuition Reimbursement programs were primarily geared towards Salaried Employees. Mr. Toben stated that, although most participants would fall into that category, it would be inclusive of others, such as Operators, who have student loans. Commissioner Windmiller stated that she is happy to hear that the Agency is considering these programs, and posed specific questions related to the dollar amount being considered for Tuition Reimbursement, with regard to tax implications. She stated that she would recommend that the Agency consider increasing the benefit to the full \$5,250 non-taxable limit, instead of the proposed \$5,000 benefit.

Diana Bentz provided additional information regarding tactics to improve the Culture of the organization, to help employees feel more connected. These tactics and program include: Use of Bonfyre Communication & Engagement App; Management Development programs; Anti-Bias/Anti-Racism Training; Operator & Mechanic Amenities; and Transit Passes for Employees. She gave an overview of these tactics, noting the known challenges and proposed solutions. Commissioner Windmiller thanked the staff for their efforts on this project.

A motion to accept this agenda item, as presented, and recommend it to the Board of Commissioners for approval, was made by Commissioner Moore and seconded by Commissioner Brown. **The motion passed unanimously.**

**7. Contract Award - Diversity, Equity & Inclusion Consulting and Training Services for Anti-Bias, Anti-Racism Training**

**10:02 a.m.** A briefing paper was included in the meeting materials regarding a request that the President & CEO enter into a seven-month contract for Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training with Diversity Works in the not-to-exceed amount of \$327,000. Tom Curran, Executive Vice President – Administration, gave an overview of this item. Mr. Curran noted that the Agency is committed to taking important steps to deepen our commitment to advance diversity, equity and inclusion in our internal culture, to include organizational structures, policies, and systems in our community engagement strategies. He stated that Solicitation 22-RFP-325160-TJL - Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training was issued on April 22, 2022, and in response to the solicitation, one (1) sealed proposal was received from Diversity Works. Mr. Curran reported that a review of the proposal submitted by Diversity Works affirmed that the technical proposal met the minimum requirements, qualifications and experience in accordance with the scope of work described within the solicitation, and management is recommending that the Committee accept, and forward to the Board of Commissioners for approval, a request that the President & CEO enter into a seven-month contract for Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training with Diversity Works in the not-to-exceed amount of \$327,000.

Commissioner Moore asked if this will be system-wide training, or focused towards specific employee groups. Ms. Bentz stated that, first and foremost, it will be directed at those in management positions. She stated that it will begin as a pilot program, focusing on Executives, then move forward with training for Managers.

A motion to accept this agenda item, as presented, and recommend it to the Board of Commissioners for approval, was made by Commissioner Windmiller and seconded by Commissioner Brown. **The motion passed unanimously.**

**8. Board Policy Revisions, Chapter 30 – Audit, Finance, and Budget**

**10:07 a.m.** A briefing paper was included in the meeting materials regarding a request to incorporate revisions to the Collected Board Policies of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, Chapter 30, Audit, Finance, and Budget. Tammy Fulbright, Executive Vice President/Chief Financial Officer, gave an overview of this item, identifying the proposed changes for the various sections of the Board Policy, including:

- 30.030 Annual Budget
- 30.040 Banking and Investment
- 30.050 Financial Reporting
- 30.080 Debt Issuance and Administration

A motion to accept this agenda item, as presented, and recommend it to the Board of Commissioners for approval, was made by Commissioner Moore and seconded by Commissioner Windmiller. **The motion passed unanimously.**

**9. Contract Award - Fare Collection Program Consultant**

**10:10 a.m.** A briefing paper was included in the meeting materials regarding an update on the Fare Collection Program (FCP) project and the hiring of a consultant to assist in this effort. Tom Curran, Executive Vice President - Administration, gave an overview of this item. Mr. Curran stated that, in order to update its aging fare collection system, Bi-State's Fare Collection Program project will revise our fare policy, structure and collection through development of a new electronic faring system, inclusive of validators and ticket vending machines for MetroLink and new fareboxes for MetroBus. He noted that the fare collection modernization project will tie into the new Secure Platforms Program (SPP), which is dependent upon updated fare media to open the planned gates at all MetroLink stations.

Mr. Curran stated that the FCP consultant will act as an extension of staff and assist in: 1) reviewing the previous RFP for a new electronic faring system; 2) affirming and refining project goals; 3) preparing a Request for Information (RFI) for new fare collection equipment; 4) development of an RFP for new ticket vending machines and fareboxes, including bid-ready specifications; 5) integrating and testing replacement equipment, 6) recommending business rules for FCP system security and reviewing electronic transaction security; and 7) project planning and management. Bi-State issued Solicitation 22-RFP-342190-TJL – Fare Collection Program Consultant on June 25, 2022, and three proposals were received. Mr. Curran reported that all three proposals were deemed to be responsive and were forwarded to an evaluation committee, composed of representatives from Administration, Grants, Revenue, and the St. Clair County Transit District. The proposals were scored in accordance with the evaluation requirements, specified in the solicitation package, and Consult Hyperion was deemed to be the highest ranking firm. Mr. Curran stated that the Agency will be negotiating a contract with Consult Hyperion for the provision of the services requested in the solicitation. It was noted that item was presented for information only, and no action by the Committee is needed.

**10. Internal Audit Follow-Up Summary – 4th Quarter FY2022**

**11. Internal Audit Status Report – 4th Quarter FY2022**

**12. Internal Audit State Safety Oversight Status Report - 2nd Quarter Calendar Year 2022**

**10:12 a.m.** Briefing papers were included in the meeting materials for each of the above noted items, and Crystal Messner, Chief Audit Executive, gave a brief overview for each item.

Ms. Messner stated that, with regard to the Internal Audit Follow-up Summary, 8% of recommendations remain outstanding, past the implementation date. She noted that staff shortages have contributed to this issue; however, she commended the Agency as a whole for addressing issues of concern. She noted that two significant areas were completed, pertaining to the Drug and Alcohol Policy and SSO.

Ms. Messner reported that, with regard to the Internal Audit Status Report for the 4<sup>th</sup> Quarter of FY2022, the Internal Audit Department began the System Access Review and Physical Access Review audits in April. The System Access audit scope expanded, while the Physical Access audit is reaching completion. The Arch and Riverboats' audit is progressing as expected. She noted that additionally, the Procurement Card audit is complete and was presented at the Special Board Meeting on August 11, 2022 for final approval.



Ms. Messner stated that, with regard to the Internal Audit State Safety Oversight Status Report, the following audit activities were proposed by Internal Audit during the 2nd Quarter:

- Conduct follow-ups on open Internal SSO Audits' CAPs that are ready for closure;
- Monitor the progress on the open CAPs from the 2021 non-compliance areas, including Supervisory Control and Data Acquisition (**SCADA**) Assessment CAPs by collaborating with Safety on the CAP Advisory Committee to ensure satisfactory progress is being made towards addressing risks properly;
- Collaborate with Kensington Consulting's audit team to plan and schedule the 2022 Internal Safety and Security Audits; and,
- Participate in other audit activities for Bi-State Safety Oversight (BSSO).

Ms. Messner stated that the second quarter proposed activities were accomplished. She reported that IAD is currently collaborating with Safety and management to monitor the progress monthly for all open SSO and SCADA CAPs. Management successfully closed five (5) CAPs, and noted that the 2022 IAD SSO Internal Audit planning process is on schedule. External and internal audit customers, including the Bi-State Safety Oversight (BSSO), participated in the 2022 SSO Pre-Audit Meeting on July 25, 2022. Audit document requests were sent to Safety August 1, 2022. Ms. Messner stated that IAD, along with Kensington Consulting's team, will be conducting onsite field work on September 13-15, 2022.

These items were presented as information only.

**13. Pension Plans, 401(k) Retirement Savings Program and OPEB Trust Investment Performance Update as of June 30, 2022**

**10:16 a.m.** Pension Plans, 401(k) Retirement Savings Program and OPEB Trust Investment Performance updates were included in the meeting materials. Charles Stewart, Executive Director Metro Transit, gave an overview of this item, noting that this has not been a good year for the pension plans. Mr. Stewart gave a summary of the accounts as follows:

BSD 401(k) Retirement Savings Program - Total 401(k) Program assets were \$71.6M as of the end of June 2022. This is down -\$15.9M in combined contributions and investment earnings from calendar year end 2021 which stood at \$87.5M.

Salaried Pension Plan - As of June 30, total Plan assets were \$90.1M. The plan experienced \$9.9 million in investment losses during the second quarter of 2022 and \$14.6 million in losses for the first half of the year. Cash flows were positive in the second quarter at \$3.2M.

IBEW Pension Plan - As of June 30, total Plan assets were \$6.6M. With the exception of 2018 and the first half of this year, Total Portfolio Market values have steadily increased over the past 11 years. In 2008 the market value fell to \$1.1M, but has quadrupled since reaching the market bottom. Now that the Plan is fully-funded the cash flows into the Plan have moderated.

ATU 788 Pension Plan - As of June 30, total Plan assets were \$156.60M. Fund flows over the past few years have been consistently negative and 2022 continued this trend. Second quarter cash flows totaled -\$1.6M, with year-to-date cash flows of -\$3.6M. The Portfolio experienced investment losses of \$20.5M for the quarter and \$30.8M for the first year of 2022.

OPEB Trust - The OPEB Retirement Trust ended the quarter with a total Portfolio market value of \$52.5M. The Portfolio declined -9.5% during the second quarter of 2022 bringing the year-to-date performance to -12.9%. This equates to -\$7.9M in investment losses for the year.

This item was presented as information only.

**14.-15. Quarterly Financial Statements and Treasurer's Report**

**10:19 a.m.** The Quarterly Financial Statements and a Treasurer's Report were included in the meeting materials. Tammy Fulbright, Executive Vice President & Chief Financial Officer, gave an overview of these items, noting that the Agency's combined total, as of the Quarterly Statement ended June 30, 2022, is \$1.4 billion. Ms. Fulbright also gave a summary of the Fuel Hedging Program status. This item was presented as information only.

**16. Procurement Report**

**10:22 a.m.** A Procurement Report was included in the meeting materials regarding this item. Thomas Curran, Executive Vice President Administration, gave an overview of this item. He noted that the Fourth Quarter FY 2022 Non-Competitive Procurements total was \$19,087,189, which is 28.3% of the total Purchase Order Commitment volume of \$67,356,341. During the last twelve months, the Non-Competitive Procurements total was \$26,626,631, which is 18.4% of the total Procurement spend of \$144,742,953. Mr. Curran noted that the Procurement Card YTD total is \$4,690,934.

**17. Unscheduled Business**

**10:24 a.m.** There was no unscheduled business.

**18. President/CEO Report**

**10:24 a.m.** Bi-State Development President/CEO Taulby Roach stated that he has no report at this time.

**19. Call of Dates for Future Board and Committee Meetings**

**10:24 a.m.** Myra Bennett, Manager of Board Administration, advised the Committee of the upcoming meeting, as follows:

Tentative schedule:

Board of Commissioners Meeting:	Friday, September 23, 2022	8:30 AM
Safety & Security Meeting:	Thursday, October 6, 2022	8:30 AM
Operations/Audit, Finance, Administration:	Friday, October 14, 2022	8:30 AM

**20. Adjournment to Executive Session – If such action is approved by a majority vote of the Bi-State Development Agency's Board of Commissioners who constitute a quorum, the Board may go into closed session to discuss legal, confidential, or privileged matters pursuant to Bi-State Development Board Policy Chapter 10, §10.080(D) Closed Records; Legal under §10.080(D)(1) ; Personnel under §10.080(D)(3); and Auditors under §10.080(D)(10).**

**10:24 a.m.** Chair Beach requested a motion to allow the Committee to move into closed session as permitted under Bi-State Development Board Policy, Chapter 10, Section 10.080, (D) (1) – Legal; (D) (3) – Personnel; and (D) (10) – Auditors.

A motion to move into Executive Session was made by Commissioner Windmiller and seconded by Commissioner Brown. A roll call vote was taken as follows:

Rose Windmiller – Yea  
Vernal Brown – Yea  
Sam Gladney – Yea

Terry Beach – Yea  
Debra Moore – Yea

**The motion passed unanimously, and the Committee moved into Executive Session at 10:25 a.m.**

**21. Reconvene to Open Meeting**

**10:30 a.m.** The Committee reconvened to the Open Meeting at approximately 10:30 a.m.

Commissioner Windmiller made a motion to approve the minutes from the June 10, 2022 - Combined Audit, Finance & Administration and Operations Committee, Executive Session, as a closed record. The motion was seconded by Commissioner Moore.

Rose Windmiller – Yea  
Vernal Brown – Yea  
Sam Gladney – Yea

Terry Beach – Yea  
Debra Moore – Yea

**The motion passed unanimously.**

**22. Adjournment**

**10:31 a.m.** Chair Beach asked if there was any further business, being none, Commissioner Moore made a motion to adjourn the meeting. The motion was seconded by Commissioner Windmiller. Unanimous vote in favor was taken. The motion passed, and the meeting was adjourned at approximately 10:31 a.m.

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Deputy Secretary to the Board of Commissioners  
Bi-State Development

**BI-STATE DEVELOPMENT  
SAFETY AND SECURITY COMMITTEE MEETING  
(VIRTUAL MEETING VIA ZOOM)  
OPEN SESSION MINUTES  
August 11, 2022  
8:30 AM**

**Committee Members Participating via Zoom**

Vernal Brown  
Rose Windmiller – Absent  
Fred Pestello – Absent

Herbert Simmons, Chair  
Derrick Cox – Absent  
Irma Golliday – Absent

**Other Commissioners Participating via Zoom**

Nate Johnson  
Sam Gladney – Absent

Terry Beach  
Debra Moore

**Staff Participating via Zoom**

Taulby Roach, President and Chief Executive Officer  
Brenda Deertz, Director of Executive Services  
Lisa Stump, Lashley & Baer, Legal Counsel  
Myra Bennett, Manager of Board Administration  
Charles Stewart, Executive Director Metro Transit  
Tom Curran, Executive Vice President Administration  
Kevin Scott, General Manager Security  
Andrew Ghaissi, General Manager Safety, Chief Safety Officer

**Others Participating via Zoom**

Melony Self, ASL Interpreter

**1. Open Session Call to Order**

**9:25 a.m.** Chair Simmons called the Open Session of the Bi-State Development Agency, Security Sub-Committee Meeting to order at 9:25 a.m.

**2. Roll Call**

**9:25 a.m.** Roll call was taken, as noted above.

**3. Public Comment**

**9:26 a.m.** Chair Simmons asked Ms. Bennett if any speaker cards were submitted for today's meeting. Ms. Bennett noted that the following public comment was received:

Name: Matthew Inman

Topic: July 26th Metro Service Disruptions and Lack of Preparedness

Comments: To the Bi-State Development Agency Board of Commissioners:

I'm a student at Washington University and I am a frequent user of Metro as a means for me to commute to work, run errands, and to overall get around town without a car. I wanted to share some comments and suggestions with you that involve Metro service during the recent flash floods on the morning of July 26th, 2022.

As a student with no access to a personal vehicle I have relied on Metrolink as a means to get to and from work each day this summer. I've rode with Metrolink enough to know that when it rains the train is delayed, but I was shocked when I checked the Transit App to see an alert that delays of "Up to two hours or more were occurring" Knowing the devastating impact this could have on my commute I hurried out the door to walk to Skinker Station. Based on the alert on the app and the Metro website I could tell that there were delays but it was unclear if the train was still running, if so between where, or if shuttles were in service. Ultimately, I decided that I would be able to gather more information at the station. Surely, if the train was no longer serving the station or the station was closed there would be signs to that effect with instructions on where to find the shuttle stop.

I was wrong.

And one comment I have is concerning Metro's lackluster planning and crisis management during the events of July 26th. Metro's rider alerts when they are issued at all are often confusing and contradictory. The alert on the website/app did not immediately tell me if the train was running or if the station was closed. And when I got to the station the PA system was giving contradictory announcements. The automated PA system was notifying passengers of the delay but did not clearly tell those waiting that the train was not serving the station.

I attempted to call Metro's transit information line for clarification if the station was open, and while I did get an answer eventually I was hung up on or otherwise disconnected several times in the process. This leads me to another issue about Metro's preparation for a large-scale Metrolink service disruption like this: The lack of easy to find information/wayfinding signage on Metrolink Shuttle stops.

There is no information on the platform nor was any sign posted about the overall location of the Metrolink shuttle stop locations. While I was easily able to find the sign that indicated the westbound Metrolink shuttle, I was unable and still have yet to find or receive a straight answer on where the Eastbound Metrolink shuttle stop is for the Skinker station. It seems that Metro hopes for people to aimlessly wander around in a blind attempt to find a little sign. Which is a prime example of poor planning and under preparedness.

Furthermore, I have yet to ride a designated Blue Line shuttle to or from Skinker and the Central West End. In my vain attempt to wait and hope the shuttle eventually shows up there have always been other bus/paratransit operators that have stopped and offered me a ride.

I understand that a weather event on the scale of what happened on July 26th may be beyond the design basis for much of the Metrolink system. However, I encourage Metro and Bi-State to take the lessons from this event to heart to better prepare for any future large scale disruptions.

4. **Approval of the Minutes of the May 5, 2022, Safety & Security Committee, Open Meeting 9:30 a.m.** The minutes of the May 5, 2022, Safety & Security Committee, Open Meeting, were provided in the Committee packet.

A motion to approve the minutes, as presented, was made by Commissioner Brown and was seconded by Commissioner Johnson. **The motion passed unanimously.**

5. **Task Force Quarterly Report**

**9:31 a.m.** The Task Force Quarterly Report was provided in the meeting materials, Kevin Scott, General Manager Security, gave an overview of this item, noting that the numbers contained in the in the quarterly reports come directly from our law enforcement partners and is broken down by jurisdiction. He stated that this is an opportunity to also stress the importance and compliment the men and women who work on a daily basis to interact with our customer base and address issues. He reported that 177 incidents occurred in the past three months, noting that the Agency uses this data in determining where to deploy resources. Mr. Scott reported that 71% of the most recent incidents were self-initiated, by proactive law enforcement engagement, which means that these were incidents that were not “calls for service”, but rather were observed or discovered by law enforcement during their routine patrols, while engaging ridership. He noted that the numbers reflect a high level of incidents at North Hanley and Fairview Heights locations, partially due to the proactive stance that law enforcement has been taken at these locations.

Chair Simmons asked for an update on the dispatch project. Mr. Scott stated that he has been in continuing discussions with Captain Morrow from St. Louis County and he is committed to the 90 day pilot. He stated that, during the FTA audit, it was noted that the inter collaboration radio communications between jurisdictions were highlighted as a weakness, and is a finding that the organization must address. Mr. Scott states that he believes that part of the issue is that our law enforcement partners do not understand the regulatory oversight that the Agency is under, and the benchmarks that we are obligated to achieve. He reported that the discussions with St. Louis County have been well received. Mr. Scott stated that we will not know what does, and does not work, until the organization completes the 90 day pilot. Commissioner Simmons noted that St. Clair County has continue to work with Captain Morrow regarding this project.

Chair Simmons asked for an update regarding the camera project at the peace app centers. Mr. Scott stated that there has been a reconfiguration of some responsibilities, and positioning people with expertise in certain areas to address specific issues, and is hopeful that this will speed the process. Chair Simmons stated that he is optimistic that this will be done as early as next week, as the Agency is waiting for software to arrive. He noted for the Committee, that this project will allow monitoring of the platforms and parking lots, from the dispatch centers in St. Clair County. It was noted that this capability will only be available in St. Clair County at this point. Mr. Scott stated that the Secure Platform Plan contract, approved by the Board this morning, will allow for a buildout of a real time camera center at the central facility, which will support and compliment this project.

**6. Unscheduled Business**

**9: 41 a.m.** There was no unscheduled business.

**7. President/CEO Report**

**9:41 a.m.** President/CEO Taulby Roach asked Chuck Stewart, Executive Director of Metro Transit, to provide input regarding the public comment from Mr. Inman. Mr. Stewart noted that staff has responded to Mr. Inman. He stated that Mr. Inman represents a very important part of our ridership, as a student of Washington University. Mr. Stewart stated that Mr. Inman experienced the worst of the crisis, related to the unprecedented flooding incident, and significant damage to our system and facilities. He noted that the Agency is continuing to work to address these issues, and commended the entire staff for their response to these events.

Chair Simmons asked if staff responds directly to the public comments that are submitted. Mr. Stewart reported that staff does respond directly to the individuals, and stated that he could provide that correspondence to the Board, if needed. Chair Simmons asked that Mr. Stewart please forward that information to the Board.

**8. Call for the Dates of Future Board & Committee Meetings**

**9:45 a.m.** Myra Bennett, Manager of Board Administration announced the upcoming meetings as follows:

Operations Committee Meeting:	Friday	August 19, 2022	8:30 AM
Audit, Finance & Administration Committee:	Friday	August 19, 2022	Following OPS
Board of Commissioners Meeting:	Friday	September 23, 2022	8:30 AM

**9. Adjournment**

**9:46 a.m.** Chair Simmons asked if there was any further business; being none, Commissioner Beach made a motion to adjourn the meeting. The motion was seconded by Commissioner Brown. Unanimous vote in favor was taken. The motion passed, and the meeting was adjourned at approximately 9:46 a.m.

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Deputy Secretary to the Board of Commissioners  
Bi-State Development

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

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**From:** President and Chief Executive Officer, Taulby Roach  
**Subject:** **Attracting and Retaining Talent**  
**Disposition:** Approval  
**Presentation:** Charles Stewart, Executive Director, Metro Transit  
Diana Bentz, Vice President – Talent Management  
Dave Toben, Director of Benefits

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**Objective:**

To present to the Board of Commissioners for approval, a package of high value activities to attract and retain top tier talent.

**Background:**

We have had a significant staffing shortage, over the past several months. This shortage is compounded by a higher than normal turnover rate. In order to maintain levels of service, attracting and retaining talent is critical.

Organizational Effectiveness has conducted internal and external research leading to the identification of various tactics and programs, which can help stabilize staffing levels through retention and recruitment efforts. These tactics and programs fall under the following categories: Operator Amenities, Benefits and Wellness, Learning and Development, Culture, Recruitment, and Quick Hits as detailed in Exhibit 1. These tactics will require monetary investments of approximately \$2,654,426 million dollars.

**Analysis:**

There is a global workforce shortage impacting most industries. At a local level, this shortage has impacted our business in many ways. We have had challenges hiring seasonal employees to support Arch and Riverboats operations; time to fill positions has increased for certain roles; and we have missed trips and boardings. For example, in June, 2022 MetroBus missed 2,450 trips due to a workforce shortage of 21.45% of Operators. Call-A-Ride denied 7,652 boardings due to a shortage of 27.36% of Operators. During the first three quarters of FY2022, we hired 368 people, yet lost 469.

Statistics from the Bureau of Labor show that the rate of open positions, hiring, and separations/quits has been relatively unchanged from June, 2021 to June, 2022. The data indicates that there is a significant gap between the number of job openings compared to the number of hires. The percentage of separations is only 7% below that of the number of new hires.

Internal and external data demonstrates the need to make changes in how we can compete for talent, both through recruiting for talent and through retaining talent. We are bringing recommended actions for consideration per Board policy, Chapter 70, Personnel, Sections 70.010 and 70.020, related to Agency hiring and compensation practices.



**Previous Action:**

The Audit, Finance and Administration Committee recommended this item for approval at the August 19, 2022 meeting.

**Board Action Requested:**

The Audit, Finance and Administration Committee recommends that the Board of Commissioners approve a request to invest \$2,654,426 in various tactics and programs to improve the Agency's ability to attract and retain talent.

**Funding Source:**

Designated Operational Funds

**Attachments:**

1. Attraction and Retention Initiatives
2. List of Initiatives with Costs
3. Board Policy – Attraction and Retention Committee Meeting - 08192022

# Overview of Highlighted Tactics

## BENEFITS & WELLNESS

*Known Challenge*

*Solution*

Lack of Leave  
Benefits

PAID PARENTAL  
LEAVE

Absenteeism

CHILD & ELDER  
CARE SUBSIDY

Losing  
applicants to  
competitors

TUITION  
REIMBURSEMENT  
& STUDENT LOAN  
SUBSIDY

## CULTURE

*Known Challenge*

*Solution*

Disconnected  
team members

BONFYRE APP

Low mutual  
trust with  
supervisor

MANAGEMENT  
DEVELOPMENT

Biases & slow  
action against  
racism

ANTI-BIAS ANTI-  
RACISM  
TRAINING

## QUICK HITS

*Known Challenge*

*Solution*

Undervalued  
operators &  
mechanics

AMENITIES &  
COMFORT ITEMS

Difficulty  
sharing pride in  
work

FAMILY TRANSIT  
PASSES

Top Priorities	Est. Cost	Timeline or Status	Notes
<b>Benefits &amp; Wellness</b>			
Wellness & Advocacy Center - construction, furnishings, and equipment	\$125,000	In process	Build out est. \$140k plus \$40k furnishings. Have \$55k wellness funding from Cigna. BSD net includes absorbed labor to construct
Paid parental leave - 4 weeks	\$280,000	In process	Draft policy developed. Alt. options are 1 week at \$71k or 2 weeks at \$141k. Annual cost
Child/elder care subsidy support and priority access	\$55,000	3 months	Base annual cost. 2 vendors being vetted
HDHP/Health Savings Account medical plan option	NA	In process - launch in September 2022	Built into over-all health plan financing
Discounted products and services platform - Phase I - product and services discounts - Phase II - recognition and reward	\$0 TBD	In process	Phase II - under review by Customer Experience strategic planning committee
On-site mental health	\$64,800	In process	Annual cost based on \$135/hour x 40 hours utilized per month. Variable cost can flex up and down
Tuition reimbursement and student loan subsidy	\$315,000	3 to 6 months	Eligibility >12 mos. - Tuition reimb. For Assoc., Bachelors & Masters. <\$5,250 non taxable. Same limit for student loan subsidy. Requires time commitment. Annual cost est. based on 3% uptake at \$5k max. annual limit
<b>Culture</b>			
Communication app (Bonfyre)	\$201,200	3 months	3 year contract, based on 2100 employees - Year 1 + initialization fees = \$50,000 - Year 2 = \$75,600 - Year 3 = \$75,600
Culture immersion program	\$350,000	3 months	Training for all managers with secondary rollout to all team members
Anti-Bias Anti-Racism Training for Managers	\$327,000	February - April, 2023	Training for all managers
Gallup access: surveys/data and management tools	\$171,090	3 months	Three year contract - Year 1 = \$86,700 - Year 2 = \$42,195 - Year 3 = \$42,195
Compensation pool for small recognition adjustments increases above & beyond COLA or merit	\$202,106	6 months	Based on 1% of current SAL dollars, divided in half.
Continue with options for flexibility; research options for represented employees.	\$0	12 months	
Management Development for frontline leaders	\$200,000	6 months	Estimate based on average program costs.
External high potential programs	\$100,000	3 months	20 high potential leaders/successors to attend session(s) up to \$5000.00
Coach app and development programs	\$65,000	6 months	For ten, re-usable licenses at \$6500 each.
<b>Subtotal</b>	<b>\$2,456,196</b>		

Top Priorities	Est. Cost	Timeline or Status	Notes
Quick Hits			
Transit passes for EE family member(s)	TBD		
Paid parking	\$63,120	30 days	There are approx. 50 people at Met Square and 140 @ Kiener. Current company cost is \$14,850 per month or \$178,200 per year. If company paid subsidized cost, it would be an additional \$5260 per month or \$63,120 per year for a total of \$241,320.
Onboarding bag of BSD goodies	\$10,110	3 months	\$30 of goodies per person  271 hired YTD for calendar year 2022; 337 hired for calendar year 2021.  Cost based on full calendar year for 2021.
Operator and mechanic amenities (i.e., water, Gatorade, disinfectant wipes, seat cushions)	\$50,000	3 months	
Care packages for Operators. May include first aid kit or similar	\$15,000	3 months	
Food Trucks	\$50,000	TBD	
Donuts with executives	\$10,000	TBD	
60 day welcome letter from CEO	\$0	In process	
Video and/or classroom visits with CEO or ED Metro Transit	\$0	TBD	
Onboarding roll out	\$0	In process	
Stay interview roll out	\$0	In process	
<b>Sub-total</b>	<b>\$198,230</b>		
<b>GRAND TOTAL</b>	<b>\$2,654,426</b>		

# of EE	full fee	mo cost	yr cost	subsidy		diff		
				rate		monthly	diff yearly	
50	125	6250	75000	59	2950	35400	3300	39600
140	99	13860	166320	85	11900	142800	1960	23520
		20110	241320		14850	178200	5260	63120
		5260	63120					

## **Attracting and Retaining Talent**

Board Policy

Audit, Finance, and Administration Committee Meeting

August 19, 2022

### **Section 70.010 Personnel Decisions Review**

A. Policy. It is the policy of the Agency to create and sustain the most effective and efficient work environment in the region. As a further way to ensure fairness and equity in personnel actions, it is the policy of the Agency to provide a one-level review and approval of all actions affecting the hiring, evaluation, issuance of raises, promotion, transfer and termination of individual Agency employees.

### **Section 70.020 Compensation** *(Amended 9/26/08, 11/21/08, and 08/20/21)*

A. Policy. (Revised 9/26/08 and 08/20/21) It is the policy of the Agency to maintain a compensation package, including both salary and benefits, to attract and retain outstanding employees. As a matter of routine, on an annual basis, the Talent Management Department will monitor, review and make recommendations concerning the Agency's compensation package. At least once every three years, the Talent Management Department will conduct a formal study, utilizing professional services as required, and prepare recommendations for Board approval. The recommended compensation structure will be based upon industry and applicable labor Chapter 70 Revised 08/20/21 70-2 market comparisons, as well as the Agency's financial condition. Management must use qualifications and performance as the basis for compensation decisions related to hiring, promotion, transfer, demotion, advancement within the range or other internal personnel movements. In addition, the Board establishes the contractual and compensation arrangements for the President & CEO, and Chief Audit Executive.

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI - ILLINOIS METROPOLITAN DISTRICT  
APPROVING IMPLEMENTATION OF TACTICS AND PROGRAMS  
TO IMPROVE THE AGENCY’S ABILITY TO ATTRACT AND RETAIN TALENT**

**PREAMBLES:**

*Whereas*, The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the “Agency”/ “BSD”) is a body corporate and politic, created by an interstate compact between the States of Missouri and Illinois, acting by and through its Board of Commissioners (the “Board of Commissioners”); and

*Whereas*, the Agency is authorized by Mo. Rev. Stat. §§ 70.370 et seq. and 45 Ill. Comp. Stat. 100/1 et seq. (jointly referred to herein as the “Compact”) to acquire by gift, purchase or lease, sell or otherwise dispose of, and to plan, construct, operate and maintain, or lease to others for operation and maintenance, airports, wharves, docks, harbors, and industrial parks adjacent to and necessary and convenient thereto, bridges, tunnels, warehouses, grain elevators, commodity and other storage facilities, sewage disposal plants, passenger transportation facilities, and air, water, rail, motor vehicle and other terminal or parking facilities; to contract and to be contracted with; and to perform all other necessary and incidental functions; and

*Whereas*, Board Policy Chapter 70, §70.010 (A) states that it is the policy of the Agency to create and sustain the most effective and efficient work environment in the region. As a further way to ensure fairness and equity in personnel actions, it is the policy of the Agency to provide a one-level review and approval of all actions affecting the hiring, evaluation, issuance of raises, promotion, transfer and termination of individual Agency employees; and

*Whereas*, Board Policy Chapter 70, §70.020 (A) states that it is the policy of the Agency to maintain a compensation package, including both salary and benefits, to attract and retain outstanding employees. As a matter of routine, on an annual basis, the Talent Management Department will monitor, review and make recommendations concerning the Agency's compensation package. At least once every three years, the Talent Management Department will conduct a formal study, utilizing professional services as required, and prepare recommendations for Board approval. The recommended compensation structure will be based upon industry and applicable labor Chapter 70 Revised 08/20/21 70-2 market comparisons, as well as the Agency’s financial condition. Management must use qualifications and performance as the basis for compensation decisions related to hiring, promotion, transfer, demotion, advancement within the range or other internal personnel movements. In addition, the Board establishes the contractual and compensation arrangements for the President & CEO, and Chief Audit Executive; and

*Whereas*, there is currently a global workforce shortage impacting most industries, and statistics from the U.S. Bureau of Labor show that the rate of open positions, hiring, and separations/quits has been relatively unchanged from June, 2021 to June, 2022. The data indicates that there is a significant gap between the number of job openings compared to the number of hires; and

*Whereas*, internal and external data demonstrates the need to make changes as to how the Agency competes for talent, both through recruiting for talent and through retaining talent; and

**Whereas**, it is feasible, necessary and in the public interest for the Agency to authorize the President & CEO to invest \$2,654,426 in various tactics and programs to improve the Agency's ability to attract and retain talent, in accordance with the terms and conditions described herein.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1.        Findings. The Board of Commissioners hereby finds and determines those matters set forth in the preambles hereof as fully and completely as if set out in full in this Section 1.

Section 2.        Approval. The Board of Commissioners hereby authorizes the President & CEO to invest \$2,654,426 in various tactics and programs (as provided in the Briefing Paper and made a part hereof) to improve the Agency's ability to attract and retain talent, under and pursuant to this Resolution and the Compact for the authorized Agency purposes set forth in the preambles hereof and subject to the conditions hereinafter provided.

Section 3.        Actions of Officers Authorized. The officers of the Agency, including, without limitation, the President and CEO, and Vice President of Procurement are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and the execution of such documents or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4.        Severability. It is hereby declared to be the intention of the Board of Commissioners that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Commissioners intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the intent of this Resolution.

Section 5.        Rights under Resolution Limited. No rights shall be conferred by this Resolution upon any person or entity other than the Agency and its representatives.

Section 6.        Governing Law. The laws of the State of Missouri shall govern this Resolution.

Section 7.        No Personal Liability. No member of the Board of Commissioners, officer, employee or agent of the Agency shall have any personal liability for acts taken in accordance with this Resolution.

Section 8.        Payment of Expenses. The Executive Vice President and CFO is hereby authorized and directed to pay or cause to be paid all costs, expenses and fees incurred in connection with or incidental to this Resolution.



Section 9. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** by the Board of Commissioners of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District this 23<sup>rd</sup> day of September, 2022.

***In Witness Whereof***, the undersigned has hereto subscribed his signature and caused the Seal of the Agency to be affixed.

**THE BI-STATE DEVELOPMENT AGENCY OF THE  
MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

By \_\_\_\_\_  
Title \_\_\_\_\_

[SEAL]

ATTEST:

By \_\_\_\_\_  
Deputy Secretary to the Board of Commissioners

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

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**From:** President and Chief Executive Officer, Taulby Roach  
**Subject:** **Contract Award: Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training**  
**Disposition:** Approval  
**Presentation:** Tom Curran, Executive Vice President, Administration  
Stacy McMurray, Director, Culture & Change Management

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**Objective:**

To present to the Board of Commissioners for approval, a request to authorize the President & CEO to award a contract to Diversity Works for Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training for Bi-State Development.

**Background:**

Bi-State Development (BSD) is committed to taking important steps to deepen our commitment to advance diversity, equity and inclusion in our internal culture, to include organizational structures, policies, and systems in our community engagement strategies. The Racial Equity Task Force is driving forward key elements of our Culture and Engagement Strategic Plan to advance anti-racism, anti-bias, diversity, equity and inclusion in our workplace, and community engagement through creating an anti-bias, anti-racism curriculum that focuses on eliminating the impact of racism and discrimination in all forms at BSD.

Solicitation 22-RFP-325160-TJL - Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training was issued on April 22, 2022. The request for proposals was advertised in BSD's iSupplier Portal, the agency's web-based communication tool structured to allow interested bidders/proposers full and open access to view, communicate, and submit bids/proposals on active solicitations.

**Analysis:**

In response to the solicitation, one (1) sealed proposal was received from Diversity Works. The single proposal was forwarded to the designated Evaluation Committee for review.

A review of the sealed proposal received from Diversity Works affirmed that the technical proposal met the minimum requirements, qualifications and experience in accordance with the scope of work described within the solicitation.

- Diversity Works demonstrates an understanding and familiarity with anti-bias and anti-racism and the needs and challenges for an organization such as BSD and an ability to collaborate to bring a sense of inclusiveness.
- Diversity Works presents a detailed project approach that includes phases and describes both initial and long-term solutions, all in consideration of all staffing levels.
- Diversity Works staff and subcontractors have many years of diversity and inclusion work and experience with a variety of diversity and inclusion related training, projects and ongoing consulting.

The Contracting Officer conducted a survey of potential sources that chose not to submit a proposal. Three firms responded:

Firm	Contact	Method of Communication	Reason for non-participation
Hyphens & Spaces	Yusef Ramelize	Email	The firm requires filling out forms and an extensive introductory meeting before they will decide to move forward.
Cook Ross	Marc Bryant	Email	Found iSupplier too difficult and time consuming to maneuver in order to view the RFP.
The EW Group	Sush Bastola	Email/Phone	iSupplier registration difficulties and limited availability to execute project.

Independent Cost Estimate comparison to Diversity Works' cost proposal:

Services	Independent Cost Estimate			Diversity Works Cost Proposal		
	Estimated Hours Needed	Hourly Rate	Total (Hourly Rate x Estimated Hours)	Estimated Hours Needed	Hourly Rate	Total (Hourly Rate x Estimated Hours)
Review of existing culture and engagement and DEI strategy, and conduct 1:1 meetings with staff.	96 + 50 (1:1 meetings) + 146	\$250	\$36,500	170	\$218	\$37,000
Development of training plan and curriculum/modules and assessments.	220	\$250	\$55,000	350	\$250	\$87,000
Pilot training with Executives and Racial Equity Task Force	40 (preparation) + 4 (pilot implementation) + 40 (revisions/edits)	\$250	\$21,000	70	\$186	\$13,000
Rollout of training to all BSD managers and supervisors	80 (facilitation) + 40 (communication) = 120	\$250 (X2) = \$500	\$60,000	420	\$214	\$90,000
Conduct "train the trainer" sessions.	80	\$250	\$20,000	70	\$271	\$19,000
Ongoing Support	160	\$250	\$40,000	160	\$237	38,000
<b>Total Cost for Consulting Services</b>	<b>810</b>	<b>\$250</b>	<b>\$232,500</b>	<b>1,240</b>	<b>\$229</b>	<b>\$284,000</b>

<b>Estimated Travel Expenses</b>	<b>Diversity Works Proposal Cost based on GSA FY 22 Per Diem</b>
Travel (Transportation)	\$30,000
Lodging	\$7,000
Meals	\$5,000
Incidentals	\$1,000
<b>Total Estimated Cost for Traveling Expenses</b>	<b>\$43,000</b>

Cost for Consulting Services: \$284,000.00

Estimated Travel Expenses: \$43,000.00

The Total Lump Sum Cost for Consulting Services + Estimated Traveling Expenses is \$327,000.00.

In comparing the single proposal submitted by Diversity Works to BSD's Independent Cost Estimate, the cost is deemed as fair and reasonable.

**Previous Action:**

The Audit, Finance and Administration Committee recommended this item for approval at the August 19, 2022 meeting.

**Board Action Requested:**

The Audit, Finance and Administration Committee recommends that the Board of Commissioners approve a request that the President & CEO enter into a seven-month contract for Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training with Diversity Works, in the not-to-exceed amount of **\$327,000**.

**Funding Source:**

Operational Funds

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI - ILLINOIS METROPOLITAN DISTRICT  
AWARDING A SINGLE BID CONTRACT TO DIVERSITY WORKS FOR  
DIVERSITY, EQUITY & INCLUSION CONSULTING AND TRAINING SERVICES  
FOR ANTI-BIAS AND ANTI-RACISM TRAINING**

**PREAMBLES:**

*Whereas*, The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "Agency"/ "BSD") is a body corporate and politic, created by an interstate compact between the States of Missouri and Illinois, acting by and through its Board of Commissioners (the "Board of Commissioners"); and

*Whereas*, the Agency is authorized by Mo. Rev. Stat. §§ 70.370 et seq. and 45 Ill. Comp. Stat. 100/1 et seq. (jointly referred to herein as the "Compact") to acquire by gift, purchase or lease, sell or otherwise dispose of, and to plan, construct, operate and maintain, or lease to others for operation and maintenance, airports, wharves, docks, harbors, and industrial parks adjacent to and necessary and convenient thereto, bridges, tunnels, warehouses, grain elevators, commodity and other storage facilities, sewage disposal plants, passenger transportation facilities, and air, water, rail, motor vehicle and other terminal or parking facilities; to contract and to be contracted with; and to perform all other necessary and incidental functions; and

*Whereas*, Board Policy Chapter 50, §50.010 (E)(1)(b), requires Board approval of all Non-competitive ("sole source or single bid") Procurements exceeding \$100,000; and

*Whereas*, Solicitation 22-RFP-325160-TJL - Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training was issued on April 22, 2022, and the request for proposals was advertised in BSD's iSupplier Portal; and

*Whereas*, in response to the solicitation, one (1) proposal was received from Diversity Works, and the proposal was forwarded to the designated evaluation team for review; and

*Whereas*, upon review and evaluation of the proposal received from Diversity Works, it was determined that the technical proposal met the minimum requirements, qualifications and experience in accordance with the scope of work described within the solicitation; and

*Whereas*, in comparing the single proposal submitted by Diversity Works to BSD's Independent Cost Estimate, the cost is deemed as fair and reasonable; and

*Whereas*, it is feasible, necessary and in the public interest for the Board of Commissioners to authorize the President & CEO to enter into a seven-month contract for Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training with Diversity Works, in the not-to-exceed amount of \$327,000, in accordance with the terms and conditions described herein.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1.      Findings. The Board of Commissioners hereby finds and determines those matters set forth in the preambles hereof as fully and completely as if set out in full in this Section 1.

Section 2.      Approval of the Single Bid Contract. The Board of Commissioners hereby authorizes the President & CEO to enter into a seven-month contract for Diversity, Equity & Inclusion Consulting & Training Services for Anti-Bias, Anti-Racism Training with Diversity Works, in the not-to-exceed amount of \$327,000, under and pursuant to this Resolution and the Compact for the authorized Agency purposes set forth in the preambles hereof and subject to the conditions hereinafter provided.

Section 3.      Actions of Officers Authorized. The officers of the Agency, including, without limitation, the President and CEO, and Vice President of Procurement are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and the Contract and the execution of such documents or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4.      Severability. It is hereby declared to be the intention of the Board of Commissioners that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Commissioners intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the intent of this Resolution.

Section 5.      Rights under Resolution Limited. No rights shall be conferred by this Resolution upon any person or entity other than the Agency and Diversity Works.

Section 6.      Governing Law. The laws of the State of Missouri shall govern this Resolution.

Section 7.      No Personal Liability. No member of the Board of Commissioners, officer, employee or agent of the Agency shall have any personal liability for acts taken in accordance with this Resolution.

Section 8.      Payment of Expenses. The Executive Vice President and CFO is hereby authorized and directed to pay or cause to be paid all costs, expenses and fees incurred in connection with or incidental to this Resolution and the Contract.

Section 9.      Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** by the Board of Commissioners of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District this 23<sup>rd</sup> day of September, 2022.

***In Witness Whereof***, the undersigned has hereto subscribed his signature and caused the Seal of the Agency to be affixed.

**THE BI-STATE DEVELOPMENT AGENCY OF THE  
MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

By \_\_\_\_\_  
Title \_\_\_\_\_

[SEAL]

ATTEST:

By \_\_\_\_\_  
Deputy Secretary to the Board of Commissioners

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

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<b>From:</b>	President and Chief Executive Officer, Taulby Roach
<b>Subject:</b>	<b>Board Policies, Chapter 30 – Audit, Finance, and Budget</b>
<b>Disposition:</b>	Approval
<b>Presentation:</b>	Tammy Fulbright, Executive Vice President & Chief Financial Officer

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**Objective:**

To present to the Board of Commissioners for approval, a request to incorporate revisions to the Collected Board Policies of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, Chapter 30, Audit, Finance, and Budget.

**Background:**

Sections of Bi-State’s Audit, Finance, and Budget policies, found in Chapter 30 of the Collected Board Policies of the Bi-State Development Agency, have been updated at various times throughout the years. At this time, the following sections are presented with changes for consideration.

- a. 30.030 Annual Budget
- b. 30.040 Banking and Investment
- c. 30.050 Financial Reporting
- d. 30.080 Debt Issuance and Administration

For Section 30.030 Annual Budget, the changes noted are to clarify titles and clarify the capital budget is for a 3-year period to meet the necessary requirements for the 3-year Transportation Improvement plan.

For Section 30.040 Banking and Investment, the changes strengthen the content of the policy for investing funds and the priority of the objectives. The policy identifies the positions authorized to invest, open accounts and defines the expectation and ethics of these responsibilities. Authorized investments are identified and required collateralization is specified. This section acknowledges the required monitoring and reporting, requirements to competitively bid for investments, maturity limitations, and diversification requirements. The minimum requirements for a second signatory on checks is increased from \$7,500 to \$15,000. Titles have been corrected or eliminated for signatories on checks, wires, automated clearing house (ACH) transactions, and pledged collateral. All Self Insurance language has been removed. This activity has been moved to a third party contractor. Individual Automated Clearing House (ACH) transactions now require approval equivalent to checks over \$1 million. Authorized Agency funds have been identified by the type of fund versus a listing of accounts.

For Section 30.050 Financial Reporting, the change noted is to remove the cash receipts and disbursements schedule. The statement of cash flows provides more clarity at a higher level.

For Section 30.080 Debt Issuance and Administration, the changes include updating the listing of Transit funds and the percentage of funding provided by local, state, and federal appropriations including contractual jurisdiction revenue. Other changes presented for consideration in this section:

- For underwriting services prior to an issuance or refunding of bonds, a request for proposal replaces the need for a pool of underwriters.
- The word “generally” is added as it relates to the term for financing a debt issuance. Federal tax law allows for a term up to 120% of the economic life of an asset.
- For escrow structuring, language is added to address the lack of availability of State and Local Government Series Securities (SLGS).



- For Negotiated sales, language is cleaned up to provide equality for the use of competitive versus negotiated sales.
- The policy states that the Chief Financial Officer will meet with Credit Rating Agencies annually. The Credit Rating Agencies determine the necessity for meetings or updated information, so the language was changed to state that the Chief Financial Officer will provide information to Credit Rating Agencies periodically as requested. In addition, the Kroll Bond Rating Agency was added to the list of Credit Rating Agencies identified in the policy.
- Record keeping and post-issuance compliance was updated to include maintaining records for the expenditure and investment of bond proceeds and information related to periodic reviews of the use of bond financed facilities.

**Previous Action:**

The Audit, Finance and Administration Committee recommended this item for approval at the August 19, 2022 meeting.

**Board Action Requested:**

The Audit, Finance and Administration Committee recommends that the Board of Commissioners approve the request to incorporate revisions to the *Collected Board Policies of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, Chapter 30*, as shown in the attached proposal, and waives tabling of the Chapter 30 – Audit, Finance, and Budget revisions, as provided in Article VI of the Bylaws, so that they are effective upon Board approval.

**Attachments:**

- Current Chapter 30 Audit, Finance and Budget
- Redlined Chapter 30.030 Annual Budget, 30.040 Banking and Investment, 30.050 Financial Reporting, 30.080 Debt Issuance and Administration
- Clean Chapter 30.030 Annual Budget, 30.040 Banking and Investment, 30.050 Financial Reporting, 30.080 Debt Issuance and Administration

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE BI-STATE DEVELOPMENT AGENCY OF  
THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT  
TO APPROVE REVISIONS TO BOARD POLICY,  
CHAPTER 30 – AUDIT, FINANCE AND BUDGET**

PREAMBLES:

*Whereas*, the Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "Agency"/ "BSD") is a body corporate and politic, created by an interstate compact between the states of Missouri and Illinois, acting by and through its Board of Commissioners (the "Board"); and

*Whereas*, the Agency is authorized by Mo. Rev. Stat. §§ 70.370 et seq. and 45 Ill. Comp. Stat. 100/1 et seq. jointly referred to herein as the "Compact"); to make suitable rules and regulations consistent with its mission and not inconsistent with the constitution or laws of either state, or any political subdivision thereof; and

*Whereas*, Article VI of the Bylaws – Board Policies of the Agency, provides that any action by the Board establishing policy, administrative, business, or otherwise, shall be known as "Board Policies" and that the Board may adopt, amend or repeal, in whole or in part, the Board Policies at any meeting of the Board, except that unless otherwise designated by the Chair, all Board Policies shall be tabled for a period of one month and shall become effective upon adoption by the Board; and

*Whereas*, Sections of Bi-State's Audit, Finance, and Budget policies, found in Chapter 30 of the Collected Board Policies of the Bi-State Development Agency, have been updated at various times throughout the years; and

*Whereas*, the following sections are outlined in the Attachments to the Briefing Paper, with proposed changes for consideration including: a.) 30.030 Annual Budget; b.) 30.040 Banking and Investment; c.) 30.050 Financial Reporting and d.) 30.080 Debt Issuance and Administration; and

*Whereas*, staff has recommended that these measures be implemented as soon as approved; therefore, requiring the Board to waive tabling the proposed revisions to the Policy as provided in Article VI of the Bylaws, so that they are effective upon Board approval; and

*Whereas*, it is feasible, necessary and in the public interest for the Board of Commissioners to approve and adopt revisions to Board Policy, Chapter 30 – Audit, Finance, and Budget, in accordance with the terms and conditions described herein.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1.     Findings. The Board of Commissioners hereby finds and determines those matters set forth in the preambles as fully and completely as if set out in full in this Section 1.

Section 2. Approval of Board Policy Revisions. The Board of Commissioners hereby approves and adopts revisions to Board Policy, Chapter 30 – Audit, Finance, and Budget, as presented, and waives tabling of the Chapter 30 – Audit, Finance, and Budget revisions, as provided in Article VI of the Bylaws, so that they are effective upon Board approval, under and pursuant to this Resolution and the Compact for the authorized Agency purposes set forth in the preambles hereof and subject to the conditions hereinafter provided.

Section 3. Form of the Board Policy, Chapter 30 – Audit, Finance, and Budget. The form of the Chapter 30 – Audit, Finance, and Budget revisions (as provided in the Attachments to the Briefing Paper and made a part hereof), substantially in the form presented to this meeting are hereby approved, and officers of the Agency, including without limitation, the President and CEO, are hereby authorized and directed to execute and deliver and attest, respectively, the Chapter 30 – Audit, Finance, and Budget revisions, with such changes, modifications, insertions and omissions as may be deemed necessary or desirable to affect the Chapter 30 – Audit, Finance, and Budget revisions with the necessity and desirability of such changes, modifications, insertions and omissions conclusively evidenced by their execution thereof.

Section 4. Actions of Officers Authorized. The officers of the Agency, including, without limitation, the President and CEO, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and the execution of such documents or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 5. Severability. It is hereby declared to be the intention of the Board of Commissioners that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Commissioners intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the intent of this Resolution.

Section 6. Rights Under Resolution Limited. No rights shall be conferred by this Resolution upon any person or entity other than the Agency, officers and employees.

Section 7. Governing Law. The laws of the State of Missouri shall govern this Resolution.

Section 8. No Personal Liability. No member of the Board of Commissioners, officer, employee or agent of the Agency shall have any personal liability for acts taken in accordance with this Resolution.

Section 9. Payment of Expenses. The Executive Vice President and CFO is hereby authorized and directed to pay or cause to be paid all costs, expenses and fees incurred in connection with or incidental to this Resolution.

Section 10. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** by the Board of Commissioners of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District this 23<sup>rd</sup> day of September, 2022.

*In Witness Whereof*, the undersigned has hereto subscribed his signature and caused the Seal of the Agency to be affixed.

**THE BI-STATE DEVELOPMENT AGENCY OF THE  
MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

By\_\_\_\_\_

Its\_\_\_\_\_

[SEAL]

ATTEST:

By\_\_\_\_\_  
Deputy Secretary to the Board of Commissioners

**COLLECTED BOARD POLICIES**  
**OF THE**  
**BI-STATE DEVELOPMENT AGENCY**  
**OF THE**  
**MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

**Chapter 30 Audit, Finance and Budget**

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**Section 30.005 Audit Committee Charter** (added 03/25/11, rev. 09/23/11 and rev. 06/24/22)

A. GENERAL (revised 09/23/11). The purpose of the Audit Charter is to assist the Board of Commissioners, through its Audit Committee, in fulfilling its fiduciary oversight responsibilities as follows:

- (1) Audit Committee management and Reporting Responsibilities
- (2) External Audit of the Financial Statements
- (3) Internal Audit Process
- (4) System of Risk Management
- (5) Processes for Monitoring Compliance with Laws and Regulations and the Ethics Policy, Code of Conduct and Fraud Policy
- (6) Special Investigations and Whistleblower Mechanism

Source: Information to develop this Charter is from *The AICPA Audit Committee TOOLKIT: Government Organizations*

B. **AUTHORITY.** The Audit Committee (“committee”) has the authority to conduct or authorize investigations into any matters within its scope of responsibility. It is empowered to perform the following functions, which are numbered according to the purposes listed above.

1. Audit Committee Management and Reporting Responsibilities (rev. 06/24/22)

- Each member of the Committee should be appointed by the Chairman of The Bi-State Development Agency (“Bi-State”) Board of Commissioners.
- At least one member of the Committee should have financial experience.
- The Committee should review this Charter annually, reassess the adequacy of the Charter, and recommend any proposed changes to the Board of Commissioners. It should consider changes that are necessary as a result of new laws, regulations, or accounting and auditing standards, including best auditing practices.
- The Committee should meet at least four times per year, and at additional times when necessary. These meetings may be combined with regularly scheduled meetings, or may be held more frequently as circumstances may require. The Committee may ask members of management or others to attend the meetings and provide pertinent information as necessary.
- Conduct executive sessions with the independent auditors, Chief Executive Officer (CEO), Chief Financial Officer (CFO), Chief Audit Executive (CAE), General Counsel, outside counsel, and anyone else as desired by the Committee.
- The Committee shall be authorized to hire professional consultants as necessary.
- Review and concur on the appointment, replacement, reassignment, or dismissal of the Chief Audit Executive.
- Oversee the appointment of the independent auditors to be engaged for external reporting, and establish the related audit fees.
- If the audit organization provides any non-audit services, determine that the audit organization has considered and documented its consideration of how providing these non-audit services does not violate the requirements that the audit organization (a) not provide services that involve performing management functions or making management decisions, and (b) not audit their own work, as stipulated by best auditing practices.
- Review and evaluate the performance of the independent auditors.
- Review with the independent auditor, the Chief Financial Officer, and the Chief Audit Executive, the audit scope and plan of the internal auditors and the independent auditors. Address the coordination of audit efforts to assure the completeness of coverage, reduction of redundant efforts, and the effective use of audit resources.
- The Committee should evaluate the independent auditors and internal auditors.
- The Committee should review its effectiveness.
- Create an agenda for the ensuing year, or review and approve the agenda submitted by the Chief Audit Executive.

2. External Audit of the Financial Statements (rev. 06/24/22)

- Review with management and the independent auditor the effect of any regulatory and accounting initiatives, such as related organizations financing structures, derivatives, or securities lending.
- Review with the independent auditor that performs the financial statement audit:
  - a. All critical accounting policies and practices used by Bi-State.
  - b. All alternative treatments of financial information within generally accepted accounting principles that have been discussed with Bi-State's management, the ramifications of each alternative, and the preferred treatment.
- Review all significant written communications between the independent auditors and management, such as any management letter or schedule of unadjusted differences.
- Review with management and the independent auditors:
  - a. The Bi-State Development Agency's annual financial statements, related footnotes, and management's discussion and analysis;
  - b. The independent auditor's audit of the financial statements and their report thereon;
  - c. The independent auditors' judgments about the quality, not just the acceptability, of Bi-State's accounting principles as applied in its financial reporting;
  - d. The independent auditors' single audit of the federal awards administered by Bi-State and their reports thereon;
  - e. The independent auditors' examination of the effectiveness of any hedging activities;
  - f. Any significant changes required in the independent auditors' audit plan;
  - g. Any serious difficulties or disputes with management encountered during the audit. Matters required to be discussed by Statement on Auditing Standards (SAS) No. 61, *Communication With Audit Committees* (AICPA, *Professional Standards*, vol. 1, AU Sec. 380), as amended; U.S. Government Accountability Office's *Government Auditing Standards*; and the U.S. Office of Management and Budget's Circular A-133 related to the conduct of the audits.
- Review with the General Counsel and the Chief Audit Executive legal and regulatory matters that, in the opinion of management, may have a material impact on the financial statements and compliance with federal, state, and local laws and regulations.

### 3. Internal Audit Process (rev. 06/24/22)

- Review with management the policies and procedures with respect to Bi-State management's use of expense accounts, public monies, and public property, including for example, their use of Bi-State's vehicles. Consider the results of any review of these areas by the Internal Auditor or the independent auditors.

- Consider, with management, the rationale for employing audit firms other than the principal independent auditors for services that Bi-State or the independent auditor determines would not be appropriate for the principal independent auditor to perform.
- Review with management and the Chief Audit Executive:
  - a. Significant findings on internal audits during the year and management's responses thereto.
  - b. Any difficulties the internal audit team encountered in the course of their audits, including any restrictions on the scope of their work on access to required information.
  - c. Any changes required in the scope of their internal audits.
  - d. The Internal Audit Department budget and staffing.
  - e. The Internal Audit Department charter.
  - f. The Internal Audit Department's compliance with applicable standards (for example, *Government Auditing Standards*, or the Institute of Internal Auditors' (IIA's) Standards for the Professional Practice of Internal Auditing).

#### 4. System of Risk Management (rev. 06/24/22)

Inquire of management, the Internal Audit Department, and the independent auditors about significant risks or exposures facing Bi-State; assess the steps management has taken or proposes to take to minimize such risks to Bi-State; and periodically review compliance with such steps.

Inquire of the Chief Executive Officer and Chief Financial Officer regarding the fiscal health of Bi-State, as well as the financial status of Bi-State in relation to its adopted budget.

Review with the independent auditors and Chief Audit Executive:

- a. The adequacy of Bi-State's internal controls including computerized information system controls and security;
- b. Any related significant findings and recommendations of the independent auditors and internal auditors together with management's responses thereto.

#### 5. Organization's Processes for Monitoring Compliance with Laws and Regulations and the Ethics Policy, Code of Conduct and Fraud Policy (rev. 06/24/2022)

- a. Periodically review Bi-State's code of conduct to ensure that it is adequate and up to date.
- b. Review with the Chief Audit Executive and General Counsel the results of their review of compliance monitoring with the code of conduct.



### **Section 30.010                      Annual Audit**

A.     Policy (revised 5/22/09 and 6/24/22). It is the policy of the Agency to submit its books and records to annual audit by a nationally recognized CPA firm. The firm selected shall have broad experience in auditing large local government and/or agencies in compliance with relevant federal rules and regulations such as the Single Audit Act and examining any hedging activities. The firm, and any principals of the firm, shall have no direct or indirect personal or financial interest in the fiscal affairs of the Agency, or of any officer of the Agency. The Agency shall not engage any firm, or any lead or concurring audit partner connected with that firm's provision of audit services to the Agency, for a contract term in excess of five (5) consecutive years.

B.     Reporting. This firm reports its findings and conclusions to the entire Commission each year and may meet with the Audit Committee at any time during the year. Upon receipt of the final management letter, the President & Chief Executive Officer will promptly forward a response to the Audit Committee indicating the status of each recommendation or finding.

### **Section 30.020 Internal Audit (rev. 06/24/22)**

A.     Policy. It is the policy of the Agency to employ a Chief Audit Executive who shall report directly to the Board of Commissioners. The Chief Audit Executive shall supervise and direct the staff of the Internal Audit Department. The Internal Audit Department shall provide independent objective analysis and recommendations to assist the President & Chief Executive Officer and management in effectively discharging their administrative responsibilities. The Internal Audit Department shall perform routine audits of compliance of Agency divisions with internal Agency rules and regulations. The Internal Audit Department shall at all reasonable times have access to the accounts, books and records of the Agency, and the Department may in relation to such interview the President & Chief Executive Officer and other employees of the Agency.

B.     Work Plan. The Chief Audit Executive shall be responsible for preparing an annual Audit Work Plan. Additionally, Commissioners and Senior Managers shall identify potential areas for review by the Internal Audit Department. Upon completion of the Audit Work Plan, the Chief Audit Executive shall present the Plan to the Audit Committee for their review and approval pursuant to these Board Policies.

C.     Special Reviews. From time to time the President & Chief Executive Officer may assign to the Chief Audit Executive special reviews designed to assure continuous quality improvement of Agency operations.

### **Section 30.030                      Annual Budget**

A.     General. Each year the President & CEO shall prepare an annual budget for the forthcoming fiscal year that will be presented to the Board of Commissioners. The President & CEO will work with the Board in setting strategic objectives, update the Agency's long range planning document, and prepare both an operating and capital budget. The operating budget shall include proposed expenditures for current operations during the ensuing fiscal year and the method of financing such expenditures. The capital budget shall include capital expenditures during the

ensuing fiscal year and the proposed method of financing such expenditures.

B. Approval. The President & CEO will present the annual budget at a regularly scheduled meeting of the Board of Commissioners. The Board of Commissioners shall approve annual operating and capital budgets prior to the beginning of the ensuing fiscal year.

**Section 30.040                      Banking and Investment (rev. 06/23/06, 11/19/10, 09/28/12)**

A. General. This policy directs the investment of all operating, self-insurance restricted, capital and debt service funds of all entities of the Bi-State Development Agency not expressly controlled by Revenue Bond Trustees.

The preservation of funds is the first consideration in determining the investment of Agency cash. Thereafter, the highest yield consistent with safety is required, provided the maturities are short enough to maintain operational liquidity. Banks and other financial institutions, which meet the criteria below, will be selected for investments only on a competitive basis. The number of demand deposit non-interest bearing accounts will be kept to the minimum for operational efficiency and safety.

Notwithstanding the following authorized investments, it is the Board's intent to have the majority of the available funds invested in local institutions provided the institutions meet the minimum credit standings set out below and yields are competitive.

The Board also directs management to refrain from investing Agency funds in any financial institutions or businesses that conduct business with governments deemed unacceptable by the Federal Government through executive order or enacted legislation.

**B.            Authorized investment categories (revised 4/24/09 and 11/19/10)**

1.    Demand Deposit, Negotiable Order Withdrawal (NOW), Bank Money Market, Certificate of Deposit and Savings Accounts - issued by local banks or thrifts where the account or investment is either collateralized with direct obligations of the U.S. Government or its instrumentality's, or covered by FDIC insurance, or other AAA rated surety.
2.    Negotiable Certificates of Deposit - provided that the institution maintains a Fitch rating of B or better and / or a Moody's Investor Services short-term rating of P-1. The institutions selected will have a minimum of \$100 million in combined capital and unimpaired surplus.
3.    Bankers Acceptances - provided that the institution maintains a Fitch rating of B or better and / or a Moody's Investor Services short-term rating of P-1. The institutions selected will have a minimum of \$100 million in combined capital and unimpaired surplus.
4.    Direct Obligations of the United States Government, U.S. Government Agencies or U.S. Government Instrumentality's.

5. Commercial Paper - Commercial paper at the time of purchase shall have ratings of A-1 by Standard and Poors Rating Services and P-1 by Moody's Investors Services. Commercial paper of firms doing business within the St. Louis metropolitan region may have ratings of A-2 by Standard and Poors Rating Services and P-2 by Moody's Investor Services.
6. Repurchase Agreements (revised 11/19/10) - Repurchase agreements (repos) are acceptable, using any of the securities listed in paragraphs B-4 above as collateral. Also, the firm with whom the repo is executed must be a credit acceptable bank, or broker-dealer. A credit acceptable bank or broker-dealer is defined as one whose senior debt rating is A- by one of the three nationally recognized ratings agencies (Standard & Poor's, Moody's, or Fitch). Banks in the Agency's service area that do not have a Standard & Poor's, Moody's or Fitch rating, may also be authorized repo counterparties, provided that they meet the "well capitalized" standard, as defined by the Federal Deposit Insurance Corporation. A written repurchase agreement, substantially modeled on, but in no case less restrictive than, the Securities Industry and Financial Markets Association's "Master Repurchase Agreement", shall be completed for each repo counter party. Such agreements shall be updated periodically, but no less than once every five years. In all cases, repo collateral shall have a market value of 102% of the dollars invested, plus accrued interest. If the repo term is longer than an overnight maturity, the collateral must be delivered to a third party custodian, and priced-to-market weekly to assure correct collateral value coverage.

The Director of Treasury Services shall obtain approval from the Chief Financial Officer before authorizing a repo counterparty. Before approval, documentation shall be furnished that the authorized counterparty meets the required criteria. The Director of Treasury Services will also monitor continued compliance with the criteria. The current authorized repo counterparties are:

Bank of America  
Merrill Lynch Capital Markets

UMB Bank  
Commerce Bank  
U.S. Bank  
Jefferson Bank & Trust

7. Money Market Funds - Acceptable funds shall be institutional money market funds having over \$500 million in net assets and be rated AAA by Standard and Poor's, Moody's and/or Fitch rating services.
8. Reverse Repurchase Agreement - A reverse repurchase Agreement or short-term borrowing (180 days or less), using securities in the Agency's portfolio as collateral, is acceptable. However, the firm with whom the borrowing is executed must meet the same requirements as stated previously for repurchase agreements. Also, the borrowed funds may be used to purchase other securities as an investment arbitrage. In this case, the new investment maturity date must match (+/- one week) the maturity date of the reverse repo, and those instruments must be delivered into the Agency's safekeeping account and held there until maturity. The Board shall be notified of all such transactions through the Treasurer's monthly report.

C. Banking Services. Banks will be negotiated with periodically for demand deposits and other banking services for the greater advantage to the Agency. Any two of the following may open bank accounts, subject to the approval of the Board of Commissioners through a confirming motion at the next meeting of the Board of Commissioners:

Chair, Board of Commissioners	President & CEO
Vice Chair, Board of Commissioners	Chief Financial Officer
Treasurer, Board of Commissioners	

The Treasurer, President & CEO and Internal Audit will monitor the potential for conflict of interest.

D. Investment Performance. Management will provide the Treasurer of the Board of Commissioners with a monthly list of deposits, investments, yields, monthly summary of the prior 12 months' funds experience, and the average amount of non-interest bearing deposits at each institution.

E. Investment Transaction Criteria: (revised 4/24/09)

1. Safekeeping Accounts - Securities purchased are delivered against payment and held in a custodian safekeeping account. Tri-party custodian agreements maintained with third party trust companies as well as the Federal Reserve Bank are acceptable. Hold-In-Custody repurchase agreements for fourteen days or less will be processed through special transaction control accounts. These accounts will be audited quarterly by

Internal Audit and the results reported through the Treasurer, to the Board of Commissioners.

2. Maturity Limitations - To the extent possible, investments shall be matched with anticipated cash flow requirements and known future liabilities. Unless matched to a specific cash flow requirement, no funds shall be invested for more than five years from the date of settlement. The weighted average maturity of the portfolio shall at no time exceed eighteen months.

For Securities that are subject to redemption (call) before final maturity, the final maturity date shall be used both for compliance with the five year limitation and in calculating the weighted average maturity.

3. Diversification –

- a. Unlimited investment in the following:

- U.S. Government obligations
- U. S. Government Agency obligations
- U. S. Government Instrumentality obligations
- Repurchase Agreements – secured by the 3 U. S. obligations noted immediately above.
- Money Market Funds – Institutional money market funds having over \$500 million in net assets and rated AAA by Standard & Poor's, Moody's and/or Fitch rating services.

- b. Investments not to exceed \$5.0 million par value from any one issuer:

- Bankers Acceptances
- Commercial Paper
- Negotiable Certificates of Deposit

- c. All investments must be paid for before they may be sold.

F. Authorized Individuals. (Rev. 01/04/08) The following individuals are authorized to conduct investment transactions for the Agency:

Chief Financial Officer  
Director of Treasury Services

Treasury Specialist  
Debt Analyst

G. Agency Debt. Agency debt may be incurred only by the specific authority of the Board of Commissioners through special action. Notwithstanding Sections B or E above, all funds under such debt resolutions or indentures of trust shall be controlled by the investment set forth in such documents.

**H. Check Signatories (rev. 01/04/08)**

**1. All General Operating Funds Including Self-insurance Fund**

- a. Under \$501 for insurance settlement drafts - One signature from the following:

Claims Adjuster	Manager of Claims
Supervisor of Claims	Director of Risk Management

- b. Under \$7,500 - One signature from the following:

Treasurer, Board of Commissioners (including facsimile signature)  
or in the event of a vacancy in the Treasurer's position,  
Secretary, Board of Commissioners (including facsimile signature)  
President & CEO                      Director of Treasury Services  
Chief Financial Officer            Director of Passenger Revenue  
Controller                          Treasury Specialist

- c. \$7,501 to \$100,000 - Two signatures from the following:

Treasurer, Board of Commissioners (including facsimile signature)  
or in the event of a vacancy in the Treasurer's position,  
Secretary, Board of Commissioners (including facsimile signature)  
President & CEO                      Treasury Specialist  
Chief Financial Officer            Director of Treasury Services  
Controller

- d. \$100,001 to \$500,000 - Two signatures from the following:

Chair, Board of Commissioners	Treasurer, Board of Commissioners
President & CEO	Director of Treasury Services
Chief Financial Officer	Treasury Specialist
	Controller

- e. \$500,001 to \$1,000,000 - Two signatures from the following:

Chair, Board of Commissioners	Treasurer, Board of Commissioners
President & CEO	Director of Treasury Services
Chief Financial Officer	Controller

- f. \$1,000,001 and above - Two signatures, one each from Group A and Group B:

<u>GROUP A</u>	<u>GROUP B</u>
Treasurer, Board of Commissioners President & CEO	Chair, Board of Commissioners Vice Chair, Board of Commissioners Secretary, Board of Commissioners

2. Employee Medical Self Insurance Account

- a. Under \$25,000 -- Approved Officer of Service Provider (including facsimile signature)
- b. \$25,001 to \$100,000 - Two Signatures, one each from Group A and Group B:

<u>GROUP A</u>	<u>GROUP B</u>
Approved Officer of Service Provider (including facsimile signature)	President & CEO Chief Financial Officer Director of Treasury Services Treasury Specialist Controller

- c. \$100,001 to \$500,000 - Two signatures, one each from Group A and Group B:

<u>GROUP A</u>	<u>GROUP B</u>
Approved Officer of Service Provider	Treasurer, Board of Commissioners President & CEO Chief Financial Officer Director of Treasury Services Controller Treasury Specialist

- d. \$500,001 to \$1,000,000 – Two signatures, one each from Group A and Group B:

<u>GROUP A</u>	<u>GROUP B</u>
Approved Officer of Service Provider	Treasurer, Board of Commissioners President & CEO Chief Financial Officer Director of Treasury Services Controller

**I. Wire Transfer Authority (rev. 01/04/08)**

1. Wire Transfers and Automated Clearing House Transactions (ACH) are authorized for the transfer of funds between checking, investment and

savings accounts, payment of services, equipment, construction in process, a well as payroll related expenditures that are authorized by and in the name of the Bi-State Development Agency.

2. Wire Transfer and Automated Clearing House Transactions (ACH) authority is limited to the below listed individuals. Wire transfers of a non-repetitive nature require the authority of any two of the below listed individuals:

Chief Financial Officer	Treasury Specialist
Director of Treasury Services	Controller
Manager of Accounts Payable	Debt Analyst

3. Authorization to create new repetitive Wire Transfers and Automated Clearing House Transactions (ACH) requires approval of any two of the following:

President & CEO  
 Chief Financial Officer  
 Chair, Vice Chair, Treasurer, Secretary, Board of Commissioners

**J. Authorized Signatories for the Release of Pledged Collateral:**

Chief Financial Officer	Director of Treasury Services
Treasury Specialist	Debt Analyst

**K. Authorized Signatories for Self Insurance Related Letters of Credit Requests for Letters of Credit must be submitted to the Treasury Section. Treasury personnel will obtain the Letter of Credit and submit the application to one of the following for authorization.**

\$49,999 and Below	-	Chief Financial Officer
\$99,990 and Below	-	President & CEO
\$100,000 and Above	-	Chair, Vice Chair, Treasurer of the Board of Commissioners

**L. Authorized Agency Bank Accounts: (revised 8/15/07, 09/28/12)**

<u>Bank</u>	<u>Account Numbers</u>	<u>Funds (Purpose)</u>
Bank of America	XXXXXXXXXXXX90 -	Operating (Payroll)
-	XXXXXXXXXXXX91 -	Transit Pass Revenue
-	XXXXXXXXXXXX21 -	Transit Operating, Sales Tax, & Internally Restricted
-	XXXXXXXXXXXX34 -	Transit Farebox Revenue



-	XXXXXXXXXXXX58 -	Arch Garage Operations & Maintenance
-	XXXXXXXXXXXX48 -	Transit MetroLink Revenue
-	XXXXXXXXXXXX62 -	Regular Self Insurance
-	XXXXXXXXXXXX96 -	Investment Transitory
-	XXXXXXXXXXXX17-	Transit Revenue (TVM credit card)
-	XXXXXXXXXXXX46-	Call-A-Ride Revenue
-	XXXXXXXXXXXX13-	Accounts Payable EFT
-	XXXXXXXXXXXX39-	Accounts Payable
-	XXXXXXXXXXXX26-	Regular Self Insurance Claims
Jefferson Bank & Trust	XXXXXXXXXXXX15 -	Non-Transit Repo
J.P. Morgan Chase	XXXXXXXXXXXX66-	Cigna Medical Self Insurance Claims (funded by Metro, admin. By Cigna)
PNC	XXXXXXXXXXXX74- XXXXXXXXXXXX66-	Arch Revenue Riverboat Revenue
UMB Bank	XXXXXXXXXXXX25 - XXXXXXXXXXXX28 -	Arch Garage Revenue Transit Operating
Regions Bank -	XXXXXXXXXXXX41 -	Airport Revenue
US Bank -	XXXXXXXXXXXX24 -	Metroride Store Revenue

## **Section 30.050                      Financial Reporting** (revised 09/25/09)

A.     Policy. It is the policy of the Agency to prepare the financial results of each operating company as required by specific agreement, but not less than quarterly. Financial statements for the Board of Commissioners shall be prepared quarterly, and include the following statements:

1.       Transmittal letter of noteworthy variations, including disclaimer
2.       Balance Sheet
3.       Statement of Revenue, Expense Income (Loss)
4.       Cash Receipts and Disbursement Schedule
5.       Capital Expenditures for Active Projects
6.       Statement of Cash Flows
7.       Aged Receivables

### **Disclaimer:**

The following disclaimer shall be included in each transmittal letter of noteworthy variance:

“These interim financial statements are not in conformity with U.S. Generally Accepted Accounting Principles (U.S. GAAP) due to the following reasons: Depreciation is not shown as an operating expense, but as other non-operating expense; capital contributions and total net assets are now shown on the Statement of Revenue, Expense, Income (Loss); and there are no accompanying footnote disclosure requirements or Management Discussion and Analysis (MD & A) sections included.”

## **Section 30.060                      Risk Management** (revised 2/25/2000 and 08/20/2021)

A.     General. One of the Agency's primary objectives is to provide safe, reliable, and cost-effective transportation services while complying with federal, state, and local laws. In support of that objective, the Agency will develop and maintain an effective, integrated risk management program. This policy applies to all exposures to risk of loss that are fortuitous and result from external causes. These exposures include, but are not limited to, fires, collisions, theft, windstorm, construction accidents, workers' compensation claims, and auto or general liability claims as well as associated lawsuits against the Agency.

B.     Authority and Responsibility. The Director of Risk Management is responsible for recommending the overall direction of the Agency's risk management program as specified in the Agency's Management Policies & Procedures.

C.     Self-Insurance (revised 08/20/21). The Agency will self-insure those routine risks associated with its core transit operations. Risk exposures above the self-insured retention will be covered by excess insurance if such excess insurance is available and affordable.

D. Third Party Administrator (revised 08/20/21). The Agency will contract with a third party adjusting firm to assist in administering claims handling (TPA). The Risk Management Department will monitor the TPA and hold quarterly claims reviews. An annual audit will be performed.

E. Insurance. Primary property and liability insurance will be purchased for unique or special risks of loss, for major construction projects, and when required by law or by contract. A Broker of Record will perform the insurance marketing function under the direction of the Director of Risk Management.

F. Self-Insurance Fund (revised 08/20/21). The Agency will maintain asset accounts, referred to as “Self-Insurance Funds”, as authorized by the Board of Commissioners on October 1, 1982, to support liabilities accrued as a result of its self-insured losses. The Chief Financial Officer of the Agency will maintain the Self-Insurance Fund, complying with prudent business practices and all applicable governmental pronouncements, and determine the amount of annual funding required. The fund is subject to following guidelines:

1. The current balance will be sufficient to pay estimated judgments, settlements, losses, and expenses for a three (3) year time period.
2. The amounts held in the Self Insurance Funds shall be used solely for the purpose of paying such liabilities and expenses.
3. The Chief Financial Officer, with concurrence of the President & CEO, is authorized to borrow amounts from the Self Insurance Funds to pay expenses of the Transit System in anticipation of routine operating subsidies and capital grants. All amounts borrowed from the Self Insurance Funds shall be reimbursed to such Fund as soon as possible with normal Agency revenues such as Farebox revenue, sales tax revenues, interest earnings and operating subsidy funds. The Board of Commissioners is to be notified, in writing, of any borrowing, outlining the amount borrowed.

G. Excess Judgment Fund (revised 08/20/21). The Agency will maintain an additional asset account, referred to as the “Excess Judgment Fund”, as authorized by the Board of Commissioners on July 7, 1989, to provide supplemental cash flow to the Self-Insurance Funds, in the event of a large or catastrophic loss that is greater than 50% of the Agency’s Self-Insured retention amount for that year. In addition, this fund will provide temporary or emergency funds for property losses that are equal or greater than \$500,000 and where the insurer has delayed payment or is questioning coverage under its policy. The Chief Financial Officer of the Agency will maintain the Excess Judgment Fund, complying with prudent business practices and all applicable governmental pronouncements. The fund is subject to following guidelines:

1. The goal is to attain and maintain a \$5,000,000 fund balance.
2. A minimum of \$250,000 shall be appropriated annually by the Board as part of the budget process until the fund goal of \$5,000,000 is reached.

3. Interest earned by monies in the fund shall inure exclusively to the fund on a cash basis until the fund goal of \$5,000,000 is reached.
4. Monies appropriated to the fund shall be deposited in the account at the beginning of the Fiscal Year, or as received from the funding jurisdictions.
5. This unencumbered balance of this fund may be used as collateral for short-term debt obligations.
6. The Chief Financial Officer, with concurrence of the President & CEO, is authorized to borrow amounts from the Excess Judgment Fund to pay expenses of the Transit System in anticipation of routine operating subsidies and capital grants. All amounts borrowed from the Excess Judgment Fund shall be reimbursed to such Fund as soon as possible with normal Agency revenues such as farebox revenue, sales tax revenues, interest earnings and operating subsidy funds. The Board of Commissioners is to be notified, in writing, of any borrowing, outlining the amount borrowed.

H. Claim Settlement Authorization (revised 08/20/21). The Board of Commissioners must approve defense settlements exceeding the Missouri sovereign immunity limit for any one person in a single accident or occurrence. The Claim Settlement Authorization, based upon the Missouri sovereign immunity limit, shall be adjusted annually as published by the Missouri Department of Insurance. Authorization granted by the Board of Commissioners is deemed to include an additional contingency amount, equal to 20% of the actual authorization granted, for extraordinary use by the President & CEO. This additional authorization may be granted by the President & CEO as trial approaches or during the actual trial. For settlement amounts over \$100,000 and up to the sovereign immunity limit, the President & CEO will approve and must notify and receive acknowledgement from the Board of Commissioner's Chair and Vice Chair. Settlements from \$20,000 to \$100,000 will require the approval of the Director of Risk Management who must notify and receive acknowledgement from the Agency's General Counsel.

I. Litigation Management and Board Notification (revised 08/20/21). In addition to requests for settlement, authorization, the Board of Commissioners will be notified by management about large claims or lawsuits that may significantly impact the Agency's financial stability, its assets, or its public image.

1. The Director of Risk Management will regularly provide informational briefs to the Board on claims and lawsuits that fall into the following classifications:
  - a. Fatalities & severely disabling injuries.
  - b. Jury verdict range or settlement range is expected to exceed \$100,000.
  - c. Other unusual or sensitive claims which may be of particular interest to the Commissioners.
  - d. Final results on claims where the Board has extended settlement authorization.

2. The briefing to the Board will contain:
  - a. Facts & background of the case.
  - b. Summary of injuries & special damages.
  - c. Assessment of liability and expected outcome.
  - d. Litigation history and status if in suit.
  - e. Opinion of legal counsel (if assigned).
  - f. Recommendations and strategy for an appropriate resolution.
3. The Director of Risk Management will maintain a written litigation management program, attorney billing guidelines, and procedures for selecting and retaining defense counsel as specified in more detail in the Agency's Management Policies & Procedures.

J. Review of Agency Contracts and Documents. The Director of Risk Management, in consultation with the Agency's General Counsel as needed, will review Agency contracts, leases, agreements, easements or other documents that transfer risk, specify indemnity obligations, or require specific insurance from one or more of the parties.

### **Section 30.070                      Hedging** (effective 2/23/2001; revised 11/20/15; revised 06/25/21)

A. General. Because of the nature of its responsibilities to the St. Louis Metropolitan region, the Bi-State Development Agency (Agency) manages financial risks attributed to the price variability of fuel usage. This risk can be managed effectively through the use of hedging techniques. The purpose of this policy is to generally outline how the Agency will manage these risks, what techniques will be employed, and the general guidelines to be followed.

B. Definition. A hedge is a financial tool used to reduce the risk associated with normal business activities of buying fuel. The purpose of this hedging program is not to make or lose money but to manage risk. This program is not an investment and should not be construed as such. Realized gains or losses will be considered as an element of fuel cost. A hedging program will:

- a. seek to decrease the volatility of fuel cost;
- b. seek to increase the likelihood that actual net fuel cost will remain below the budgeted cost;
- c. seek to increase the certainty of future fuel cost;
- d. seek to attain a lower overall cost of fuel in the long-term;
- e. seek to manage year-over-year changes in fuel cost.

#### C. Program Infrastructure.

- a. Instruments. The agency will maintain a futures account with a Futures Commission Merchant (Broker, which may be a separate entity from the Advisor. The Agency, through the management and direction of an

Advisor, acquires, holds, and disposes of fuel futures contracts in the operation of its program. The high correlation between the movement of the price that the Agency pays for its fuel and the movement of the value of the futures contracts produces the program's effectiveness as a hedge. Due to the liquidity of the futures contracts purchased, these contracts do not require an investment grade rating.

- b. **Maximum Hedge Ratio.** The Agency's volume of fuel consumption is predictable and without significant variability over time. Given this, the maximum hedge ratio will be limited to 95% of forecasted consumption.
- c. **Maximum Hedge Maturity.** To allow the establishment of cost certainty in current and future budget periods, the maximum maturity of the futures contracts taken in conjunction with the program is 36 months forward from the acquisition date.
- d. **Exiting Market Conditions.** The advisor will exit the futures contracts evenly through time to coincide with the fuel supply contract pricing mechanism. This even liquidation of futures hedges through time and the even purchase of fuel via the Agency's fuel supply process assures the effectiveness of the hedging process. Based on the difference between the hedge price (entry price) and the settlement price (exit price), there will be a realized gain/loss associated with the hedge that will appear in the futures account. Futures contracts will be held to maturity (exited when the corresponding fuel is purchased) and, in the normal operation of the program, there will be no interim trading or early exit allowed. Exceptions to this include situations where the volume of forecasted fuel consumption decreases in which case the hedge position may be adjusted to comply with the Maximum Hedge Ratio.

D. **Physical Supply.** The physical supply of fuel will be purchased according to the Agency's procurement policies, and will be priced according to the fuel supply contract.

E. **Strategy.** The Strategy is how the program's objectives are achieved. The strategy will utilize a process:

- a. that addresses market opportunities and market risks;
- b. that examines fundamental and technical market factors in the hedge decision-making process;
- c. that holds the risk of exceeding budget at or below an acceptable level;
- d. that uses historical pricing ranges as pricing parameters;
- e. that is continuously applied through time;
- f. that will take advantage of the inherent "dollar cost averaging" properties of a continuous hedging program;
- g. that mitigates transaction timing risk by making more numerous smaller volume transactions.

These things will be accomplished by the advisor executing the appropriate transactions at the appropriate times to create the desired effect within the constraints of the policy.

F. Risk Management. The Agency will engage only in financial hedge transactions that are related to the Agency's principal business, including the operation of diesel buses and vans. The Agency will only trade specific contracts as necessary to hedge for the pricing of fuel/energy costs, as related to these areas of business, and as advised by the Advisor.

G. Execution, Reporting and Oversight.

- a. The advisor will be responsible for the day to day execution of the program including the execution of transactions, generating reports on the program's status and results, and monitoring the program and the energy markets. The advisor will generate periodic updates on the status and results of the program.
- b. The Treasury Department will provide the Board of Commissioners with a summary of its activity through the quarterly Treasurer's Report.
- c. A Hedge Committee will oversee the activities of this program. The Committee shall include Chief Financial Officer, Director of Treasury, Assistant Executive Director Transit Assets, and the Vice President of Procurement, Inventory Management & Supplier Diversity. The role of the Hedge Committee will be to determine whether a proposed hedging strategy, transaction or group of transactions is consistent with this Hedge Policy and review the performance of the hedging activity on a periodic basis. The Hedge Committee will meet no less than quarterly, and meeting minutes and Committee decisions will be documented and approved by the Committee.

**Section 30.080 Debt Issuance and Administration** (revised 6/26/09)

A. The Agency. The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "**Agency**") is a body corporate and politic created and existing by reason of a joint compact (the "**Compact**") between the States of Missouri and Illinois (Sections 70.370 *et seq.* of the Revised Statutes of Missouri, as amended, and Illinois Compiled Statutes, Chapter 45, Act 100, as amended) and approved by the United States Congress and the President.

B. Powers to Issue Debt. *RSMo Section 70.373; 45 ILCS 110/1 Ratified by Congress January 7, 1959; further amended and ratified by Congress January 3, 1985*

1. *To borrow money for any of the authorized purposes of the Agency and to issue the negotiable notes, bonds or other instruments in writing of the Agency in evidence of the sum or sums to be borrowed;*
2. *To issue negotiable refunding notes, bonds or other instruments in writing for the purpose of refunding, extending or unifying the whole or any part of its valid indebtedness from time to time outstanding, whether evidenced by notes, bonds or other instruments in writing;*

3. *To provide that all negotiable notes, bonds or other instruments shall be payable, both as to principal and interest, out of the revenues collected for the use of any facility or combination of facilities owned and operated by the Agency, or out of any other resources of the Agency, and may be further secured by a mortgage or deed of trust upon any property owned by the Agency. All notes, bonds or other instruments in writing issued by the Agency as herein provided shall mature in not to exceed thirty years from the date thereof, shall bear interest at a rate not exceeding fourteen percent per annum, and shall be sold for not less than ninety-five percent of the par value thereof. The Agency shall have the power to prescribe the details of such notes, bonds or other instruments in writing, and of the issuance and sale thereof, and shall have power to enter into covenants with the holders of such notes, bonds or other instruments in writing, not inconsistent with the powers herein granted to the Agency, without further legislative authority;*
4. *To issue bonds for industrial, manufacturing or commercial facilities located within the Bi-State metropolitan district upon the security of the revenue to be derived from such facilities; and, or upon any property held or to be held by it.*

C. Revenue Bonds.

**I. General Management Policies**

The Agency will provide for a periodic review of its financial performance, and review its performance relative to the financial policies outlined herein. These financial policies will be taken into account during the capital planning, budgeting and fare-setting process.

- A. In recognition of periodic changes in the cost of providing service to system users, service costs and fees will be reviewed annually and adjusted commensurately.
- B. The Agency will present any proposed adjustments to existing fares, rates, fees and charges at public meetings, and will consider recommendations and input from the public as it relates to such proposed changes.
- C. All Agency funds will be invested according to the Investment Policies of the Agency.
- D. Necessary appropriations for annual debt service requirements will be routinely included in the Agency's annual budget.
- E. The Agency will maintain proactive communication with the investment community, including rating agencies, credit enhancers and investors, to ensure future capital market access at the lowest possible rates.
- F. The Agency may appoint a special committee of local financial experts to assist management as it develops financial plans.



G. Fund co-mingling and inter-fund borrowing.

The transit system is presently comprised of the following funds:

- Revenue Fund
- Operating Fund
- Internally Restricted Fund (Special Sales Tax Capital Fund)
- Sales Tax Capital Fund
- Prop M Fund
- Self Insurance Fund
- Stabilization Fund

The Agency maintains one bank depository account for operational and working capital purposes, which is comprised of the Operating, Internally Restricted, Sales Tax Capital, and Stabilization Funds. While these funds are co-mingled in a single bank account, specific accounting is maintained on the Agency's books at the fund level.

Transit operations have little seasonality and are generally consistent throughout the year. The annual appropriation process for state, local and federal formula funding, which combined provides approximately 75% of the Agency's funding, commences after the fiscal year begins. Local appropriations are subject to the legislative process, and Federal appropriations can be delayed up to 12 months. Consequently, Agency staff is authorized to transfer (borrow) funds within the groups identified above in order to maintain operational liquidity and adequate working capital.

In the event the above funds are exhausted, temporary operating deficits may be funded by unencumbered Self Insurance and Prop M Funds. Staff shall inform the Board any time the local funding jurisdictions fail to provide funds within ninety days of the beginning of the fiscal year. Management shall recommend a course of action up to and including service interruption for the jurisdiction in question.

Furthermore, the Agency utilizes the Transit Operating Fund (Accounts Payable Account) as the single disbursement account for the payment of both transit and business enterprise obligations. Liability accounts shall be maintained for the recording of all payments made by Transit for Business Enterprises, and Business Enterprises shall reimburse Transit, in the following month, for any such payments.

**I. Financial Management Policies**

The Agency utilizes a comprehensive planning process to determine its long-term capital needs. The Agency evaluates each capital project in relation to established federal, state and local grants and assistance programs and levels of reserves, current rate structure, expected asset life/replacement timeline, and available revenue sources to ensure that adequate financial resources are available to support the Agency's financial obligations. The Agency's Debt and Financial Management, Investment, and Swap Policies are integrated into the decision-making framework utilized in the budgeting and capital improvement planning process. As such the following policies outline the Agency's approach to debt management:

- A. The Agency will evaluate financing for each capital project on a case-by-case basis. The Agency will seek to pay for all capital projects from current revenues, federal grants and assistance programs and available reserves prior to or in combination with the use of debt.
- B. The Agency will seek to issue debt only in the case where there is an identified source of repayment. Bonds will be issued to the extent that (i) projected fixed revenues are sufficient to pay for the proposed debt service together with all existing debt service covered by such fixed revenues, or (ii) additional projected revenues have been identified as a source of repayment in an amount sufficient to pay for the proposed debt.
- C. Debt issuance for a capital project will not be considered unless such issuance has been incorporated into the capital improvement plan (Long Range Financial Plan).
- D. The Agency may designate a pool of qualified investment banking firms (or underwriters). The pools may be used for designating underwriting syndicates for a period extending through April 30, 2014. The Finance Division may terminate or extend the pools at any time prior to this date. The Finance Division may also periodically update the pools of underwriters, including the addition of firms that may submit their qualifications after the initial deadline. In addition, the Finance Division may request additional information or additional qualifications at any time from firms in the pools of underwriters. Expiration of the underwriting pool will not affect any previously designated syndicate(s) with which there are active negotiations for a bond sale.

## **II. Debt and Capital Management Policies**

The following policies formally establish parameters for evaluating, issuing, and managing the Agency's debt. The policies outlined below are not intended to serve as a list of rules to be applied to the Agency's debt issuance process, but rather to serve as a set of guidelines to promote sound financial management.

In issuing debt, the Agency objectives will be to:

- 1. Achieve the lowest cost of capital;
- 2. Maintain high credit ratings and access to credit enhancement;
- 3. Preserve financial flexibility.

## **III. Standards for Use of Debt Financing**

When appropriate, the Agency will use long-term debt financing to: achieve an equitable allocation of capital costs/charges between current and future system users; to provide more manageable rates in the near and medium term; and to minimize rate volatility.

- A. For growth related projects, debt financing will be utilized, as needed, to better match the cost of anticipated facility needs with timing of expected new connections to the system.
- B. The Agency shall not construct or acquire a facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility throughout its expected life.
- C. Capital projects financed through debt issuance will not be financed for a term longer than the expected useful life of the project.
- D. Lease Agreements and Installment Sale Agreements shall be considered as an alternative to long-term debt. Although these forms of alternative financing are subject to annual appropriation, they shall be considered as long-term fixed rate debt for the purposes of this policy until maturity.

## **V. Financing Criteria**

Each debt issuance should be evaluated on an individual basis within the framework of the Agency's Long Range Financing Plan, as well as within the context of the Agency's overall financing objectives and current market conditions.

The Agency will evaluate alternative debt structures (and timing considerations) to ensure the most cost-efficient financing under prevailing market conditions.

- A. Credit Enhancement – The Agency will consider the use of credit enhancement on a case-by-case basis. Only when clearly demonstrable savings can be realized shall credit enhancement be utilized.
- B. Cash-Funded Reserve vs. Surety – The Agency may purchase a surety policy or replace an existing cash-funded Debt Service Reserve Fund when deemed prudent and advantageous.
- C. Call Provisions – In general, the Agency's securities should include optional call provisions. The Agency will generally avoid the sale of non-callable long-term fixed rate bonds, absent careful evaluation of the value of the call option.
- D. Additional Bonds Test/Rate Covenants - The amount and timing of debt will be planned to comply with the additional bonds tests and rate covenants outlined in the appropriate legal and financing documents, and these policies.
- E. Short-Term Debt – The Agency may utilize short-term borrowing to serve as a bridge for anticipated revenues, construction financing or future bonding capacity.

- F. Use of Variable Rate Debt - The Agency will not issue variable interest rate debt unless: the proposed debt is converted to a fixed rate or hedged (for an interim period or to maturity) by use of a put-type mode, swap agreement or hedging mechanism (e.g., interest rate cap); outstanding un-hedged variable rate debt, including any proposed new variable debt, does not exceed the Agency's "hedge position" (defined herein) in aggregate; or, interest is capitalized during the expected term that bonds will be outstanding in a variable rate mode. For this purpose, the Agency's hedge position will be calculated as the Agency's cash reserves multiplied by 125%. Notwithstanding the above, the Agency will refrain from issuing new variable rate debt (including synthetic variable rate debt), whether hedged or un-hedged, which exceeds 20 percent of the Agency's aggregate debt outstanding.
- G. Use of Swaps & Derivatives - The use of any swap agreement in conjunction with the issuance or management of debt instruments will be governed by the Agency's Swap Policy. The use of swaps to create synthetic fixed rate debt should generally be considered only such synthetic fixed rate debt would result in a 20% reduction in debt service vs. traditional fixed rate bonds.
- H. Investment of Bond Proceeds - Bond proceeds will be invested in accordance with the permitted investment language outlined in the bond documents for each transaction, unless further restricted or limited in the Agency's Investment Policy. The preservation of funds, notwithstanding, the Agency will seek to maximize investment earnings within the investment parameters set forth in each respective bond indenture. The reinvestment of bond proceeds will be incorporated into the evaluation of each financing decision; specifically addressing arbitrage/rebate position, and evaluating alternative debt structures and refunding savings on a "net" debt service basis, where appropriate.

## **VI. Refinancing Outstanding Debt**

The Agency shall have the responsibility to evaluate potential refunding opportunities presented by underwriting and/or financial advisory firms. The Agency will consider the following issues when analyzing potential refinancing opportunities:

- A. Debt Service Savings – The Agency shall establish a target savings level equal to 3% (current refunding) to 5% (advance refunding) of par refunded on a netpresent value (NPV) basis. These figures should serve only as a guideline, the Agency must evaluate each refunding opportunity on a case-by-case basis, and must take into consideration: the time to maturity, size of the issue, current interest rate environment, annual cash flow savings, and the value of the call option. Economic savings resulting from a refunding will generally be structured to occur on a level basis over the life of the refunding bonds. The decision to take all savings upfront or on a deferred basis must be explicitly approved by the Agency's Finance and Audit Committee and Board of Commissioners.

- B. Restructuring - The Agency may seek to refinance a bond issue on a non- economic basis in order to restructure debt, mitigate irregular debt service payments, accommodate revenue shortfalls, release reserve funds, comply with and/or eliminate rate/bond covenants, or terminate a swap.
- C. Term/Final Maturity – The Agency may consider the extension of the final maturity of the refunding bonds in order to achieve a necessary outcome, provided that such extension is permissible under the Agency’s Compact and Federal tax law. The term of the bonds should not extend beyond the reasonably expected useful life of the asset being financed. The Agency may also consider shortening the final maturity of the bonds. The remaining useful life of the assets and the concept of inter-generational equity should guide these decisions.
- D. Escrow Structuring - The Agency shall utilize the least costly securities available in structuring each escrow. A certificate will be required from a third party agent who is not acting as a broker-dealer, stating that the securities were purchased through an arms-length, competitive bid process (in the case of open market securities), that such securities were more cost effective than State and Local Government Series Securities (SLGS), and that the price paid was reasonable and within Federal guidelines. The Agency retains the right to use SLGS at any time in structuring its escrows.

When evaluating the economic viability of an economic versus legal defeasance, the Agency shall take into consideration both the financial impact on a net present value basis as well as the rating/credit impact. The Agency shall take all necessary steps to optimize its escrows and to avoid negative arbitrage in any refunding.

## **VII. Method of Issuance**

The Agency will determine, on a case-by-case basis, whether to sell its bonds competitively or through negotiation.

- A. Competitive Sale – In a competitive sale, the Agency’s bonds shall be awarded to the bidder providing the lowest true interest cost (“TIC”), as long as the bid adheres to requirements set forth in the official notice of sale.
- B. Negotiated Sale – Due to the unique nature of the Agency’s funding arrangements, the Agency recognizes that many of its transactions are best sold through negotiation. In consideration of a negotiated sale, the Agency shall assess the following circumstances that weigh toward the use of a negotiated sale:
  - 1. Issuance of variable rate or taxable bonds;
  - 2. Complex structure or credit considerations (such as non-rated bonds), which requires a strong pre-marketing effort;
  - 3. Significant par value, which may limit the number of potential bidders;

4. Unique/ proprietary financing mechanism (such as a financing pool), or specialized knowledge of financing mechanism or process;
  5. Market volatility, such that the Agency would be better served by flexibility in the timing of its sale in a changing interest rate environment;
  6. When an Underwriter has identified new financing opportunities or presented alternative structures that financially benefit the Agency;
  7. As a result of an Underwriter's familiarity with the project/financing, which enables the Agency to take advantage of efficiency and timing considerations.
- C. Private Placement – From time to time the Agency may elect to issue debt on a private placement basis. Such method shall generally be considered only if it is demonstrated to result in cost savings or provide other advantages relative to other methods of debt issuance, or if it is determined that access to the public market is unavailable and timing considerations require that a financing be completed.
- D. Conduit Issuance – The Agency may elect to enter into financing agreements with other issuers, including but not limited to the City of St. Louis, St. Louis County, and the Missouri Development Finance Board, to permit debt to be issued on the Agency's behalf. The Agency will consider this approach if such an arrangement is expected to produce lower borrowing costs, enhance the flexibility of the Agency, or provide other operational efficiencies.

### **VIII. Market Communication, Debt Administration and Reporting Requirements**

Rating Agencies and Investors – The Chief Financial Officer shall be responsible for maintaining the Agency's relationships with Moody's Investors Service, Standard & Poor's Ratings- Services, Fitch Ratings or any other nationally-recognized rating service. The Agency may, from time to time, choose to deal with fewer than all of these agencies as circumstances dictate.

In addition to general communication, the Chief Financial Officer shall: (1) meet with Credit Analysts at least once each fiscal year, and (2) prior to each competitive or negotiated sale, offer conference calls with Agency analysts in connection with the planned sale.

- A. Board Communication – The Chief Financial Officer shall include in an annual report to the Finance and Audit Committee and the Board of Commissioners feedback from rating agencies and/or investors regarding the Agency's financial strengths and weaknesses and recommendations for addressing any weaknesses.
- B. Continuing Disclosure – The Agency shall remain in compliance with Rule 15c2-12 or any successor rule or regulation by filing its annual financial statements and other financial and operating data for the benefit of its bondholders within 270 days of the close of the fiscal year. The inability to make timely filings must be disclosed and would be a negative reflection on the Agency. While also relying on a timely audit and preparation of the Agency's annual report, the Chief Financial

Officer will ensure the Agency's timely filing with each Nationally Recognized Municipal Securities Information Repository.

- C. **Record-Keeping** – A copy of all debt-related records shall be retained at the Agency's offices. At minimum, these records shall include all official statements, bid documents, bond documents / transcripts, resolutions, trustee statements, leases, and title reports for each Agency financing (to the extent available). To the extent possible, the Agency shall retain an electronic copy of each document - preferably in Adobe Acrobat-compatible or CD-ROM format.
- D. **Arbitrage Rebate** – The use of bond proceeds and their investments must be monitored to ensure compliance with all Internal Revenue Code arbitrage rebate requirements. The Chief Financial Officer shall ensure that all bond proceeds and investments are tracked in a manner which facilitates accurate calculation; and, if rebate is due, such payments are made.

### **Section 30.090                      Donation and Gift Policy** (NEW effective 11/19/21)

A. **Policy.** It is the policy of the Agency that gifts and donations to the Agency are welcomed and encouraged. Gifts and donations are valued as expressions of individual support for the Agency's mission and help to enhance its services, programs and facilities by supplementing federal, state, or contractual support.

B. **Types of Gifts.** The Agency accepts the following types of gifts and donations: cash, tangible personal property, publicly traded and recognizable securities, real estate, bequests, trust funds and annuities.

C. **Use of Gifts.** The President and CEO or Board of Commissioners will carefully consider the needs of the Agency and will use a gift where it determines it is most needed, so that all donations may directly and indirectly support the public purposes of the Agency. The Agency may choose not to accept a gift if the donor wishes to place limitations or restrictions on its use or disposal. The Agency may refuse any gift that does not sufficiently benefit the Agency, is in conflict with the Agency's mission, puts the reputation of the Agency at risk, or is prohibited by law.

D. **Acceptance of Gifts.** The President and CEO may accept any gift or donation of the types described in Section B on behalf of the Agency. Other types of gifts and donations will be evaluated on a case-by-case basis by the Board of Commissioners

When processing each gift, the Agency will follow generally accepted accounting principles. The Agency takes no responsibility for valuing gifts for tax purposes or for the tax consequences to the donor.

All accepted gifts and donations become the property of the Agency. The Agency reserves the right to sell or otherwise dispose of non-monetary gifts, if the Board of Commissioners or President and CEO, determines that such sale or disposition is advisable or necessary.

E. Documentation. The Agency will retain a written receipt of each donation and gift identifying the name of the donor, the amount and the date of the donation or gift, and the nature of restriction on the gift, if any. The Agency will acknowledge each donation by letter, thanking the donor. Donors who make a significant financial or material donation will receive a contemporaneous written acknowledgement of the donation from the Agency.



**COLLECTED BOARD POLICIES**  
**OF THE**  
**BI-STATE DEVELOPMENT AGENCY**  
**OF THE**  
**MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

**Chapter 30 Audit, Finance and Budget**

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**Section 30.005 Audit Committee Charter** (added 03/25/11, rev. 09/23/11 and rev. 06/24/22)

A. GENERAL (revised 09/23/11). The purpose of the Audit Charter is to assist the Board of Commissioners, through its Audit Committee, in fulfilling its fiduciary oversight responsibilities as follows:

- (1) Audit Committee management and Reporting Responsibilities
- (2) External Audit of the Financial Statements
- (3) Internal Audit Process
- (4) System of Risk Management
- (5) Processes for Monitoring Compliance with Laws and Regulations and the Ethics Policy, Code of Conduct and Fraud Policy
- (6) Special Investigations and Whistleblower Mechanism

Source: Information to develop this Charter is from *The AICPA Audit Committee TOOLKIT: Government Organizations*

B. **AUTHORITY.** The Audit Committee (“committee”) has the authority to conduct or authorize investigations into any matters within its scope of responsibility. It is empowered to perform the following functions, which are numbered according to the purposes listed above.

1. Audit Committee Management and Reporting Responsibilities (rev. 06/24/22)

- Each member of the Committee should be appointed by the Chairman of The Bi-State Development Agency (“Bi-State”) Board of Commissioners.
- At least one member of the Committee should have financial experience.
- The Committee should review this Charter annually, reassess the adequacy of the Charter, and recommend any proposed changes to the Board of Commissioners. It should consider changes that are necessary as a result of new laws, regulations, or accounting and auditing standards, including best auditing practices.
- The Committee should meet at least four times per year, and at additional times when necessary. These meetings may be combined with regularly scheduled meetings, or may be held more frequently as circumstances may require. The Committee may ask members of management or others to attend the meetings and provide pertinent information as necessary.
- Conduct executive sessions with the independent auditors, Chief Executive Officer (CEO), Chief Financial Officer (CFO), Chief Audit Executive (CAE), General Counsel, outside counsel, and anyone else as desired by the Committee.
- The Committee shall be authorized to hire professional consultants as necessary.
- Review and concur on the appointment, replacement, reassignment, or dismissal of the Chief Audit Executive.
- Oversee the appointment of the independent auditors to be engaged for external reporting, and establish the related audit fees.
- If the audit organization provides any non-audit services, determine that the audit organization has considered and documented its consideration of how providing these non-audit services does not violate the requirements that the audit organization (a) not provide services that involve performing management functions or making management decisions, and (b) not audit their own work, as stipulated by best auditing practices.
- Review and evaluate the performance of the independent auditors.
- Review with the independent auditor, the Chief Financial Officer, and the Chief Audit Executive, the audit scope and plan of the internal auditors and the independent auditors. Address the coordination of audit efforts to assure the completeness of coverage, reduction of redundant efforts, and the effective use of audit resources.
- The Committee should evaluate the independent auditors and internal auditors.
- The Committee should review its effectiveness.
- Create an agenda for the ensuing year, or review and approve the agenda submitted by the Chief Audit Executive.

2. External Audit of the Financial Statements (rev. 06/24/22)

- Review with management and the independent auditor the effect of any regulatory and accounting initiatives, such as related organizations financing structures, derivatives, or securities lending.
- Review with the independent auditor that performs the financial statement audit:
  - a. All critical accounting policies and practices used by Bi-State.
  - b. All alternative treatments of financial information within generally accepted accounting principles that have been discussed with Bi-State's management, the ramifications of each alternative, and the preferred treatment.
- Review all significant written communications between the independent auditors and management, such as any management letter or schedule of unadjusted differences.
- Review with management and the independent auditors:
  - a. The Bi-State Development Agency's annual financial statements, related footnotes, and management's discussion and analysis;
  - b. The independent auditor's audit of the financial statements and their report thereon;
  - c. The independent auditors' judgments about the quality, not just the acceptability, of Bi-State's accounting principles as applied in its financial reporting;
  - d. The independent auditors' single audit of the federal awards administered by Bi-State and their reports thereon;
  - e. The independent auditors' examination of the effectiveness of any hedging activities;
  - f. Any significant changes required in the independent auditors' audit plan;
  - g. Any serious difficulties or disputes with management encountered during the audit. Matters required to be discussed by Statement on Auditing Standards (SAS) No. 61, *Communication With Audit Committees* (AICPA, *Professional Standards*, vol. 1, AU Sec. 380), as amended; U.S. Government Accountability Office's *Government Auditing Standards*; and the U.S. Office of Management and Budget's Circular A-133 related to the conduct of the audits.
- Review with the General Counsel and the Chief Audit Executive legal and regulatory matters that, in the opinion of management, may have a material impact on the financial statements and compliance with federal, state, and local laws and regulations.

### 3. Internal Audit Process (rev. 06/24/22)

- Review with management the policies and procedures with respect to Bi-State management's use of expense accounts, public monies, and public property, including for example, their use of Bi-State's vehicles. Consider the results of any review of these areas by the Internal Auditor or the independent auditors.

- Consider, with management, the rationale for employing audit firms other than the principal independent auditors for services that Bi-State or the independent auditor determines would not be appropriate for the principal independent auditor to perform.
- Review with management and the Chief Audit Executive:
  - a. Significant findings on internal audits during the year and management's responses thereto.
  - b. Any difficulties the internal audit team encountered in the course of their audits, including any restrictions on the scope of their work on access to required information.
  - c. Any changes required in the scope of their internal audits.
  - d. The Internal Audit Department budget and staffing.
  - e. The Internal Audit Department charter.
  - f. The Internal Audit Department's compliance with applicable standards (for example, *Government Auditing Standards*, or the Institute of Internal Auditors' (IIA's) Standards for the Professional Practice of Internal Auditing).

4. System of Risk Management (rev. 06/24/22)

Inquire of management, the Internal Audit Department, and the independent auditors about significant risks or exposures facing Bi-State; assess the steps management has taken or proposes to take to minimize such risks to Bi-State; and periodically review compliance with such steps.

Inquire of the Chief Executive Officer and Chief Financial Officer regarding the fiscal health of Bi-State, as well as the financial status of Bi-State in relation to its adopted budget.

Review with the independent auditors and Chief Audit Executive:

- a. The adequacy of Bi-State's internal controls including computerized information system controls and security;
- b. Any related significant findings and recommendations of the independent auditors and internal auditors together with management's responses thereto.

5. Organization's Processes for Monitoring Compliance with Laws and Regulations and the Ethics Policy, Code of Conduct and Fraud Policy (rev. 06/24/2022)

- a. Periodically review Bi-State's code of conduct to ensure that it is adequate and up to date.
- b. Review with the Chief Audit Executive and General Counsel the results of their review of compliance monitoring with the code of conduct.

#### **Section 30.010      Annual Audit**

A. Policy (revised 5/22/09 and 6/24/22). It is the policy of the Agency to submit its books and records to annual audit by a nationally recognized CPA firm. The firm selected shall have broad experience in auditing large local government and/or agencies in compliance with relevant federal rules and regulations such as the Single Audit Act and examining any hedging activities. The firm, and any principals of the firm, shall have no direct or indirect personal or financial interest in the fiscal affairs of the Agency, or of any officer of the Agency. The Agency shall not engage any firm, or any lead or concurring audit partner connected with that firm's provision of audit services to the Agency, for a contract term in excess of five (5) consecutive years.

B. Reporting. This firm reports its findings and conclusions to the entire Commission each year and may meet with the Audit Committee at any time during the year. Upon receipt of the final management letter, the President & Chief Executive Officer will promptly forward a response to the Audit Committee indicating the status of each recommendation or finding.

#### **Section 30.020 Internal Audit (rev. 06/24/22)**

A. Policy. It is the policy of the Agency to employ a Chief Audit Executive who shall report directly to the Board of Commissioners. The Chief Audit Executive shall supervise and direct the staff of the Internal Audit Department. The Internal Audit Department shall provide independent objective analysis and recommendations to assist the President & Chief Executive Officer and management in effectively discharging their administrative responsibilities. The Internal Audit Department shall perform routine audits of compliance of Agency divisions with internal Agency rules and regulations. The Internal Audit Department shall at all reasonable times have access to the accounts, books and records of the Agency, and the Department may in relation to such interview the President & Chief Executive Officer and other employees of the Agency.

B. Work Plan. The Chief Audit Executive shall be responsible for preparing an annual Audit Work Plan. Additionally, Commissioners and Senior Managers shall identify potential areas for review by the Internal Audit Department. Upon completion of the Audit Work Plan, the Chief Audit Executive shall present the Plan to the Audit Committee for their review and approval pursuant to these Board Policies.

C. Special Reviews. From time to time the President & Chief Executive Officer may assign to the Chief Audit Executive special reviews designed to assure continuous quality improvement of Agency operations.

#### **Section 30.030      Annual Budget**

~~A. General. Each year the President & CEO shall prepare an annual budget for the forthcoming fiscal year that will be presented to the Board of Commissioners. The President & CEO will work with the Board in setting strategic objectives, update the Agency's long range planning document, and prepare both an operating and capital budget. The operating budget shall include proposed expenditures for current operations during the ensuing fiscal year and the method of financing such expenditures. The capital budget shall include capital expenditures during the~~

ensuing fiscal year and the proposed method of financing such expenditures.

A. General. Each year the President & Chief Executive Officer shall prepare an annual budget for the forthcoming fiscal year that will be presented to the Board of Commissioners. The President & Chief Executive Officer will work with the Board in setting strategic objectives, update the Agency's long range planning document, and prepare both an operating and capital budget. The operating budget shall include proposed expenditures for current operations during the ensuing fiscal year and the method of financing such expenditures. The capital budget shall include capital expenditures for a 3-year period and the proposed method of financing such expenditures.

B. Approval. The President & Chief Executive Officer will present the annual budget at a regularly scheduled meeting of the Board of Commissioners. The Board of Commissioners shall approve annual operating and capital budgets prior to the beginning of the ensuing fiscal year.

**Section 30.040      Banking and Investment (rev. 06/23/06, 11/19/10, 09/28/12)**

~~A. General. This policy directs the investment of all operating, self-insurance restricted, capital and debt service funds of all entities of the Bi-State Development Agency not expressly controlled by Revenue Bond Trustees.~~

B. Objectives. The primary objectives of the Agency's investment activities, in order of priority, shall be as follows:

1. Preservation and Safety of Principal. The objective is to mitigate credit and interest rate risk.
  - a. Credit risk. The Agency will minimize credit risk, which is the risk of loss due to the failure of the security issuer by:
    - Limiting investments to the types of securities listed in Section D of this policy.
    - Pre-qualifying financial institutions, brokers/dealers, intermediaries, and advisers with which the Agency will do business.
    - Diversifying the investment portfolio so that the potential impact of losses will be minimized.
  - b. Interest rate risk. The Agency will minimize interest rate risk, which is the risk that the market value of the securities in the portfolio will fall due to changes in market interest rates by:
    - Structuring the investment portfolio so that securities mature in a manner that cash requirements for ongoing operations will be met, thereby avoiding the need to sell securities on the open market prior to maturity; and
    - Investing operating funds primarily in short-term securities money market mutual funds, or similar investment pools and limiting the average maturity of the portfolio in accordance with Section H.4.
2. Liquidity. The Agency's investment portfolio will remain sufficiently liquid to meet all operating requirements. Liquidity will be determined by the flow of revenues and expenditures using cash flow projections and historical data.

3. Yield. Thereafter, the highest yield consistent with safety is required, provided the maturities are short enough to maintain operational liquidity.
4. Location. It is the Board's intent to have the majority of the available funds invested in local institutions provided the institutions meet the minimum credit standings set out below and yields are competitive.

C. Standards of Care.

1. Investment Authority. The Chief Financial Officer and the Director of Treasury are designated as the Investment Officers who are responsible for investment transactions, as well as, establishing the internal controls and written procedures for the operation of the investment program. No other officers or designees may engage in investment or banking transactions except as provided under the terms of the Investment Policy and procedure established.
2. Prudence. The Agency's investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and considering the safety of capital and the yield to be derived. The standard of care to be used by the Investment Officers shall be said "prudent person" standard and shall be applied in the context of managing an overall portfolio and whether the investment decision was consistent with the written investment policy of the Agency.
3. Ethics and Conflicts of Interest. Investment Officers involved in the investment process shall refrain from personal business activity that could conflict or be perceived to conflict with proper execution of the investment program, or that could impair their ability to make impartial investment decisions.

D. Authorized investment categories (revised 4/24/09 and 11/19/10)

1. Demand Deposit, Negotiable Order Withdrawal (NOW), Bank Money Market, Certificate of Deposit and Savings Accounts - issued by banks or thrifts where the account or investment is either collateralized with direct obligations of the U.S. Government or its instrumentalities, or covered by FDIC insurance, or other AAA rated surety.
2. Negotiable Certificates of Deposit - provided that the institution maintains a Fitch rating of B or better and/or a Moody's Investor Services short-term rating of P-1. The institutions selected will have a minimum of \$100 million in combined capital and unimpaired surplus.
3. Bankers Acceptances - provided that the institution maintains a Fitch rating of B or better and/or a Moody's Investor Services short-term rating of P-1. The institutions selected will have a minimum of \$100 million in combined capital and unimpaired surplus.
4. Direct Obligations of the United States Government, U.S. Government Agencies or U.S. Government Instrumentalities.
5. Commercial Paper - Commercial paper at the time of purchase shall have ratings of

A-1 by Standard and Poor's Rating Services and P-1 by Moody's Investors Services.

6. Repurchase Agreements (revised 11/19/10) - Repurchase agreements (repos) are acceptable, using any of the securities listed in paragraphs D-4 as collateral. Also, the firm with whom the repo is executed must be a credit acceptable bank, or broker-dealer. A credit acceptable bank or broker-dealer is defined as one whose senior debt rating is A- by one of the three nationally recognized ratings agencies (Standard & Poor's, Moody's, or Fitch). Banks in the Agency's service area that do not have a Standard & Poor's, Moody's or Fitch rating, may also be authorized repo counterparties, provided that they meet the "well capitalized" standard, as defined by the Federal Deposit Insurance Corporation. A written repurchase agreement, substantially modeled on, but in no case less restrictive than, the Securities Industry and Financial Markets Association's "Master Repurchase Agreement", shall be completed for each repo counter party. Such agreements shall be updated periodically, but no less than once every five years. In all cases, repo collateral shall have a market value of 102% of the dollars invested, plus accrued interest. If the repo term is longer than an overnight maturity, the collateral must be delivered to a third party custodian, and priced-to-market weekly to assure correct collateral value coverage.

The Director of Treasury shall obtain approval from the Chief Financial Officer before authorizing a repo counterparty. Before approval, documentation shall be furnished that the authorized counterparty meets the required criteria. The Director of Treasury will also monitor continued compliance with the criteria.

7. Money Market Funds - Acceptable funds shall be institutional money market funds having over \$500 million in net assets and be rated AAA by Standard and Poor's, Moody's and/or Fitch rating services.
8. Reverse Repurchase Agreement - A reverse repurchase Agreement or short-term borrowing (180 days or less), using securities in the Agency's portfolio as collateral, is acceptable. However, the firm with whom the borrowing is executed must meet the same requirements as stated previously for repurchase agreements. Also, the borrowed funds may be used to purchase other securities as an investment arbitrage. In this case, the new investment maturity date must match (+/- one week) the maturity date of the reverse repo, and those instruments must be delivered into the Agency's safekeeping account and held there until maturity. The Board shall be notified of all such transactions through the Treasurer's monthly report.

E. Collateralization.

1. Collateralization of 102% will be required for demand deposits, repurchase agreements, and certificates of deposit over FDIC insured limits.
2. The Agency limits the type of collateral required to Direct Obligations of the United States Government, United States Government Agencies, or United States Government Instrumentalities.

F. Banking Services. To ensure the best service and cost effectiveness these services will be negotiated periodically. The number of demand deposit non-interest bearing accounts will be



kept to a minimum for operational efficiency and safety. Any two of the following may open bank accounts, subject to the approval of the Board of Commissioners through a confirming motion at a meeting of the Board of Commissioners:

<u>Chair, Board of Commissioners</u>	<u>President &amp; Chief Executive Officer</u>
<u>Vice Chair, Board of Commissioners</u>	<u>Chief Financial Officer</u>
<u>Board of Commissioners</u>	<u>Treasurer,</u>

G. Monitoring and Reporting

1. Investment Performance. Investment Officers will provide the Treasurer of the Board of Commissioners with a quarterly report including deposits, investments, yields, the monthly summary of the prior 12 months' funds experience, and the amount of deposits at each institution. The report will also provide the average maturity of investments and a benchmark yield to show the investment portfolio's effectiveness in reaching the Agency's need for liquidity, safety, rate of return, and diversification.

H. Investment Transaction Criteria: (revised 4/24/09)

1. Competition – Banks and other financial institution, which meet the criteria below, will be selected for investments only on a competitive basis. Bids for Investments will be solicited by the Director of Treasury, and deemed necessary and approved by the Chief Financial Officer, using a bid process established by the Investment Officers. Rate of return will be considered the primary factor when selecting a bid, followed by the bidding institute.
2. Denial of Business – The Board directs management to refrain from investing Agency funds in any financial institutions or businesses that conduct business with governments deemed unacceptable by the Federal Government through executive order or enacted legislation.
3. Safekeeping Accounts – Securities purchased are delivered against payment to ensure that securities are deposited in an eligible financial institution prior to the release of funds, and held in a custodian safekeeping account. Tri-party custodian agreements maintained with third party trust companies as well as the Federal Reserve Bank are acceptable. Hold-In-Custody repurchase agreements for fourteen days or less will be processed through special transaction control accounts. These accounts will be audited quarterly by Internal Audit and the results reported through the Treasurer, to the Board of Commissioners.
4. Maturity Limitations - To the extent possible, investments shall be matched with anticipated cash flow requirements and known future liabilities. Unless matched to a specific cash flow requirement, no funds shall be invested for more than five years from the date of settlement. The weighted average maturity of the portfolio shall at no time exceed eighteen months.

For Securities that are subject to redemption (call) before final maturity, the final maturity date shall be used both for compliance with the five year limitation and in calculating the weighted average maturity.

5. Diversification

- a. Unlimited investment in the following:

- U.S. Government obligations
- U. S. Government Agency obligations
- U. S. Government Instrumentality obligations
- Repurchase Agreements – secured by the 3 U. S. obligations noted immediately above.
- Money Market Funds – Institutional money market funds having over \$500 million in net assets and rated AAA by Standard & Poor’s, Moody’s and/or Fitch rating services.
- b. Investments not to exceed \$5.0 million par value from any one issuer:
  - Bankers Acceptances
  - Commercial Paper
  - Negotiable Certificates of Deposit
- c. All investments must be paid for before they may be sold.

I. Agency Debt. Agency debt may be incurred only by the specific authority of the Board of Commissioners through special action. Notwithstanding Section D above, all funds under such debt resolutions or indentures of trust shall be controlled by the investment set forth in such documents.

J. Check Signatories (rev. 01/04/08)

1. All General Operating Funds

- a. Under \$15,000 - One signature from the following:
  - Treasurer, Board of Commissioners (including facsimile signature) or in the event of a vacancy in the Treasurer’s position,
  - Secretary, Board of Commissioners (including facsimile signature)
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
- b. \$15,001 to \$100,000 - Two signatures from the following:
  - Treasurer, Board of Commissioners (including facsimile signature) or in the event of a vacancy in the Treasurer’s position,
  - Secretary, Board of Commissioners (including facsimile signature)
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
- c. \$100,001 to \$500,000 - Two signatures from the following:
  - Chair, Board of Commissioners
  - Treasurer, Board of Commissioners
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
- d. \$500,001 to \$1,000,000 - Two signatures from the following:
  - Chair, Board of Commissioners
  - Treasurer, Board of Commissioners
  - President & Chief Executive Officer
  - Chief Financial Officer
- e. \$1,000,001 and above - Two signatures, one each from Group A and Group

- B:  
GROUP A  
 • Treasurer, Board of Commissioners  
 • President & Chief Executive Officer  
GROUP B  
 • Chair, Board of Commissioners  
 • Vice Chair, Board of Commissioners  
 • Secretary, Board of Commissioners

K. Wire Transfer Authority (rev. 01/04/08) Wire Transfers and Automated Clearing House Transactions (ACH) are authorized for the transfer of funds between checking, investment and savings accounts, payment of services, equipment, construction in process, as well as payroll related expenditures that are authorized by and in the name of the Bi-State Development Agency.

1. Wire Transfer and Automated Clearing House Transactions (ACH) authority is limited to the below listed individuals. Wire transfers of a non-repetitive nature require the authority of any two of the below listed individuals:

- President & Chief Executive Officer
- Chief Financial Officer
- Director of Treasury

- a. Any individual Automated Clearing House Transaction (ACH) over \$1 million - Two signatures, one each from Group A and Group B:

- GROUP A  
 • Treasurer, Board of Commissioners  
 • President & Chief Executive Officer  
GROUP B  
 • Chair, Board of Commissioners  
 • Vice Chair, Board of Commissioners  
 • Secretary, Board of Commissioners

2. Authorization to create new repetitive Wire Transfers and Automated Clearing House Transactions (ACH) requires approval of any two of the following:

- President & Chief Executive Officer
- Chief Financial Officer
- Chair, Vice Chair, Treasurer, Secretary, Board of Commissioners

- L. Authorized Signatories for the Release of Pledged Collateral:

- President & Chief Executive Officer
- Chief Financial Officer
- Director of Treasury

- M. Authorized Agency Funds: (revised 8/15/07, 09/28/12)

1. Operating Funds – Operating Funds include a general operating account, accounts payable accounts for clearing checks and EFT payments, a payroll account, and investment transitory accounts for security purchases. In addition, there is an investment safekeeping account for operating funds.

2. Revenue Funds – Revenue funds are established for Transit Revenue, Ticket

Vending, Machine Credit Card Revenue, Passenger Revenue, Metrolink Revenue, Fare box Revenue, and Call A Ride Revenue.

3. Internal Service Funds – Deposit accounts and investment safekeeping accounts are established for Medical, Property, Workers Compensation, and Casualty Internal Service Funds.
4. Sales Tax and Internally Restricted Funds – Sales Tax Capital amounts and Restricted funds are kept in individual investment safekeeping accounts.
5. Enterprise Funds – Deposit accounts are established for the operational and capital needs of the Agency, the Gateway Arch, the Riverfront Attractions, the St. Louis Downtown Airport, Freightway, and Arts in Transit and the investment safekeeping accounts are used as needed to invest excess funds.

## Section 30.050 Financial Reporting (revised 09/25/09)

~~A. Policy. It is the policy of the Agency to prepare the financial results of each operating company as required by specific agreement, but not less than quarterly. Financial statements for the Board of Commissioners shall be prepared quarterly, and include the following statements:~~

- ~~1. Transmittal letter of noteworthy variations, including disclaimer~~
- ~~2. Balance Sheet~~
- ~~3. Statement of Revenue, Expense Income (Loss)~~
- ~~4. Cash Receipts and Disbursement Schedule~~
- ~~5. Capital Expenditures for Active Projects~~
- ~~6. Statement of Cash Flows~~
- ~~7. Aged Receivables~~

### ~~Disclaimer:~~

~~The following disclaimer shall be included in each transmittal letter of noteworthy variance:~~

~~“These interim financial statements are not in conformity with U.S. Generally Accepted Accounting Principles (U.S. GAAP) due to the following reasons: Depreciation is not shown as an operating expense, but as other non operating expense; capital contributions and total net assets are now shown on the Statement of Revenue, Expense, Income (Loss); and there are no accompanying footnote disclosure requirements or Management Discussion and Analysis (MD & A) sections included.”~~

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## **Section 30.060      Risk Management** (revised 2/25/2000 and 08/20/2021)

A. General. One of the Agency's primary objectives is to provide safe, reliable, and cost-effective transportation services while complying with federal, state, and local laws. In support of that objective, the Agency will develop and maintain an effective, integrated risk management program. This policy applies to all exposures to risk of loss that are fortuitous and result from external causes. These exposures include, but are not limited to, fires, collisions, theft, windstorm, construction accidents, workers' compensation claims, and auto or general liability claims as well as associated lawsuits against the Agency.

B. Authority and Responsibility. The Director of Risk Management is responsible for recommending the overall direction of the Agency's risk management program as specified in the Agency's Management Policies & Procedures.

C. Self-Insurance (revised 08/20/21). The Agency will self-insure those routine risks associated with its core transit operations. Risk exposures above the self-insured retention will be covered by excess insurance if such excess insurance is available and affordable.

adjusting firm to assist in administering claims handling (TPA). The Risk Management Department will monitor the TPA and hold quarterly claims reviews. An annual audit will be performed.

E. Insurance. Primary property and liability insurance will be purchased for unique or special risks of loss, for major construction projects, and when required by law or by contract. A Broker of Record will perform the insurance marketing function under the direction of the Director of Risk Management.

F. Self-Insurance Fund (revised 08/20/21). The Agency will maintain asset accounts, referred to as "Self-Insurance Funds", as authorized by the Board of Commissioners on October 1, 1982, to support liabilities accrued as a result of its self-insured losses. The Chief Financial Officer of the Agency will maintain the Self-Insurance Fund, complying with prudent business practices and all applicable governmental pronouncements, and determine the amount of annual funding required. The fund is subject to following guidelines:

1. The current balance will be sufficient to pay estimated judgments, settlements, losses, and expenses for a three (3) year time period.
2. The amounts held in the Self Insurance Funds shall be used solely for the purpose of paying such liabilities and expenses.
3. The Chief Financial Officer, with concurrence of the President & CEO, is authorized to borrow amounts from the Self Insurance Funds to pay expenses of the Transit System in anticipation of routine operating subsidies and capital grants. All amounts borrowed from the Self Insurance Funds shall be reimbursed to such Fund as soon as possible with normal Agency revenues such as Farebox revenue, sales tax revenues, interest earnings and operating subsidy funds. The Board of Commissioners is to be notified, in writing, of any borrowing, outlining the amount borrowed.

G. Excess Judgment Fund (revised 08/20/21). The Agency will maintain an additional asset account, referred to as the “Excess Judgment Fund”, as authorized by the Board of Commissioners on July 7, 1989, to provide supplemental cash flow to the Self-Insurance Funds, in the event of a large or catastrophic loss that is greater than 50% of the Agency’s Self-Insured retention amount for that year. In addition, this fund will provide temporary or emergency funds for property losses that are equal or greater than \$500,000 and where the insurer has delayed payment or is questioning coverage under its policy. The Chief Financial Officer of the Agency will maintain the Excess Judgment Fund, complying with prudent business practices and all applicable governmental pronouncements. The fund is subject to following guidelines:

1. The goal is to attain and maintain a \$5,000,000 fund balance.
2. A minimum of \$250,000 shall be appropriated annually by the Board as part of the budget process until the fund goal of \$5,000,000 is reached.

3. Interest earned by monies in the fund shall inure exclusively to the fund on a cash basis until the fund goal of \$5,000,000 is reached.
4. Monies appropriated to the fund shall be deposited in the account at the beginning of the Fiscal Year, or as received from the funding jurisdictions.
5. This unencumbered balance of this fund may be used as collateral for short-term debt obligations.
6. The Chief Financial Officer, with concurrence of the President & CEO, is authorized to borrow amounts from the Excess Judgment Fund to pay expenses of the Transit System in anticipation of routine operating subsidies and capital grants. All amounts borrowed from the Excess Judgment Fund shall be reimbursed to such Fund as soon as possible with normal Agency revenues such as farebox revenue, sales tax revenues, interest earnings and operating subsidy funds. The Board of Commissioners is to be notified, in writing, of any borrowing, outlining the amount borrowed.

H. Claim Settlement Authorization (revised 08/20/21). The Board of Commissioners must approve defense settlements exceeding the Missouri sovereign immunity limit for any one person in a single accident or occurrence. The Claim Settlement Authorization, based upon the Missouri sovereign immunity limit, shall be adjusted annually as published by the Missouri Department of Insurance. Authorization granted by the Board of Commissioners is deemed to include an additional contingency amount, equal to 20% of the actual authorization granted, for extraordinary use by the President & CEO. This additional authorization may be granted by the President & CEO as trial approaches or during the actual trial. For settlement amounts over \$100,000 and up to the sovereign immunity limit, the President & CEO will approve and must notify and receive acknowledgement from the Board of Commissioner's Chair and Vice Chair. Settlements from \$20,000 to \$100,000 will require the approval of the Director of Risk Management who must notify and receive acknowledgement from the Agency's General Counsel.

I. Litigation Management and Board Notification (revised 08/20/21). In addition to requests for settlement, authorization, the Board of Commissioners will be notified by management about large claims or lawsuits that may significantly impact the Agency's financial stability, its assets, or its public image.

1. The Director of Risk Management will regularly provide informational briefs to the Board on claims and lawsuits that fall into the following classifications:
  - a. Fatalities & severely disabling injuries.
  - b. Jury verdict range or settlement range is expected to exceed \$100,000.
  - c. Other unusual or sensitive claims which may be of particular interest to the Commissioners.
  - d. Final results on claims where the Board has extended settlement authorization.



2. The briefing to the Board will contain:
  - a. Facts & background of the case.
  - b. Summary of injuries & special damages.
  - c. Assessment of liability and expected outcome.
  - d. Litigation history and status if in suit.
  - e. Opinion of legal counsel (if assigned).
  - f. Recommendations and strategy for an appropriate resolution.
3. The Director of Risk Management will maintain a written litigation management program, attorney billing guidelines, and procedures for selecting and retaining defense counsel as specified in more detail in the Agency's Management Policies & Procedures.

J. Review of Agency Contracts and Documents. The Director of Risk Management, in consultation with the Agency's General Counsel as needed, will review Agency contracts, leases, agreements, easements or other documents that transfer risk, specify indemnity obligations, or require specific insurance from one or more of the parties.

#### **Section 30.070      Hedging** (effective 2/23/2001; revised 11/20/15; revised 06/25/21)

A. General. Because of the nature of its responsibilities to the St. Louis Metropolitan region, the Bi-State Development Agency (Agency) manages financial risks attributed to the price variability of fuel usage. This risk can be managed effectively through the use of hedging techniques. The purpose of this policy is to generally outline how the Agency will manage these risks, what techniques will be employed, and the general guidelines to be followed.

B. Definition. A hedge is a financial tool used to reduce the risk associated with normal business activities of buying fuel. The purpose of this hedging program is not to make or lose money but to manage risk. This program is not an investment and should not be construed as such. Realized gains or losses will be considered as an element of fuel cost. A hedging program will:

- a. seek to decrease the volatility of fuel cost;
- b. seek to increase the likelihood that actual net fuel cost will remain below the budgeted cost;
- c. seek to increase the certainty of future fuel cost;
- d. seek to attain a lower overall cost of fuel in the long-term;
- e. seek to manage year-over-year changes in fuel cost.

#### C. Program Infrastructure.

- a. Instruments. The agency will maintain a futures account with a Futures Commission Merchant (Broker, which may be a separate entity from the Advisor. The Agency, through the management and direction of an

Advisor, acquires, holds, and disposes of fuel futures contracts in the operation of its program. The high correlation between the movement of the price that the Agency pays for its fuel and the movement of the value of the futures contracts produces the program's effectiveness as a hedge. Due to the liquidity of the futures contracts purchased, these contracts do not require an investment grade rating.

- b. **Maximum Hedge Ratio.** The Agency's volume of fuel consumption is predictable and without significant variability over time. Given this, the maximum hedge ratio will be limited to 95% of forecasted consumption.
- c. **Maximum Hedge Maturity.** To allow the establishment of cost certainty in current and future budget periods, the maximum maturity of the futures contracts taken in conjunction with the program is 36 months forward from the acquisition date.
- d. **Exiting Market Conditions.** The advisor will exit the futures contracts evenly through time to coincide with the fuel supply contract pricing mechanism. This even liquidation of futures hedges through time and the even purchase of fuel via the Agency's fuel supply process assures the effectiveness of the hedging process. Based on the difference between the hedge price (entry price) and the settlement price (exit price), there will be a realized gain/loss associated with the hedge that will appear in the futures account. Futures contracts will be held to maturity (exited when the corresponding fuel is purchased) and, in the normal operation of the program, there will be no interim trading or early exit allowed. Exceptions to this include situations where the volume of forecasted fuel consumption decreases in which case the hedge position may be adjusted to comply with the Maximum Hedge Ratio.

D. **Physical Supply.** The physical supply of fuel will be purchased according to the Agency's procurement policies, and will be priced according to the fuel supply contract.

E. **Strategy.** The Strategy is how the program's objectives are achieved. The strategy will utilize a process:

- a. that addresses market opportunities and market risks;
- b. that examines fundamental and technical market factors in the hedge decision-making process;
- c. that holds the risk of exceeding budget at or below an acceptable level;
- d. that uses historical pricing ranges as pricing parameters;
- e. that is continuously applied through time;
- f. that will take advantage of the inherent "dollar cost averaging" properties of a continuous hedging program;
- g. that mitigates transaction timing risk by making more numerous smaller volume transactions.

These things will be accomplished by the advisor executing the appropriate transactions at the appropriate times to create the desired effect within the constraints of the policy.

F. Risk Management. The Agency will engage only in financial hedge transactions that are related to the Agency's principal business, including the operation of diesel buses and vans. The Agency will only trade specific contracts as necessary to hedge for the pricing of fuel/energy costs, as related to these areas of business, and as advised by the Advisor.

G. Execution, Reporting and Oversight.

- a. The advisor will be responsible for the day to day execution of the program including the execution of transactions, generating reports on the program's status and results, and monitoring the program and the energy markets. The advisor will generate periodic updates on the status and results of the program.
- b. The Treasury Department will provide the Board of Commissioners with a summary of its activity through the quarterly Treasurer's Report.
- c. A Hedge Committee will oversee the activities of this program. The Committee shall include Chief Financial Officer, Director of Treasury, Assistant Executive Director Transit Assets, and the Vice President of Procurement, Inventory Management & Supplier Diversity. The role of the Hedge Committee will be to determine whether a proposed hedging strategy, transaction or group of transactions is consistent with this Hedge Policy and review the performance of the hedging activity on a periodic basis. The Hedge Committee will meet no less than quarterly, and meeting minutes and Committee decisions will be documented and approved by the Committee.

**Section 30.080 Debt Issuance and Administration** (revised 6/26/09)

~~A. The Agency. The Bi-State Development Agency of the Missouri Illinois Metropolitan District (the "Agency") is a body corporate and politic created and existing by reason of a joint compact (the "Compact") between the States of Missouri and Illinois (Sections 70.370 et seq. of the Revised Statutes of Missouri, as amended, and Illinois Compiled Statutes, Chapter 45, Act 100, as amended) and approved by the United States Congress and the President.~~

~~B. Powers to Issue Debt. RSMo Section 70.373; 45 ILCS 110/1 Ratified by Congress January 7, 1959; further amended and ratified by Congress January 3, 1985~~

- ~~1. To borrow money for any of the authorized purposes of the Agency and to issue the negotiable notes, bonds or other instruments in writing of the Agency in evidence of the sum or sums to be borrowed;~~
- ~~2. To issue negotiable refunding notes, bonds or other instruments in writing for the purpose of refunding, extending or unifying the whole or any part of its valid indebtedness from time to time outstanding, whether evidenced by notes, bonds or other instruments in writing;~~

3. To provide that all negotiable notes, bonds or other instruments shall be payable, District (the “Agency”) is a body corporate and politic created and existing by reason of a joint compact (the “Compact”) between the States of Missouri and Illinois (Sections 70.370 et seq. of the Revised Statutes of Missouri, as amended, and Illinois Compiled Statutes, Chapter 45, Act 100, as amended) and approved by the United States Congress and the President.

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1. To borrow money for any of the authorized purposes of the Agency and to issue the negotiable notes, bonds or other instruments in writing of the Agency in evidence of the sum or sums to be borrowed;
2. To issue negotiable refunding notes, bonds or other instruments in writing for the purpose of refunding, extending or unifying the whole or any part of its valid indebtedness from time to time outstanding, whether evidenced by notes, bonds or other instruments in writing;
3. To provide that all negotiable notes, bonds or other instruments shall be payable, both as to principal and interest, out of the revenues collected for the use of any facility or combination of facilities owned and operated by the Agency, or out of any other resources of the Agency, and may be further secured by a mortgage or deed of trust upon any property owned by the Agency. All notes, bonds or other instruments in writing issued by the Agency as herein provided shall mature innot to exceed forty years from the date thereof, shall bear interest at a rate not exceeding fourteen percent per annum, and shall be sold for not less than ninety- five percent of the par value thereof. The Agency shall have the power to prescribe the details of such notes, bonds or other instruments in writing, and of the issuance and sale thereof, and shall have power to enter into covenants with the holders of such notes, bonds or other instruments in writing, not inconsistent with the powers herein granted to the Agency, without further legislative authority;
4. To issue bonds for industrial, manufacturing or commercial facilities located within the Bi-State metropolitan district upon the security of the revenue to be derived from such facilities; and, or upon any property held or to be held by it.

C. Revenue Bonds.

#### I. General Management Policies

The Agency will provide for a periodic review of its financial performance, and review its performance relative to the financial policies outlined herein. These financial policies will be taken into account during the capital planning, budgeting and fare-setting process.

A. In recognition of periodic changes in the cost of providing service to system users, service costs and fees will be reviewed annually and adjusted commensurately.

- B. The Agency may present any proposed adjustments to existing fares, rates, fees and charges at public meetings, and will consider recommendations and input from the public as it relates to such proposed changes.
- C. All Agency funds will be invested according to the Investment Policies of the Agency.
- D. Necessary appropriations for annual debt service requirements will be routinely included in the Agency's annual budget.
- E. The Agency will maintain proactive communication with the investment community, including rating agencies, credit enhancers and investors, to ensure future capital market access at the lowest possible rates.
- F. The Agency may appoint a special committee of local financial experts to assist management as it develops financial plans.
- G. Fund co-mingling and inter-fund borrowing.

The transit system is presently comprised of the following funds:

- Revenue Fund
- Operating Fund
- Internally Restricted Fund (Special Sales Tax Capital Fund)
- Debt Service Fund
- Sales Tax Capital Fund
- Prop M Fund
- Prop A Fund
- FTA Capital Fund
- Illinois Allocated Fund
- Private Capital Fund
- Internal Service Funds (Property, Casualty, Workers Compensation, and Medical) Excess Judgement Fund

The Agency maintains one bank depository account for operational and working capital purposes, which is comprised of the Operating, Internally Restricted, and Sales Tax Capital. While these funds are co-mingled in a single bank account, specific accounting is maintained on the Agency's books at the fund level.

Transit operations have little seasonality and are generally consistent throughout the year. Contractual funding and the annual appropriation process for state, local and federal formula funding provides approximately 95% of the Agency's funding. The annual appropriation process commences after the fiscal year begins. Local appropriations are subject to the legislative process, and Federal appropriations can be delayed up to 12 months. Consequently, Agency staff is authorized to transfer (borrow) funds within the groups identified above in order to maintain operational liquidity and adequate working capital.

In the event the above funds are exhausted, temporary operating deficits may be funded by unencumbered Self Insurance, Prop M and Prop A Funds. Staff shall inform the Board any time the local funding jurisdictions fail to provide funds within ninety days of the beginning of the fiscal

year. Management shall recommend a course of action up to and including service interruption for the jurisdiction in question.

Furthermore, the Agency utilizes the Transit Operating Fund to fund disbursements for accounts payable and payroll. The Transit Operating account funds payments for transit and business enterprise obligations. Liability accounts shall be maintained for the recording of all payments made by Transit for Business Enterprises, and Business Enterprises shall reimburse Transit, in the following month, for any such payments.

## **II. Financial Management Policies**

The Agency utilizes a comprehensive planning process to determine its long-term capital needs. The Agency evaluates each capital project in relation to established federal, state and local grants and assistance programs and levels of reserves, current rate structure, expected asset life/replacement timeline, and available revenue sources to ensure that adequate financial resources are available to support the Agency's financial obligations. The Agency's Debt and Financial Management, Investment, and Swap Policies are integrated into the decision-making framework utilized in the budgeting and capital improvement planning process. As such the following policies outline the Agency's approach to debt management:

- A. The Agency will evaluate financing for each capital project on a case-by-case basis. The Agency will seek to pay for all capital projects from current revenues, federal grants and assistance programs and available reserves prior to or in combination with the use of debt.
- B. The Agency will seek to issue debt only in the case where there is an identified source of repayment. Bonds will be issued to the extent that (i) projected fixed revenues are sufficient to pay for the proposed debt service together with all existing debt service covered by such fixed revenues, or (ii) additional projected revenues have been identified as a source of repayment in an amount sufficient to pay for the proposed debt.
- C. Debt issuance for a capital project will not be considered unless such issuance has been incorporated into the capital improvement plan (Long Range Financial Plan).
- D. The Agency shall issue a request for proposal for underwriting services prior to the issuance or refunding of bonds.

## **III. Debt and Capital Management Policies**

The following policies formally establish parameters for evaluating, issuing, and managing the Agency's debt. The policies outlined below are not intended to serve as a list of rules to be applied to the Agency's debt issuance process, but rather to serve as a set of guidelines to promote sound financial management.

In issuing debt, the Agency objectives will be to:

1. Achieve the lowest cost of capital;
2. Maintain high credit ratings and access to credit enhancement;
3. Preserve financial flexibility.

#### **IV. Standards for Use of Debt Financing**

When appropriate, the Agency will use long-term debt financing to: achieve an equitable allocation of capital costs/charges between current and future system users; to provide more manageable rates in the near and medium term; and to minimize rate volatility.

- A. For growth related projects, debt financing will be utilized, as needed, to better match the cost of anticipated facility needs with timing of expected new connections to the system.
- B. The Agency shall not construct or acquire a facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility throughout its expected life.
- C. Capital projects financed through debt issuance generally will not be financed for a term longer than the expected useful life of the project.
- D. Lease Agreements and Installment Sale Agreements shall be considered as an alternative to long-term debt. Although these forms of alternative financing are subject to annual appropriation, they shall be considered as long-term fixed rate debt for the purposes of this policy until maturity.

#### **V. Financing Criteria**

Each debt issuance should be evaluated on an individual basis within the framework of the Agency's Long Range Financing Plan, as well as within the context of the Agency's overall financing objectives and current market conditions.

The Agency will evaluate alternative debt structures (and timing considerations) to ensure the most cost-efficient financing under prevailing market conditions.

- A. Credit Enhancement – The Agency will consider the use of credit enhancement on a case-by-case basis. Only when clearly demonstrable savings can be realized shall a credit enhancement be utilized.
- B. Cash-Funded Reserve vs. Surety – The Agency may purchase a surety policy or replace an existing cash-funded Debt Service Reserve Fund when deemed prudent and advantageous.
- C. Call Provisions – In general, the Agency's securities should include optional call provisions. The Agency will generally avoid the sale of non-callable long-term fixed rate bonds, absent careful evaluation of the value of the call option.

- D. Additional Bonds Test/Rate Covenants - The amount and timing of debt will be planned to comply with the additional bonds tests and rate covenants outlined in the appropriate legal and financing documents, and these policies.
- E. Short-Term Debt – The Agency may utilize short-term borrowing to serve as a bridge for anticipated revenues, construction financing or future bonding capacity.
- F. Use of Variable Rate Debt - The Agency will not issue variable interest rate debt unless: the proposed debt is converted to a fixed rate or hedged (for an interim period or to maturity) by use of a put-type mode, swap agreement or hedging mechanism (e.g., interest rate cap); outstanding un-hedged variable rate debt, including any proposed new variable debt, does not exceed the Agency’s “hedge position” (defined herein) in aggregate; or, interest is capitalized during the expected term that bonds will be outstanding in a variable rate mode. For this purpose, the Agency’s hedge position will be calculated as the Agency’s cash reserves multiplied by 125%. Notwithstanding the above, the Agency will refrain from issuing new variable rate debt (including synthetic variable rate debt), whether hedged or un-hedged, which exceeds 20 percent of the Agency’s aggregate debt outstanding.
- G. Use of Swaps & Derivatives - The use of any swap agreement in conjunction with the issuance or management of debt instruments will be governed by the Agency’s Swap Policy. The use of swaps to create synthetic fixed rate debt should generally be considered only such synthetic fixed rate debt would result in a 20% reduction in debt service vs. traditional fixed rate bonds.
- H. Investment of Bond Proceeds - Bond proceeds will be invested in accordance with the permitted investment language outlined in the bond documents for each transaction, unless further restricted or limited in the Agency’s Investment Policy. The preservation of funds, notwithstanding, the Agency will seek to maximize investment earnings within the investment parameters set forth in each respective bond indenture. The reinvestment of bond proceeds will be incorporated into the evaluation of each financing decision; specifically addressing arbitrage/rebate position, and evaluating alternative debt structures and refunding savings on a “net” debt service basis, where appropriate.

## VI. Refinancing Outstanding Debt

The Agency shall have the responsibility to evaluate potential refunding opportunities presented by underwriting and/or financial advisory firms. The Agency will consider the following issues when analyzing potential refinancing opportunities:

- (1) Debt Service Savings – The Agency shall establish a target savings level equal to 3% (current refunding) to 5% (advance refunding) of par refunded on a net present value (NPV) basis. These figures should serve only as a guideline, the



Agency must evaluate each refunding opportunity on a case-by-case basis, and must take into consideration: the time to maturity, size of the issue, current interest rate environment, annual cash flow savings, and the value of the call option. Economic savings resulting from a refunding will generally be structured to occur on a level basis over the life of the refunding bonds. The decision to take all savings upfront or on a deferred basis must be explicitly approved by the Agency's Finance and Audit Committee and Board of Commissioners.

- (2) Restructuring - The Agency may seek to refinance a bond issue on a non-economic basis in order to restructure debt, mitigate irregular debt service payments, accommodate revenue shortfalls, release reserve funds, comply with and/or eliminate rate/bond covenants, or terminate a swap.
- (3) Term/Final Maturity – The Agency may consider the extension of the final maturity of the refunding bonds in order to achieve a necessary outcome, provided that such extension is permissible under the Agency's Compact and Federal tax law. The term of the bonds generally should not extend beyond the reasonably expected useful life of the asset being financed. The Agency may also consider shortening the final maturity of the bonds. The remaining useful life of the assets and the concept of inter-generational equity should guide these decisions.
- (4) Escrow Structuring - The Agency shall utilize the least costly securities available in structuring each escrow. A certificate will be required from a third party agent who is not acting as a broker-dealer, stating that the securities were purchased through an arms-length, competitive bid process (in the case of open market securities), that such securities were more cost effective than State and Local Government Series Securities (SLGS), or that SLGS were not available at the time of the pricing of the escrow and that the price paid was reasonable and within Federal guidelines. The Agency retains the right to use SLGS at any time in structuring its escrows.

When evaluating the economic viability of an economic versus legal defeasance, the Agency shall take into consideration both the financial impact on a net present value basis as well as the rating/credit impact. The Agency shall take all necessary steps to optimize its escrows and to avoid negative arbitrage in any refunding.

## **VII. Method of Issuance**

The Agency will determine, on a case-by-case basis, whether to sell its bonds competitively or through negotiation.

- A. Competitive Sale – In a competitive sale, the Agency's bonds shall be awarded to the bidder providing the lowest true interest cost ("TIC"), as long as the bid adheres to requirements set forth in the official notice of sale.
- B. Negotiated Sale – The Agency shall assess the following circumstances that weigh toward the use of a negotiated sale:

1. Issuance of variable rate or taxable bonds;
2. Complex structure or credit considerations (such as non-rated bonds), which requires a strong pre-marketing effort;
3. Significant par value, which may limit the number of potential bidders;
4. Unique/ proprietary financing mechanism (such as a financing pool), or specialized knowledge of financing mechanism or process;
5. Market volatility, such that the Agency would be better served by flexibility in the timing of its sale in a changing interest rate environment;
6. When an Underwriter has identified new financing opportunities or presented alternative structures that financially benefit the Agency;
7. As a result of an Underwriter's familiarity with the project/financing, which enables the Agency to take advantage of efficiency and timing considerations.

C. Private Placement – From time to time the Agency may elect to issue debt on a private placement basis. Such method shall generally be considered only if it is demonstrated to result in cost savings or provide other advantages relative to other methods of debt issuance, or if it is determined that access to the public market is unavailable and timing considerations require that a financing be completed.

D. Conduit Issuance – The Agency may elect to enter into financing agreements with other issuers, including but not limited to the City of St. Louis, St. Louis County, and the Missouri Development Finance Board, to permit debt to be issued on the Agency's behalf. The Agency will consider this approach if such an arrangement is expected to produce lower borrowing costs, enhance the flexibility of the Agency, or provide other operational efficiencies.

### **VIII. Market Communication, Debt Administration and Reporting Requirements**

Rating Agencies and Investors – The Chief Financial Officer shall be responsible for maintaining the Agency's relationships with Moody's Investors Service, Standard & Poor's Ratings-Services, Fitch Ratings, Kroll Bond Rating Agency or any other nationally-recognized rating service. The Agency may, from time to time, choose to deal with fewer than all of these agencies as circumstances dictate.

In addition to general communication, the Chief Financial Officer shall: (1) meet with Credit Analysts periodically as requested, and (2) prior to each competitive or negotiated sale, offer conference calls with Agency analysts in connection with the planned sale.

A. Board Communication – The Chief Financial Officer shall include in an annual report to the Finance and Audit Committee and the Board of Commissioners feedback from rating agencies and/or investors regarding the Agency's financial strengths and weaknesses and recommendations for addressing any weaknesses.

B. Continuing Disclosure – The Agency shall remain in compliance with Rule 15c2-12 or any successor rule or regulation by filing its annual financial statements and other financial and operating data for the benefit of its bondholders within 270 days of the close of the fiscal year. The inability to make timely filings must be disclosed and would be a negative reflection on the Agency. While also relying on a timely audit and preparation of the Agency's annual report, the Chief Financial Officer will ensure the Agency's timely filing with each Nationally Recognized Municipal Securities Information Repository.

C. Record-Keeping and Post-Issuance Compliance – A copy of all debt-related records shall be retained at the Agency's offices. Consistent with the Agency's tax compliance agreements and post-issuance compliance policy, at minimum, these records shall include all official statements, bid documents, bond documents/transcripts, resolutions, trustee statements, leases, records related to expenditure and investment of bond proceeds, records related to periodic reviews of the use of bond financed facilities, and title reports for each Agency financing (to the extent available). To the extent possible, the Agency shall retain an electronic copy of each document.

D. Arbitrage Rebate – The use of bond proceeds and their investments must be monitored to ensure compliance with all Internal Revenue Code arbitrage rebate requirements. The Chief Financial Officer shall ensure that all bond proceeds and investments are tracked in a manner which facilitates accurate calculation; and, if rebate is due, such payments are made.

A. Policy. It is the policy of the Agency that gifts and donations to the Agency are welcomed and encouraged. Gifts and donations are valued as expressions of individual support for the Agency's mission and help to enhance its services, programs and facilities by supplementing federal, state, or contractual support.

B. Types of Gifts. The Agency accepts the following types of gifts and donations: cash, tangible personal property, publicly traded and recognizable securities, real estate, bequests, trust funds and annuities.

C. Use of Gifts. The President and CEO or Board of Commissioners will carefully consider the needs of the Agency and will use a gift where it determines it is most needed, so that all donations may directly and indirectly support the public purposes of the Agency. The Agency may choose not to accept a gift if the donor wishes to place limitations or restrictions on its use or disposal. The Agency may refuse any gift that does not sufficiently benefit the Agency, is in conflict with the Agency's mission, puts the reputation of the Agency at risk, or is prohibited by law.

D. Acceptance of Gifts. The President and CEO may accept any gift or donation of the types described in Section B on behalf of the Agency. Other types of gifts and donations will be evaluated on a case-by-case basis by the Board of Commissioners.

When processing each gift, the Agency will follow generally accepted accounting principles. The Agency takes no responsibility for valuing gifts for tax purposes or for the tax

consequences to the donor.

All accepted gifts and donations become the property of the Agency. The Agency reserves the right to sell or otherwise dispose of non-monetary gifts, if the Board of Commissioners or President and CEO, determines that such sale or disposition is advisable or necessary.

E. Documentation. The Agency will retain a written receipt of each donation and gift identifying the name of the donor, the amount and the date of the donation or gift, and the nature of restriction on the gift, if any. The Agency will acknowledge each donation by letter, thanking the donor. Donors who make a significant financial or material donation will receive a contemporaneous written acknowledgement of the donation from the Agency.

**COLLECTED BOARD POLICIES**  
**OF THE**  
**BI-STATE DEVELOPMENT AGENCY**  
**OF THE**  
**MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

**Chapter 30 Audit, Finance and Budget**

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**Section 30.005 Audit Committee Charter** (added 03/25/11, rev. 09/23/11 and rev. 06/24/22)

A. GENERAL (revised 09/23/11). The purpose of the Audit Charter is to assist the Board of Commissioners, through its Audit Committee, in fulfilling its fiduciary oversight responsibilities as follows:

- (1) Audit Committee management and Reporting Responsibilities
- (2) External Audit of the Financial Statements
- (3) Internal Audit Process
- (4) System of Risk Management
- (5) Processes for Monitoring Compliance with Laws and Regulations and the Ethics Policy, Code of Conduct and Fraud Policy
- (6) Special Investigations and Whistleblower Mechanism

Source: Information to develop this Charter is from *The AICPA Audit Committee TOOLKIT: Government Organizations*

B. **AUTHORITY.** The Audit Committee (“committee”) has the authority to conduct or authorize investigations into any matters within its scope of responsibility. It is empowered to perform the following functions, which are numbered according to the purposes listed above.

1. Audit Committee Management and Reporting Responsibilities (rev. 06/24/22)

- Each member of the Committee should be appointed by the Chairman of The Bi-State Development Agency (“Bi-State”) Board of Commissioners.
- At least one member of the Committee should have financial experience.
- The Committee should review this Charter annually, reassess the adequacy of the Charter, and recommend any proposed changes to the Board of Commissioners. It should consider changes that are necessary as a result of new laws, regulations, or accounting and auditing standards, including best auditing practices.
- The Committee should meet at least four times per year, and at additional times when necessary. These meetings may be combined with regularly scheduled meetings, or may be held more frequently as circumstances may require. The Committee may ask members of management or others to attend the meetings and provide pertinent information as necessary.
- Conduct executive sessions with the independent auditors, Chief Executive Officer (CEO), Chief Financial Officer (CFO), Chief Audit Executive (CAE), General Counsel, outside counsel, and anyone else as desired by the Committee.
- The Committee shall be authorized to hire professional consultants as necessary.
- Review and concur on the appointment, replacement, reassignment, or dismissal of the Chief Audit Executive.
- Oversee the appointment of the independent auditors to be engaged for external reporting, and establish the related audit fees.
- If the audit organization provides any non-audit services, determine that the audit organization has considered and documented its consideration of how providing these non-audit services does not violate the requirements that the audit organization (a) not provide services that involve performing management functions or making management decisions, and (b) not audit their own work, as stipulated by best auditing practices.
- Review and evaluate the performance of the independent auditors.
- Review with the independent auditor, the Chief Financial Officer, and the Chief Audit Executive, the audit scope and plan of the internal auditors and the independent auditors. Address the coordination of audit efforts to assure the completeness of coverage, reduction of redundant efforts, and the effective use of audit resources.
- The Committee should evaluate the independent auditors and internal auditors.
- The Committee should review its effectiveness.
- Create an agenda for the ensuing year, or review and approve the agenda submitted by the Chief Audit Executive.

2. External Audit of the Financial Statements (rev. 06/24/22)

- Review with management and the independent auditor the effect of any regulatory and accounting initiatives, such as related organizations financing structures, derivatives, or securities lending.
- Review with the independent auditor that performs the financial statement audit:
  - a. All critical accounting policies and practices used by Bi-State.
  - b. All alternative treatments of financial information within generally accepted accounting principles that have been discussed with Bi-State's management, the ramifications of each alternative, and the preferred treatment.
- Review all significant written communications between the independent auditors and management, such as any management letter or schedule of unadjusted differences.
- Review with management and the independent auditors:
  - a. The Bi-State Development Agency's annual financial statements, related footnotes, and management's discussion and analysis;
  - b. The independent auditor's audit of the financial statements and their report thereon;
  - c. The independent auditors' judgments about the quality, not just the acceptability, of Bi-State's accounting principles as applied in its financial reporting;
  - d. The independent auditors' single audit of the federal awards administered by Bi-State and their reports thereon;
  - e. The independent auditors' examination of the effectiveness of any hedging activities;
  - f. Any significant changes required in the independent auditors' audit plan;
  - g. Any serious difficulties or disputes with management encountered during the audit. Matters required to be discussed by Statement on Auditing Standards (SAS) No. 61, *Communication With Audit Committees* (AICPA, *Professional Standards*, vol. 1, AU Sec. 380), as amended; U.S. Government Accountability Office's *Government Auditing Standards*; and the U.S. Office of Management and Budget's Circular A-133 related to the conduct of the audits.
- Review with the General Counsel and the Chief Audit Executive legal and regulatory matters that, in the opinion of management, may have a material impact on the financial statements and compliance with federal, state, and local laws and regulations.

### 3. Internal Audit Process (rev. 06/24/22)

- Review with management the policies and procedures with respect to Bi-State management's use of expense accounts, public monies, and public property, including for example, their use of Bi-State's vehicles. Consider the results of any review of these areas by the Internal Auditor or the independent auditors.



- Consider, with management, the rationale for employing audit firms other than the principal independent auditors for services that Bi-State or the independent auditor determines would not be appropriate for the principal independent auditor to perform.
- Review with management and the Chief Audit Executive:
  - a. Significant findings on internal audits during the year and management's responses thereto.
  - b. Any difficulties the internal audit team encountered in the course of their audits, including any restrictions on the scope of their work on access to required information.
  - c. Any changes required in the scope of their internal audits.
  - d. The Internal Audit Department budget and staffing.
  - e. The Internal Audit Department charter.
  - f. The Internal Audit Department's compliance with applicable standards (for example, *Government Auditing Standards*, or the Institute of Internal Auditors' (IIA's) Standards for the Professional Practice of Internal Auditing).

#### 4. System of Risk Management (rev. 06/24/22)

Inquire of management, the Internal Audit Department, and the independent auditors about significant risks or exposures facing Bi-State; assess the steps management has taken or proposes to take to minimize such risks to Bi-State; and periodically review compliance with such steps.

Inquire of the Chief Executive Officer and Chief Financial Officer regarding the fiscal health of Bi-State, as well as the financial status of Bi-State in relation to its adopted budget.

Review with the independent auditors and Chief Audit Executive:

- a. The adequacy of Bi-State's internal controls including computerized information system controls and security;
- b. Any related significant findings and recommendations of the independent auditors and internal auditors together with management's responses thereto.

#### 5. Organization's Processes for Monitoring Compliance with Laws and Regulations and the Ethics Policy, Code of Conduct and Fraud Policy (rev. 06/24/2022)

- a. Periodically review Bi-State's code of conduct to ensure that it is adequate and up to date.
- b. Review with the Chief Audit Executive and General Counsel the results of their review of compliance monitoring with the code of conduct.

### **Section 30.010                      Annual Audit**

A.     Policy (revised 5/22/09 and 6/24/22). It is the policy of the Agency to submit its books and records to annual audit by a nationally recognized CPA firm. The firm selected shall have broad experience in auditing large local government and/or agencies in compliance with relevant federal rules and regulations such as the Single Audit Act and examining any hedging activities. The firm, and any principals of the firm, shall have no direct or indirect personal or financial interest in the fiscal affairs of the Agency, or of any officer of the Agency. The Agency shall not engage any firm, or any lead or concurring audit partner connected with that firm's provision of audit services to the Agency, for a contract term in excess of five (5) consecutive years.

B.     Reporting. This firm reports its findings and conclusions to the entire Commission each year and may meet with the Audit Committee at any time during the year. Upon receipt of the final management letter, the President & Chief Executive Officer will promptly forward a response to the Audit Committee indicating the status of each recommendation or finding.

### **Section 30.020 Internal Audit (rev. 06/24/22)**

A.     Policy. It is the policy of the Agency to employ a Chief Audit Executive who shall report directly to the Board of Commissioners. The Chief Audit Executive shall supervise and direct the staff of the Internal Audit Department. The Internal Audit Department shall provide independent objective analysis and recommendations to assist the President & Chief Executive Officer and management in effectively discharging their administrative responsibilities. The Internal Audit Department shall perform routine audits of compliance of Agency divisions with internal Agency rules and regulations. The Internal Audit Department shall at all reasonable times have access to the accounts, books and records of the Agency, and the Department may in relation to such interview the President & Chief Executive Officer and other employees of the Agency.

B.     Work Plan. The Chief Audit Executive shall be responsible for preparing an annual Audit Work Plan. Additionally, Commissioners and Senior Managers shall identify potential areas for review by the Internal Audit Department. Upon completion of the Audit Work Plan, the Chief Audit Executive shall present the Plan to the Audit Committee for their review and approval pursuant to these Board Policies.

C.     Special Reviews. From time to time the President & Chief Executive Officer may assign to the Chief Audit Executive special reviews designed to assure continuous quality improvement of Agency operations.

### **Section 30.030                      Annual Budget (revised 09/23/22)**

A.     General. Each year the President & Chief Executive Officer shall prepare an annual budget for the forthcoming fiscal year that will be presented to the Board of Commissioners. The President & Chief Executive Officer will work with the Board in setting strategic objectives, update the Agency's long range planning document, and prepare both an operating and capital budget. The operating budget shall include proposed expenditures for current operations during the ensuing fiscal year and the method of financing such expenditures. The capital budget shall include capital

expenditures for a 3-year period and the proposed method of financing such expenditures.

B. Approval. The President & Chief Executive Officer will present the annual budget at a regularly scheduled meeting of the Board of Commissioners. The Board of Commissioners shall approve annual operating and capital budgets prior to the beginning of the ensuing fiscal year.

**Section 30.040                      Banking and Investment (rev. 06/23/06, 11/19/10, 09/28/12 and 09/23/22)**

A. Policy. It is the policy of Bi-State Development to (i) meet the daily cash flow demands of the Agency; (ii) comply with public funds investment directives of Missouri and Illinois; (iii) invest funds in a manner which will provide maximum safety of principal and liquidity; (iv) provide the highest possible investment return. This policy directs the investment of all funds of all entities of the Bi-State Development Agency not expressly controlled by the Revenue Bond Trustees.

B. Objectives. The primary objectives of the Agency's investment activities, in order of priority, shall be as follows:

1. Preservation and Safety of Principal. The objective is to mitigate credit and interest rate risk.
  - a. Credit risk. The Agency will minimize credit risk, which is the risk of loss due to the failure of the security issuer by:
    - Limiting investments to the types of securities listed in Section D of this policy.
    - Pre-qualifying financial institutions, brokers/dealers, intermediaries, and advisers with which the Agency will do business.
    - Diversifying the investment portfolio so that the potential impact of losses will be minimized.
  - b. Interest rate risk. The Agency will minimize interest rate risk, which is the risk that the market value of the securities in the portfolio will fall due to changes in market interest rates by:
    - Structuring the investment portfolio so that securities mature in a manner that cash requirements for ongoing operations will be met, thereby avoiding the need to sell securities on the open market prior to maturity; and
    - Investing operating funds primarily in short-term securities, money market mutual funds, or similar investment pools and limiting the average maturity of the portfolio in accordance with Section H.4.
2. Liquidity. The Agency's investment portfolio will remain sufficiently liquid to meet all operating requirements. Liquidity will be determined by the flow of revenues and expenditures using cash flow projections and historical data.
3. Yield. Thereafter, the highest yield consistent with safety is required, provided the maturities are short enough to maintain operational liquidity.
4. Location. It is the Board's intent to have the majority of the available funds invested in local institutions provided the institutions meet the minimum credit standings set out below and yields are competitive.

C. Standards of Care.

1. Investment Authority. The Chief Financial Officer and the Director of Treasury are designated as the Investment Officers who are responsible for investment transactions, as well as, establishing the internal controls and written procedures for the operation of the investment program. No other officers or designees may engage in investment or banking transactions except as provided under the terms of the Investment Policy and procedure established.
2. Prudence. The Agency's investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and considering the safety of capital and the yield to be derived. The standard of care to be used by the Investment Officers shall be said "prudent person" standard and shall be applied in the context of managing an overall portfolio and whether the investment decision was consistent with the written investment policy of the Agency.
3. Ethics and Conflicts of Interest. Investment Officers involved in the investment process shall refrain from personal business activity that could conflict or be perceived to conflict with proper execution of the investment program, or that could impair their ability to make impartial investment decisions.

D. Authorized investment categories (revised 4/24/09, 11/19/10 and 09/23/22)

1. Demand Deposit, Negotiable Order Withdrawal (NOW), Bank Money Market, Certificate of Deposit and Savings Accounts - issued by banks or thrifts where the account or investment is either collateralized with direct obligations of the U.S. Government or its instrumentalities, or covered by FDIC insurance, or other AAA rated surety.
2. Negotiable Certificates of Deposit - provided that the institution maintains a Fitch rating of B or better and/or a Moody's Investor Services short-term rating of P-1. The institutions selected will have a minimum of \$100 million in combined capital and unimpaired surplus.
3. Bankers Acceptances - provided that the institution maintains a Fitch rating of B or better and/or a Moody's Investor Services short-term rating of P-1. The institutions selected will have a minimum of \$100 million in combined capital and unimpaired surplus.
4. Direct Obligations of the United States Government, U.S. Government Agencies or U.S. Government Instrumentalities.
5. Commercial Paper - Commercial paper at the time of purchase shall have ratings of A-1 by Standard and Poor's Rating Services and P-1 by Moody's Investors Services.
6. Repurchase Agreements (revised 11/19/10) - Repurchase agreements (repos) are acceptable, using any of the securities listed in paragraphs D-4 as collateral. Also, the firm with whom the repo is executed must be a credit acceptable bank, or broker-

dealer. A credit acceptable bank or broker-dealer is defined as one whose senior debt rating is A- by one of the three nationally recognized ratings agencies (Standard & Poor's, Moody's, or Fitch). Banks in the Agency's service area that do not have a Standard & Poor's, Moody's or Fitch rating, may also be authorized repo counterparties, provided that they meet the "well capitalized" standard, as defined by the Federal Deposit Insurance Corporation. A written repurchase agreement, substantially modeled on, but in no case less restrictive than, the Securities Industry and Financial Markets Association's "Master Repurchase Agreement", shall be completed for each repo counter party. Such agreements shall be updated periodically, but no less than once every five years. In all cases, repo collateral shall have a market value of 102% of the dollars invested, plus accrued interest. If the repo term is longer than an overnight maturity, the collateral must be delivered to a third party custodian, and priced-to-market weekly to assure correct collateral value coverage.

The Director of Treasury shall obtain approval from the Chief Financial Officer before authorizing a repo counterparty. Before approval, documentation shall be furnished that the authorized counterparty meets the required criteria. The Director of Treasury will also monitor continued compliance with the criteria.

7. Money Market Funds - Acceptable funds shall be institutional moneymarket funds having over \$500 million in net assets and be rated AAA by Standard and Poor's, Moody's and/or Fitch rating services.
  8. Reverse Repurchase Agreement - A reverse repurchase Agreement or short-term borrowing (180 days or less), using securities in the Agency's portfolio as collateral, is acceptable. However, the firm with whom the borrowing is executed must meet the same requirements as stated previously for repurchase agreements. Also, the borrowed funds may be used to purchase other securities as an investment arbitrage. In this case, the new investment maturity date must match (+/- one week) the maturity date of the reverse repo, and those instruments must be delivered into the Agency's safekeeping account and held there until maturity. The Board shall be notified of all such transactions through the Treasurer's monthly report.
- E. Collateralization.
1. Collateralization of 102% will be required for demand deposits, repurchase agreements, and certificates of deposit over FDIC insured limits.
  2. The Agency limits the type of collateral required to Direct Obligations of the United States Government, United States Government Agencies, or United State Government Instrumentalities.

F. Banking Services. To ensure the best service and cost effectiveness these services will be negotiated periodically. The number of demand deposit non-interest bearing accounts will be kept to a minimum for operational efficiency and safety. Any two of the following may open bank accounts, subject to the approval of the Board of Commissioners through a confirming motion at a meeting of the Board of Commissioners:

Chair, Board of Commissioners  
Vice Chair, Board of Commissioners  
Treasurer, Board of Commissioners

President & Chief Executive Officer  
Chief Financial Officer

G. Monitoring and Reporting

1. Investment Performance. Investment Officers will provide the Treasurer of the Board of Commissioners with a quarterly report including deposits, investments, yields, the monthly summary of the prior 12 months' funds experience, and the amount of deposits at each institution. The report will also provide the average maturity of investments and a benchmark yield to show the investment portfolio's effectiveness in reaching the Agency's need for liquidity, safety, rate of return, and diversification.

H. Investment Transaction Criteria: (revised 4/24/09 and 09/23/22)

1. Competition – Banks and other financial institution, which meet the criteria below, will be selected for investments only on a competitive basis, Bids for Investments will be solicited by the Director of Treasury, and deemed necessary and approved by the Chief Financial Officer, using a bid process established by the Investment Officers. Rate of return will be considered the primary factor when selecting a bid, followed by the bidding institute.
2. Denial of Business – The Board directs management to refrain from investing Agency funds in any financial institutions or businesses that conduct business with governments deemed unacceptable by the Federal Government through executive order or enacted legislation.
3. Safekeeping Accounts – Securities purchased are delivered against payment to ensure that securities are deposited in an eligible financial institution prior to the release of funds, and held in a custodian safekeeping account. Tri-party custodian agreements maintained with third party trust companies as well as the Federal Reserve Bank are acceptable. Hold-In-Custody repurchase agreements for fourteen days or less will be processed through special transaction control accounts. These accounts will be audited quarterly by Internal Audit and the results reported through the Treasurer, to the Board of Commissioners.
4. Maturity Limitations - To the extent possible, investments shall be matched with anticipated cash flow requirements and known future liabilities. Unless matched to a specific cash flow requirement, no funds shall be invested for more than five years from the date of settlement. The weighted average maturity of the portfolio shall at no time exceed eighteen months.

For Securities that are subject to redemption (call) before final maturity, the final maturity date shall be used both for compliance with the five year limitation and in calculating the weighted average maturity.

5. Diversification

- a. Unlimited investment in the following:
  - U.S. Government obligations

- U. S. Government Agency obligations
- U. S. Government Instrumentality obligations
- Repurchase Agreements – secured by the 3 U. S. obligations noted immediately above.
- Money Market Funds – Institutional money market funds having over \$500 million in net assets and rated AAA by Standard & Poor's, Moody's and/or Fitch rating services.
- b. Investments not to exceed \$5.0 million par value from any one issuer:
  - Bankers Acceptances
  - Commercial Paper
  - Negotiable Certificates of Deposit
- c. All investments must be paid for before they may be sold.

I. Agency Debt. Agency debt may be incurred only by the specific authority of the Board of Commissioners through special action. Notwithstanding Section D above, all funds under such debt resolutions or indentures of trust shall be controlled by the investment set forth in such documents.

J. Check Signatories (rev. 01/04/08 and 09/22/23)

1. All General Operating Funds

- a. Under \$15,000 - One signature from the following:
  - Treasurer, Board of Commissioners (including facsimile signature) or in the event of a vacancy in the Treasurer's position,
  - Secretary, Board of Commissioners (including facsimile signature)
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
- b. \$15,001 to \$100,000 - Two signatures from the following:
  - Treasurer, Board of Commissioners (including facsimile signature) or in the event of a vacancy in the Treasurer's position,
  - Secretary, Board of Commissioners (including facsimile signature)
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
- c. \$100,001 to \$500,000 - Two signatures from the following:
  - Chair, Board of Commissioners
  - Treasurer, Board of Commissioners
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
- d. \$500,001 to \$1,000,000 - Two signatures from the following:
  - Chair, Board of Commissioners
  - Treasurer, Board of Commissioners
  - President & Chief Executive Officer
  - Chief Financial Officer
- e. \$1,000,001 and above - Two signatures, one each from Group A and Group B:

GROUP A

- Treasurer, Board of Commissioners
- President & Chief Executive Officer

GROUP B

- Chair, Board of Commissioners
- Vice Chair, Board of Commissioners
- Secretary, Board of Commissioners

K. Wire Transfer Authority (rev. 01/04/08 and 09/22/23) Wire Transfers and Automated Clearing House Transactions (ACH) are authorized for the transfer of funds between checking, investment and savings accounts, payment of services, equipment, construction in process, as well as, payroll related expenditures that are authorized by and in the name of the Bi-State Development Agency.

1. Wire Transfer and Automated Clearing House Transactions (ACH) authority is limited to the below listed individuals. Wire transfers of a non-repetitive nature require the authority of any two of the below listed individuals:
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Director of Treasury
  - a. Any individual Automated Clearing House Transaction (ACH) over \$1 million  
- Two signatures, one each from Group A and Group B:

GROUP A

- Treasurer, Board of Commissioners
- President & Chief Executive Officer

GROUP B

- Chair, Board of Commissioners
- Vice Chair, Board of Commissioners
- Secretary, Board of Commissioners

2. Authorization to create new repetitive Wire Transfers and Automated Clearing House Transactions (ACH) requires approval of any two of the following:
  - President & Chief Executive Officer
  - Chief Financial Officer
  - Chair, Vice Chair, Treasurer, Secretary, Board of Commissioners

L. Authorized Signatories for the Release of Pledged Collateral:

- President & Chief Executive Officer
- Chief Financial Officer
- Director of Treasury

M. Authorized Agency Funds: (revised 8/15/07, 09/28/12 and 09/22/23)

1. Operating Funds – Operating Funds include a general operating account, accounts payable accounts for clearing checks and EFT payments, a payroll account, and investment transitory accounts for security purchases. In addition, there is an investment safekeeping account for operating funds.
2. Revenue Funds – Revenue funds are established for Transit Revenue, Ticket



Vending, Machine Credit Card Revenue, Passenger Revenue, Metrolink Revenue, Fare box Revenue, and Call A Ride Revenue.

3. Internal Service Funds – Deposit accounts and investment safekeeping accounts are established for Medical, Property, Workers Compensation, and Casualty Internal Service Funds.
4. Sales Tax and Internally Restricted Funds – Sales Tax Capital amounts and Restricted funds are kept in individual investment safekeeping accounts.
5. Enterprise Funds – Deposit accounts are established for the operational and capital needs of the Agency, the Gateway Arch, the Riverfront Attractions, the St. Louis Downtown Airport, Freightway, and Arts in Transit and the investment safekeeping accounts are used as needed to invest excess funds.

**Section 30.050 Financial Reporting** (revised 09/25/09 and 09/22/23)

A. Policy. It is the policy of the Agency to prepare the financial results of each operating company as required by specific agreement, but not less than quarterly. Financial statements for the Board of Commissioners shall be prepared quarterly, and include the following statements:

1. Transmittal letter of noteworthy variations, including disclaimer
2. Balance Sheet
3. Statement of Revenue, Expense Income (Loss)
4. Capital Expenditures for Active Projects
5. Statement of Cash Flows
6. Aged Receivables

**Disclaimer:**

The following disclaimer shall be included in each transmittal letter of noteworthy variance:

“These interim financial statements are not in conformity with U.S. Generally Accepted Accounting Principles (U.S. GAAP) due to the following reasons: Depreciation is not shown as an operating expense, but as other non-operating expense; capital contributions and total net assets are now shown on the Statement of Revenue, Expense, Income (Loss); and there are no accompanying footnote disclosure requirements or Management Discussion and Analysis (MD & A) sections included.”

**Section 30.060 Risk Management** (revised 2/25/2000 and 08/20/2021)

A. General. One of the Agency's primary objectives is to provide safe, reliable, and cost-effective transportation services while complying with federal, state, and local laws. In support of that objective, the Agency will develop and maintain an effective, integrated risk management program. This policy applies to all exposures to risk of loss that are fortuitous and result from external causes. These exposures include, but are not limited to, fires, collisions, theft, windstorm, construction accidents, workers' compensation claims, and auto or general liability claims as well as associated lawsuits against the Agency.

B. Authority and Responsibility. The Director of Risk Management is responsible for recommending the overall direction of the Agency's risk management program as specified in the Agency's Management Policies & Procedures.

C. Self-Insurance (revised 08/20/21). The Agency will self-insure those routine risks associated with its core transit operations. Risk exposures above the self-insured retention will be covered by excess insurance if such excess insurance is available and affordable.

D. Third Party Administrator (revised 08/20/21). The Agency will contract with a third party adjusting firm to assist in administering claims handling (TPA). The Risk Management Department will monitor the TPA and hold quarterly claims reviews. An annual audit will be performed.

E. Insurance. Primary property and liability insurance will be purchased for unique or special risks of loss, for major construction projects, and when required by law or by contract. A Broker of Record will perform the insurance marketing function under the direction of the Director of Risk Management.

F. Self-Insurance Fund (revised 08/20/21). The Agency will maintain asset accounts, referred to as "Self-Insurance Funds", as authorized by the Board of Commissioners on October 1, 1982, to support liabilities accrued as a result of its self-insured losses. The Chief Financial Officer of the Agency will maintain the Self-Insurance Fund, complying with prudent business practices and all applicable governmental pronouncements, and determine the amount of annual funding required. The fund is subject to following guidelines:

1. The current balance will be sufficient to pay estimated judgments, settlements, losses, and expenses for a three (3) year time period.
2. The amounts held in the Self Insurance Funds shall be used solely for the purpose of paying such liabilities and expenses.
3. The Chief Financial Officer, with concurrence of the President & CEO, is authorized to borrow amounts from the Self Insurance Funds to pay expenses of the Transit System in anticipation of routine operating subsidies and capital grants. All amounts borrowed from the Self Insurance Funds shall be reimbursed to such Fund as soon as possible with normal Agency revenues such as Farebox revenue, sales tax revenues, interest earnings and operating subsidy funds. The Board of Commissioners is to be notified, in writing, of any borrowing, outlining the amount borrowed.

G. Excess Judgment Fund (revised 08/20/21). The Agency will maintain an additional asset account, referred to as the "Excess Judgment Fund", as authorized by the Board of Commissioners on July 7, 1989, to provide supplemental cash flow to the Self-Insurance Funds, in the event of a large or catastrophic loss that is greater than 50% of the Agency's Self-Insured retention amount for that year. In addition, this fund will provide temporary or emergency funds for property losses that are equal or greater than \$500,000 and where the insurer has delayed payment or is questioning coverage under its policy. The Chief Financial Officer of the Agency will maintain the Excess Judgment Fund, complying with prudent business practices and all applicable governmental

pronouncements. The fund is subject to following guidelines:

1. The goal is to attain and maintain a \$5,000,000 fund balance.
2. A minimum of \$250,000 shall be appropriated annually by the Board as part of the budget process until the fund goal of \$5,000,000 is reached.
3. Interest earned by monies in the fund shall inure exclusively to the fund on a cash basis until the fund goal of \$5,000,000 is reached.
4. Monies appropriated to the fund shall be deposited in the account at the beginning of the Fiscal Year, or as received from the funding jurisdictions.
5. This unencumbered balance of this fund may be used as collateral for short-term debt obligations.
6. The Chief Financial Officer, with concurrence of the President & CEO, is authorized to borrow amounts from the Excess Judgment Fund to pay expenses of the Transit System in anticipation of routine operating subsidies and capital grants. All amounts borrowed from the Excess Judgment Fund shall be reimbursed to such Fund as soon as possible with normal Agency revenues such as farebox revenue, sales tax revenues, interest earnings and operating subsidy funds. The Board of Commissioners is to be notified, in writing, of any borrowing, outlining the amount borrowed.

H. Claim Settlement Authorization (revised 08/20/21). The Board of Commissioners must approve defense settlements exceeding the Missouri sovereign immunity limit for any one person in a single accident or occurrence. The Claim Settlement Authorization, based upon the Missouri sovereign immunity limit, shall be adjusted annually as published by the Missouri Department of Insurance. Authorization granted by the Board of Commissioners is deemed to include an additional contingency amount, equal to 20% of the actual authorization granted, for extraordinary use by the President & CEO. This additional authorization may be granted by the President & CEO as trial approaches or during the actual trial. For settlement amounts over \$100,000 and up to the sovereign immunity limit, the President & CEO will approve and must notify and receive acknowledgement from the Board of Commissioner's Chair and Vice Chair. Settlements from \$20,000 to \$100,000 will require the approval of the Director of Risk Management who must notify and receive acknowledgement from the Agency's General Counsel.

I. Litigation Management and Board Notification (revised 08/20/21). In addition to requests for settlement, authorization, the Board of Commissioners will be notified by management about large claims or lawsuits that may significantly impact the Agency's financial stability, its assets, or its public image.

1. The Director of Risk Management will regularly provide informational briefs to the Board on claims and lawsuits that fall into the following classifications:
  - a. Fatalities & severely disabling injuries.
  - b. Jury verdict range or settlement range is expected to exceed \$100,000.
  - c. Other unusual or sensitive claims which may be of particular interest to the Commissioners.
  - d. Final results on claims where the Board has extended settlement

authorization.

2. The briefing to the Board will contain:
  - a. Facts & background of the case.
  - b. Summary of injuries & special damages.
  - c. Assessment of liability and expected outcome.
  - d. Litigation history and status if in suit.
  - e. Opinion of legal counsel (if assigned).
  - f. Recommendations and strategy for an appropriate resolution.
3. The Director of Risk Management will maintain a written litigation management program, attorney billing guidelines, and procedures for selecting and retaining defense counsel as specified in more detail in the Agency's Management Policies & Procedures.

J. Review of Agency Contracts and Documents. The Director of Risk Management, in consultation with the Agency's General Counsel as needed, will review Agency contracts, leases, agreements, easements or other documents that transfer risk, specify indemnity obligations, or require specific insurance from one or more of the parties.

### **Section 30.070                      Hedging** (effective 2/23/2001; revised 11/20/15; revised 06/25/21)

A. General. Because of the nature of its responsibilities to the St. Louis Metropolitan region, the Bi-State Development Agency (Agency) manages financial risks attributed to the price variability of fuel usage. This risk can be managed effectively through the use of hedging techniques. The purpose of this policy is to generally outline how the Agency will manage these risks, what techniques will be employed, and the general guidelines to be followed.

B. Definition. A hedge is a financial tool used to reduce the risk associated with normal business activities of buying fuel. The purpose of this hedging program is not to make or lose money but to manage risk. This program is not an investment and should not be construed as such. Realized gains or losses will be considered as an element of fuel cost. A hedging program will:

- a. seek to decrease the volatility of fuel cost;
- b. seek to increase the likelihood that actual net fuel cost will remain below the budgeted cost;
- c. seek to increase the certainty of future fuel cost;
- d. seek to attain a lower overall cost of fuel in the long-term;
- e. seek to manage year-over-year changes in fuel cost.

#### C. Program Infrastructure.

- a. Instruments. The agency will maintain a futures account with a Futures Commission Merchant (Broker, which may be a separate entity from the Advisor. The Agency, through the management and direction of an

Advisor, acquires, holds, and disposes of fuel futures contracts in the operation of its program. The high correlation between the movement of the price that the Agency pays for its fuel and the movement of the value of the futures contracts produces the program's effectiveness as a hedge. Due to the liquidity of the futures contracts purchased, these contracts do not require an investment grade rating.

- b. **Maximum Hedge Ratio.** The Agency's volume of fuel consumption is predictable and without significant variability over time. Given this, the maximum hedge ratio will be limited to 95% of forecasted consumption.
- c. **Maximum Hedge Maturity.** To allow the establishment of cost certainty in current and future budget periods, the maximum maturity of the futures contracts taken in conjunction with the program is 36 months forward from the acquisition date.
- d. **Exiting Market Conditions.** The advisor will exit the futures contracts evenly through time to coincide with the fuel supply contract pricing mechanism. This even liquidation of futures hedges through time and the even purchase of fuel via the Agency's fuel supply process assures the effectiveness of the hedging process. Based on the difference between the hedge price (entry price) and the settlement price (exit price), there will be a realized gain/loss associated with the hedge that will appear in the futures account. Futures contracts will be held to maturity (exited when the corresponding fuel is purchased) and, in the normal operation of the program, there will be no interim trading or early exit allowed. Exceptions to this include situations where the volume of forecasted fuel consumption decreases in which case the hedge position may be adjusted to comply with the Maximum Hedge Ratio.

D. **Physical Supply.** The physical supply of fuel will be purchased according to the Agency's procurement policies, and will be priced according to the fuel supply contract.

E. **Strategy.** The Strategy is how the program's objectives are achieved. The strategy will utilize a process:

- a. that addresses market opportunities and market risks;
- b. that examines fundamental and technical market factors in the hedge decision-making process;
- c. that holds the risk of exceeding budget at or below an acceptable level;
- d. that uses historical pricing ranges as pricing parameters;
- e. that is continuously applied through time;
- f. that will take advantage of the inherent "dollar cost averaging" properties of a continuous hedging program;
- g. that mitigates transaction timing risk by making more numerous smaller volume transactions.

These things will be accomplished by the advisor executing the appropriate transactions at the appropriate times to create the desired effect within the constraints of the policy.

F. Risk Management. The Agency will engage only in financial hedge transactions that are related to the Agency's principal business, including the operation of diesel buses and vans. The Agency will only trade specific contracts as necessary to hedge for the pricing of fuel/energy costs, as related to these areas of business, and as advised by the Advisor.

G. Execution, Reporting and Oversight.

- a. The advisor will be responsible for the day to day execution of the program including the execution of transactions, generating reports on the program's status and results, and monitoring the program and the energy markets. The advisor will generate periodic updates on the status and results of the program.
- b. The Treasury Department will provide the Board of Commissioners with a summary of its activity through the quarterly Treasurer's Report.
- c. A Hedge Committee will oversee the activities of this program. The Committee shall include Chief Financial Officer, Director of Treasury, Assistant Executive Director Transit Assets, and the Vice President of Procurement, Inventory Management & Supplier Diversity. The role of the Hedge Committee will be to determine whether a proposed hedging strategy, transaction or group of transactions is consistent with this Hedge Policy and review the performance of the hedging activity on a periodic basis. The Hedge Committee will meet no less than quarterly, and meeting minutes and Committee decisions will be documented and approved by the Committee.

**Section 30.080 Debt Issuance and Administration** (revised 6/26/09 and 09/22/23)

A. Agency. The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "**Agency**") is a body corporate and politic created and existing by reason of a joint compact (the "**Compact**") between the States of Missouri and Illinois (Sections 70.370 *et seq.* of the Revised Statutes of Missouri, as amended, and Illinois Compiled Statutes, Chapter 45, Act 100, as amended) and approved by the United States Congress and the President.

B. Powers to Issue Debt. *RSMo Section 70.373; 45 ILCS 110/1 Ratified by Congress January 7, 1959; further amended and ratified by Congress January 3, 1985*

1. *To borrow money for any of the authorized purposes of the Agency and to issue the negotiable notes, bonds or other instruments in writing of the Agency in evidence of the sum or sums to be borrowed;*
2. *To issue negotiable refunding notes, bonds or other instruments in writing for the purpose of refunding, extending or unifying the whole or any part of its valid indebtedness from time to time outstanding, whether evidenced by notes, bonds or other instruments in writing;*
3. *To provide that all negotiable notes, bonds or other instruments shall be payable, both as to principal and interest, out of the revenues collected for the use of any*

*facility or combination of facilities owned and operated by the Agency, or out of any other resources of the Agency, and may be further secured by a mortgage or deed of trust upon any property owned by the Agency. All notes, bonds or other instruments in writing issued by the Agency as herein provided shall mature innot to exceed forty years from the date thereof, shall bear interest at a rate not exceeding fourteen percent per annum, and shall be sold for not less than ninety- five percent of the par value thereof. The Agency shall have the power to prescribe the details of such notes, bonds or other instruments in writing, and of the issuance and sale thereof, and shall have power to enter into covenants with the holders of such notes, bonds or other instruments in writing, not inconsistent with the powers herein granted to the Agency, without further legislative authority;*

4. *To issue bonds for industrial, manufacturing or commercial facilities located within the Bi-State metropolitan district upon the security of the revenue to be derived from such facilities; and, or upon any property held or to be held by it.*

C. Revenue Bonds.

**I. General Management Policies**

The Agency will provide for a periodic review of its financial performance, and review its performance relative to the financial policies outlined herein. These financial policies will be taken into account during the capital planning, budgeting and fare-setting process.

- A. In recognition of periodic changes in the cost of providing service to system users, service costs and fees will be reviewed annually and adjusted commensurately.
- B. The Agency may present proposed adjustments to existing fares, rates, fees and charges at public meetings, and will consider recommendations and input from the public as it relates to such proposed changes.
- C. All Agency funds will be invested according to the Investment Policies of the Agency.
- D. Necessary appropriations for annual debt service requirements will be routinely included in the Agency's annual budget.
- E. The Agency will maintain proactive communication with the investment community, including rating agencies, credit enhancers and investors, to ensure future capital market access at the lowest possible rates.
- F. The Agency may appoint a special committee of local financial experts to assist management as it develops financial plans.
- G. Fund co-mingling and inter-fund borrowing.

Transit is presently comprised of the following funds:

- Revenue Fund



- Operating Fund
- Internally Restricted Fund (Special Sales Tax Capital Fund)
- Debt Service Fund
- Sales Tax Capital Fund
- Prop M Fund
- Prop A Fund
- FTA Capital Fund
- Illinois Allocated Fund
- Private Capital Fund
- Internal Service Funds (Property, Casualty, Workers Compensation, and Medical) Excess Judgement Fund

The Agency maintains one bank depository account for operational and working capital purposes, which is comprised of the Operating, Internally Restricted, and Sales Tax Capital. While these funds are co-mingled in a single bank account, specific accounting is maintained on the Agency's books at the fund level.

Transit operations have little seasonality and are generally consistent throughout the year. Contractual funding and the annual appropriation process for state, local and federal formula funding provides approximately 95% of the Agency's funding. The annual appropriation process commences after the fiscal year begins. Local appropriations are subject to the legislative process, and Federal appropriations can be delayed up to 12 months. Consequently, Agency staff is authorized to transfer (borrow) funds within the groups identified above in order to maintain operational liquidity and adequate working capital.

In the event the above funds are exhausted, temporary operating deficits may be funded by unencumbered Self Insurance, Prop M and Prop A Funds. Staff shall inform the Board any time the local funding jurisdictions fail to provide funds within ninety days of the beginning of the fiscal year. Management shall recommend a course of action up to and including service interruption for the jurisdiction in question.

Furthermore, the Agency utilizes the Transit Operating Fund to fund disbursements for accounts payable and payroll. The Transit Operating account funds payments for transit and business enterprise obligations. Liability accounts shall be maintained for the recording of all payments made by Transit for Business Enterprises, and Business Enterprises shall reimburse Transit, in the following month, for any such payments.

## **II. Financial Management Policies**

The Agency utilizes a comprehensive planning process to determine its long-term capital needs. The Agency evaluates each capital project in relation to established federal, state and local grants and assistance programs and levels of reserves, current rate structure, expected asset life/replacement timeline, and available revenue sources to ensure that adequate financial resources are available to support the Agency's financial obligations. The Agency's Debt and Financial Management, Investment, and Swap Policies are integrated into the decision-making framework utilized in the budgeting and capital improvement planning process. As such the following policies outline the Agency's approach to debt management:

- A. The Agency will evaluate financing for each capital project on a case-by-case basis. The Agency will seek to pay for all capital projects from current

revenues, federal grants and assistance programs and available reserves prior to or in combination with the use of debt.

- B. The Agency will seek to issue debt only in the case where there is an identified source of repayment. Bonds will be issued to the extent that (i) projected fixed revenues are sufficient to pay for the proposed debt service together with all existing debt service covered by such fixed revenues, or (ii) additional projected revenues have been identified as a source of repayment in an amount sufficient to pay for the proposed debt.
- C. Debt issuance for a capital project will not be considered unless such issuance has been incorporated into the capital improvement plan (Long Range Financial Plan).
- D. The Agency shall issue a request for proposal for underwriting services prior to the issuance or refunding of bonds.

### **III. Debt and Capital Management Policies**

The following policies formally establish parameters for evaluating, issuing, and managing the Agency's debt. The policies outlined below are not intended to serve as a list of rules to be applied to the Agency's debt issuance process, but rather to serve as a set of guidelines to promote sound financial management.

In issuing debt, the Agency objectives will be to:

- a. Achieve the lowest cost of capital;
- b. Maintain high credit ratings and access to credit enhancement;
- c. Preserve financial flexibility.

### **IV. Standards for Use of Debt Financing**

When appropriate, the Agency will use long-term debt financing to: achieve an equitable allocation of capital costs/charges between current and future system users; to provide more manageable rates in the near and medium term; and to minimize rate volatility.

- A. For growth related projects, debt financing will be utilized, as needed, to better match the cost of anticipated facility needs with timing of expected new connections to the system.
- B. The Agency shall not construct or acquire a facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility throughout its expected life.
- C. Capital projects financed through debt issuance generally will not be financed for a term longer than the expected useful life of the project.
- D. Lease Agreements and Installment Sale Agreements shall be considered as an

alternative to long-term debt. Although these forms of alternative financing are subject to annual appropriation, they shall be considered as long-term fixed rate debt for the purposes of this policy until maturity.

## **V. Financing Criteria**

Each debt issuance should be evaluated on an individual basis within the framework of the Agency's Long Range Financing Plan, as well as within the context of the Agency's overall financing objectives and current market conditions.

The Agency will evaluate alternative debt structures (and timing considerations) to ensure the most cost-efficient financing under prevailing market conditions.

- A. Credit Enhancement – The Agency will consider the use of credit enhancement on a case-by-case basis. Only when clearly demonstrable savings can be realized shall a credit enhancement be utilized.
- B. Cash-Funded Reserve vs. Surety – The Agency may purchase a surety policy or replace an existing cash-funded Debt Service Reserve Fund when deemed prudent and advantageous.
- C. Call Provisions – In general, the Agency's securities should include optional call provisions. The Agency will generally avoid the sale of non-callable long-term fixed rate bonds, absent careful evaluation of the value of the call option.
- D. Additional Bonds Test/Rate Covenants - The amount and timing of debt will be planned to comply with the additional bonds tests and rate covenants outlined in the appropriate legal and financing documents, and these policies.
- E. Short-Term Debt – The Agency may utilize short-term borrowing to serve as a bridge for anticipated revenues, construction financing or future bonding capacity.
- F. Use of Variable Rate Debt - The Agency will not issue variable interest rate debt unless: the proposed debt is converted to a fixed rate or hedged (for an interim period or to maturity) by use of a put-type mode, swap agreement or hedging mechanism (e.g., interest rate cap); outstanding un-hedged variable rate debt, including any proposed new variable debt, does not exceed the Agency's "hedge position" (defined herein) in aggregate; or, interest is capitalized during the expected term that bonds will be outstanding in a variable rate mode. For this purpose, the Agency's hedge position will be calculated as the Agency's cash reserves multiplied by 125%. Notwithstanding the above, the Agency will refrain from issuing new variable rate debt (including synthetic variable rate debt), whether hedged or un-hedged, which exceeds 20 percent of the Agency's aggregate debt outstanding.
- G. Use of Swaps & Derivatives - The use of any swap agreement in conjunction

with the issuance or management of debt instruments will be governed by the Agency's Swap Policy. The use of swaps to create synthetic fixed rate debt should generally be considered only such synthetic fixed rate debt would result in a 20% reduction in debt service vs. traditional fixed rate bonds.

- H. Investment of Bond Proceeds - Bond proceeds will be invested in accordance with the permitted investment language outlined in the bond documents for each transaction, unless further restricted or limited in the Agency's Investment Policy. The preservation of funds, notwithstanding, the Agency will seek to maximize investment earnings within the investment parameters set forth in each respective bond indenture. The reinvestment of bond proceeds will be incorporated into the evaluation of each financing decision; specifically addressing arbitrage/rebate position, and evaluating alternative debt structures and refunding savings on a "net" debt service basis, where appropriate.

## **VI. Refinancing Outstanding Debt**

The Agency shall have the responsibility to evaluate potential refunding opportunities presented by underwriting and/or financial advisory firms. The Agency will consider the following issues when analyzing potential refinancing opportunities:

- (1) Debt Service Savings – The Agency shall establish a target savings level equal to 3% (current refunding) to 5% (advance refunding) of par refunded on a net present value (NPV) basis. These figures should serve only as a guideline, the Agency must evaluate each refunding opportunity on a case-by-case basis, and must take into consideration: the time to maturity, size of the issue, current interest rate environment, annual cash flow savings, and the value of the call option. Economic savings resulting from a refunding will generally be structured to occur on a level basis over the life of the refunding bonds. The decision to take all savings upfront or on a deferred basis must be explicitly approved by the Agency's Finance and Audit Committee and Board of Commissioners.
- (2) Restructuring - The Agency may seek to refinance a bond issue on a non-economic basis in order to restructure debt, mitigate irregular debt service payments, accommodate revenue shortfalls, release reserve funds, comply with and/or eliminate rate/bond covenants, or terminate a swap.
- (3) Term/Final Maturity – The Agency may consider the extension of the final maturity of the refunding bonds in order to achieve a necessary outcome, provided that such extension is permissible under the Agency's Compact and Federal tax law. The term of the bonds generally should not extend beyond the reasonably expected useful life of the asset being financed. The Agency may also consider shortening the final maturity of the bonds. The remaining useful life of the assets and the concept of inter-generational equity should guide these decisions.
- (4) Escrow Structuring - The Agency shall utilize the least costly securities

available in structuring each escrow. A certificate will be required from a third party agent who is not acting as a broker-dealer, stating that the securities were purchased through an arms-length, competitive bid process (in the case of open market securities), that such securities were more cost effective than State and Local Government Series Securities (SLGS), or that SLGS were not available at the time of the pricing of the escrow and that the price paid was reasonable and within Federal guidelines. The Agency retains the right to use SLGS at any time in structuring its escrows.

When evaluating the economic viability of an economic versus legal defeasance, the Agency shall take into consideration both the financial impact on a net present value basis as well as the rating/credit impact. The Agency shall take all necessary steps to optimize its escrows and to avoid negative arbitrage in any refunding.

## **VII. Method of Issuance**

The Agency will determine, on a case-by-case basis, whether to sell its bonds competitively or through negotiation.

- A. Competitive Sale – In a competitive sale, the Agency’s bonds shall be awarded to the bidder providing the lowest true interest cost (“TIC”), as long as the bid adheres to requirements set forth in the official notice of sale.
- B. Negotiated Sale – The Agency shall assess the following circumstances that weigh toward the use of a negotiated sale:
  - 1. Issuance of variable rate or taxable bonds;
  - 2. Complex structure or credit considerations (such as non-rated bonds), which requires a strong pre-marketing effort;
  - 3. Significant par value, which may limit the number of potential bidders;
  - 4. Unique/ proprietary financing mechanism (such as a financing pool), or specialized knowledge of financing mechanism or process;
  - 5. Market volatility, such that the Agency would be better served by flexibility in the timing of its sale in a changing interest rate environment;
  - 6. When an Underwriter has identified new financing opportunities or presented alternative structures that financially benefit the Agency;
  - 7. As a result of an Underwriter’s familiarity with the project/financing, which enables the Agency to take advantage of efficiency and timing considerations.
- C. Private Placement – From time to time the Agency may elect to issue debt on a private placement basis. Such method shall generally be considered only if it is demonstrated to result in cost savings or provide other advantages relative to other methods of debt issuance, or if it is determined that access to the public market is unavailable and timing considerations require that a financing be completed.
- D. Conduit Issuance – The Agency may elect to enter into financing agreements

with other issuers, including but not limited to the City of St. Louis, St. Louis County, and the Missouri Development Finance Board, to permit debt to be issued on the Agency's behalf. The Agency will consider this approach if such an arrangement is expected to produce lower borrowing costs, enhance the flexibility of the Agency, or provide other operational efficiencies.

### **VIII. Market Communication, Debt Administration and Reporting Requirements**

Rating Agencies and Investors – The Chief Financial Officer shall be responsible for maintaining the Agency's relationships with Moody's Investors Service, Standard & Poor's Ratings-Services, Fitch Ratings, Kroll Bond Rating Agency or any other nationally-recognized rating service. The Agency may, from time to time, choose to deal with fewer than all of these agencies as circumstances dictate.

In addition to general communication, the Chief Financial Officer shall: (1) meet with Credit Analysts periodically as requested, and (2) prior to each competitive or negotiated sale, offer conference calls with Agency analysts in connection with the planned sale.

- A. Board Communication – The Chief Financial Officer shall include in an annual report to the Finance and Audit Committee and the Board of Commissioners feedback from rating agencies and/or investors regarding the Agency's financial strengths and weaknesses and recommendations for addressing any weaknesses.
- B. Continuing Disclosure – The Agency shall remain in compliance with Rule 15c2-12 or any successor rule or regulation by filing its annual financial statements and other financial and operating data for the benefit of its bondholders within 270 days of the close of the fiscal year. The inability to make timely filings must be disclosed and would be a negative reflection on the Agency. While also relying on a timely audit and preparation of the Agency's annual report, the Chief Financial Officer will ensure the Agency's timely filing with each Nationally Recognized Municipal Securities Information Repository.
- C. Record-Keeping and Post-Issuance Compliance – A copy of all debt-related records shall be retained at the Agency's offices. Consistent with the Agency's tax compliance agreements and post-issuance compliance policy, at minimum, these records shall include all official statements, bid documents, bond documents/transcripts, resolutions, trustee statements, leases, records related to expenditure and investment of bond proceeds, records related to periodic reviews of the use of bond financed facilities, and title reports for each Agency financing (to the extent available). To the extent possible, the Agency shall retain an electronic copy of each document.
- D. Arbitrage Rebate – The use of bond proceeds and their investments must be monitored to ensure compliance with all Internal Revenue Code arbitrage rebate requirements. The Chief Financial Officer shall ensure that all bond proceeds and investments are tracked in a manner which facilitates accurate calculation; and, if rebate is due, such payments are made.

## **Section 30.090**

## **Donation and Gift Policy** (NEW effective 11/19/21)

A. Policy. It is the policy of the Agency that gifts and donations to the Agency are welcomed and encouraged. Gifts and donations are valued as expressions of individual support for the Agency's mission and help to enhance its services, programs and facilities by supplementing federal, state, or contractual support.

B. Types of Gifts. The Agency accepts the following types of gifts and donations: cash, tangible personal property, publicly traded and recognizable securities, real estate, bequests, trust funds and annuities.

C. Use of Gifts. The President and CEO or Board of Commissioners will carefully consider the needs of the Agency and will use a gift where it determines it is most needed, so that all donations may directly and indirectly support the public purposes of the Agency. The Agency may choose not to accept a gift if the donor wishes to place limitations or restrictions on its use or disposal. The Agency may refuse any gift that does not sufficiently benefit the Agency, is in conflict with the Agency's mission, puts the reputation of the Agency at risk, or is prohibited by law.

D. Acceptance of Gifts. The President and CEO may accept any gift or donation of the types described in Section B on behalf of the Agency. Other types of gifts and donations will be evaluated on a case-by-case basis by the Board of Commissioners

When processing each gift, the Agency will follow generally accepted accounting principles. The Agency takes no responsibility for valuing gifts for tax purposes or for the tax consequences to the donor.

All accepted gifts and donations become the property of the Agency. The Agency reserves the right to sell or otherwise dispose of non-monetary gifts, if the Board of Commissioners or President and CEO, determines that such sale or disposition is advisable or necessary.

E.     Documentation. The Agency will retain a written receipt of each donation and gift identifying the name of the donor, the amount and the date of the donation or gift, and the nature of restriction on the gift, if any. The Agency will acknowledge each donation by letter, thanking the donor. Donors who make a significant financial or material donation will receive a contemporaneous written acknowledgement of the donation from the Agency.



**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

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**From:** President & CEO, Taulby Roach  
**Subject:** **Contract Modification: Elevator Escalator Full Maintenance and Repair**  
**Disposition:** Approval  
**Presentation:** Charles Stewart, Interim Executive Director Metro Transit Darren Curry,  
Assistant Executive Director, Transit Assets  
Tom Curran, Executive Vice President - Administration

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**Objective:**

To present to the Board of Commissioners for approval, a request for authorization to modify the current contract for Elevator and Escalator Full Maintenance and Repair.

**Background:**

On, October 04, 2016, Bi-State Development (BSD) issued Solicitation number 17-RFP-103684-DGR-Elevator and Escalator Full Maintenance and Repair, and as a result of the procurement process, award was made to ThyssenKrupp Elevator (TKE). The Board of Commissioners approved a not to exceed amount of \$4,000,000.00 at their April 28, 2017 meeting.

Contract Modification #4 includes additional funding and time to cover project needs. Below are some of the notable contributors to the overages during this last contract option year:

- Escalator violation repair costs as a result of findings from 2020-2021 State of Missouri inspections: Initial costs to address these findings would reach \$319,000 to re-open closed units. Signed agreements were in place as attempts were made to make the repairs.
- Unscheduled Maintenance repair costs surge for decaying infrastructure: The Grand Elevator Hoistway structural repairs and support with component repairs and replacement cost just over \$100,000. North Hanley and Forest Park MetroLink Stations over-speed valves and control motor replacements cost \$50,000. The Missouri State 2021 mandate on the Category 5 testing, which doubled the inspection man-hours, had a team rate at an additional \$250/hour. Additional installation adjustments were needed for the rehabbed units transitioning to maintenance (communication wiring, cab positioning within the guiderails, hydraulic piston seals, etc.). The 8<sup>th</sup> & Pine MetroLink Station emergency repair of the synchronization valves cost \$35,000.
- Based on what has been documented, call back service has averaged \$10,000 per month.
- Special coverage at a team rate of \$450/hour (Contracted OT) to insure immediate response times during major events downtown during the July 4 activities, concerts, conventions, etc.

*Board Policy Chapter 50.010, Section E.I.d., requires the Board of Commissioners to approve Procurements which exceed the amounts budgeted or otherwise approved by the Board of Commissioners for such project, function or service.*

Current items to consider with an extension, as the system has several out of scope maintenance requests (section 5.2 of section H):

- Needed adjustments to the ERF Units from Rehab--\$60,000
- Grand MetroLink Station repairs –Travel Cable -- \$25,000
- 8<sup>th</sup> & Pine MetroLink Station –travel adjustments--\$25,000
- Hydraulic remediation use \$50,000–based on results from the TOGA program --Team Rate at \$450/hours with a five-hour duration x 10 units---\$22,500 plus material of \$2,200 for each unit = \$22,000
- Final repairs to the Convention Center Westbound Escalator--\$50,000
- Sill replacements at the North Hanley Parking Structure—Structural conditions discovered during the Spring of 2022.
- Standing costs--General monthly maintenance will cost \$15,000 per month. Based on what has been documented, call back service has averaged \$10,000 per month.

**Analysis:**

Transit Assets and Procurement have reviewed the above costs and have determined that the costs are deemed fair and reasonable.

Assessments were scheduled and performed in April 2022 for each Metro facility and rail station elevator. These assessments provided a forecast of future maintenance needs and helped the agency understand the current operating conditions, remaining lifespans, and ultimately repair and/or replacement costs. In addition, the assessments will help provide better contract language to address contractor performance in the future. It may be necessary to perform bi-monthly maintenance on the older, more problematic units. There may also be the need to have additional resources/staffing, such as full-time staff mechanic provided to Metro by the general contractor or subcontractors.

Exclusive conditions can be better defined for the new contract. The overruns in the current contract are based on the many exclusions that the new, all-inclusive contract will capture.

In closing, based on visits to other transit agencies (Chicago Transit Authority) and third party elevator consultants (ATIS Elevator Inspections, LLC), annual maintenance costs for assets of this age and condition could range from \$1.6 to \$1.9 million dollars.

**Previous Action:**

At the August 19, 2022, Operations Committee Meeting, the Committee approved a contract modification for the continued maintenance and repair of the elevators and escalators that service MetroLink, in an amount not to exceed \$600,000.00 and to extend the contract time period through November 30, 2022. Management is now requesting that the contract time period be extended to December 31, 2022.

**Board Action Requested:**

Management recommends that the Board of Commissioners approve a request to authorize the President & CEO to approve Contract Modification #4, for the continued maintenance and repair of the elevators and escalators that service MetroLink, to ThyssenKrupp Elevator in an amount not to exceed \$600,000.00 and extend the contract time period through December 31, 2022.

**Funding Source:**

Operations.

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT  
MODIFYING A CONTRACT WITH THYSSENKRUPP ELEVATOR FOR  
ELEVATOR AND ESCALATOR FULL MAINTENANCE AND REPAIR**

**PREAMBLES:**

*Whereas*, The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the “Agency”/ “BSD”) is a body corporate and politic, created by an interstate compact between the States of Missouri and Illinois, acting by and through its Board of Commissioners (the “Board of Commissioners”); and

*Whereas*, the Agency is authorized by Mo. Rev. Stat. § 70.370 et seq. and 45 Ill. Comp. Stat. 100/1 et seq. (jointly referred to herein as the “Compact”) to plan, construct, maintain, own and operate passenger transportation facilities, and to perform all other necessary and incidental functions, and to disburse funds for its lawful activities, to adopt rules and regulations for the proper operation of its passenger transportation facilities and conveyances, to contract and to be contracted with; and

*Whereas*, Board Policy Chapter 50.010, Sections G.1. and G.2. require the Board of Commissioners to approve modifications which modify the approved contract cost and extend the contract performance period beyond 180 days; and

*Whereas*, on October 04, 2016, Bi-State Development (BSD) issued Solicitation number 17-RFP-103684-DGR-Elevator and Escalator Full Maintenance and Repair, and as a result of the procurement process, award was made to ThyssenKrupp Elevator (TKE). The Board of Commissioners approved a not to exceed contract with TKE in the amount of \$4,000,000.00 at the April 28, 2017 meeting; and

*Whereas*, assessments were scheduled and performed in April 2022 for each Metro facility and rail station elevator, and the assessments provided a forecast of future maintenance needs and helped the Agency understand the current operating conditions, remaining lifespans, and ultimately repair and/or replacement costs; and

*Whereas*, it is feasible, necessary and in the public interest for the Agency for the Board of Commissioners to authorize the President and CEO to approve Contract Modification #4, for the continued maintenance and repair of the elevators and escalators that service MetroLink, to ThyssenKrupp Elevator, in an amount not to exceed \$600,000.00 and extend the contract time period through December 31, 2022, in accordance with the terms and conditions described herein.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1.        Findings. The Board of Commissioners hereby finds and determines those matters set forth in the preambles hereof as fully and completely as if set out in full in this Section 1.

Section 2.        Approval of the Modification of the Contract. The Board of Commissioners hereby authorizes the President and CEO to approve Contract Modification #4, for the continued maintenance and repair of the elevators and escalators that service MetroLink, to ThyssenKrupp Elevator in an amount not to exceed \$600,000.00 and extend the contract time period through December 31, 2022, under and pursuant to this Resolution and the Compact for the authorized Agency purposes set forth in the preambles hereof and subject to the conditions hereinafter provided.

Section 3.        Actions of Officers Authorized. The officers of the Agency, including, without limitation, the President and CEO, and Vice President of Procurement are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and the Contract and the execution of such documents or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4.        Severability. It is hereby declared to be the intention of the Board of Commissioners that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Commissioners intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the intent of this Resolution.

Section 5.        Rights under Resolution Limited. No rights shall be conferred by this Resolution upon any person or entity other than the Agency and ThyssenKrupp Elevator.

Section 6.        Governing Law. The laws of the State of Missouri shall govern this Resolution.

Section 7.        No Personal Liability. No member of the Board of Commissioners, officer, employee or agent of the Agency shall have any personal liability for acts taken in accordance with this Resolution and the Contract.

Section 8.        Payment of Expenses. The Executive Vice President and CFO is hereby authorized and directed to pay or cause to be paid all costs, expenses and fees incurred in connection with or incidental to this Resolution and the Contract.

Section 9.        Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** by the Board of Commissioners of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District this 23<sup>rd</sup> day of September, 2022.

***In Witness Whereof,*** the undersigned has hereto subscribed his signature and caused the Seal of the Agency to be affixed.

**THE BI-STATE DEVELOPMENT AGENCY OF THE  
MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

By \_\_\_\_\_  
Title \_\_\_\_\_

[SEAL]

ATTEST:

By \_\_\_\_\_  
Deputy Secretary to the Board of Commissioners

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

---

**From:** Andrew J Ghiassi, General Manager of Safety, Bi-State Development  
**Subject:** **Annual Approval of the Bi-State Development Public Transportation Agency Safety Plan**  
**Disposition:** Approval  
**Presentation:** Taulby Roach, President & CEO

---

**Objective:**

To obtain the Board of Commissioners' approval of the annual update to the Bi-State Development Public Transportation Agency Safety Plan that satisfies and responds to the FTA's Public Transportation Agency Safety Program (PTASP) standards outlined in 49 CFR Part 673.

**Committee Disposition:**

This Agenda Item has not been presented to a Committee; however, due to time constraints, President and CEO, Taulby Roach, has granted permission for this item to be placed on the Agenda for the September 23, 2022 Board of Commissioners Meeting.

**Background:**

49 U.S.C. 5329 was changed by MAP-21 (Pub. L. 112-141 (2012)) to require a Public Transportation Agency Safety Plan that is approved by the agency's board of directors or equivalent. The update approval is required on an annual basis; the Board approved a similar update last year.

**Analysis:**

The Bi-State Development Public Transportation Agency Safety Plan regulates the health and safety of our Team Members, Transportation Systems, and customers. The plan includes the following elements:

1. The processes and methods for developing a Safety Management System, which consists of four major components: (1) Safety Management Policy, (2) Safety Risk Management, (3) Safety Assurance, and (4) Safety Promotion.
2. Targets for safety performance based on the National Public Transportation Safety Plan (49 CFR 673.11(a)(3)).
3. Complies with all applicable regulations and standards stated in the FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan (49 CFR 673.11(a)(4)).
4. Establishes a method and schedule for performing an annual assessment and update of the Public Transportation Agency Safety Plan (49 CFR 673.11(a)(5)).

The following sections of the PTASP have been updated for the 2022 plan: Organizational charts, Emergency Management, Hazard Management, Bi-Partisan Infrastructure Law Requirements, updated committees and working groups.

**Board Action Requested:**

Management requests that the Board of Commissioners approve and adopt the annual update of the Bi-State Development Public Transportation Agency Safety Plan, as presented.

**Funding Source:**

There is no funding request associated with this action. The Bi-State Development (BSD) Safety Department will assess and manage the plan in accordance with continuous improvement to account for changes in BSD's organization, processes, equipment, facilities, and operational environment.

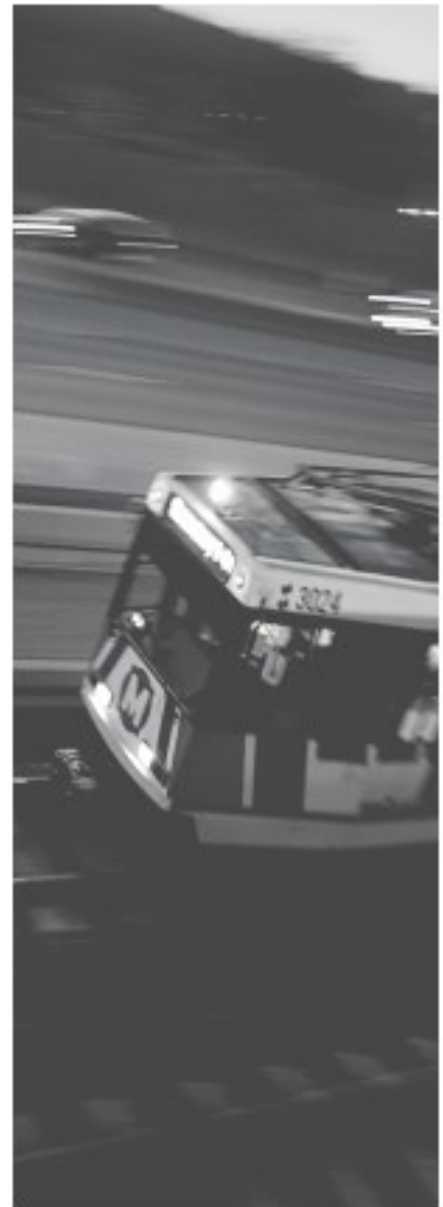
**Attachments:**

Bi-State Development Public Transportation Agency Safety Plan for 2022

2022

# PTASP

## PUBLIC TRANSPORTATION AGENCY SAFETY PLAN







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# Approvals

The individuals below, submitting and signing this System Safety Program Plan/Agency Safety Plan, (SSPP/ASP) verify that it was prepared in accordance with the appropriate and applicable requirements and guidelines set forth by the Federal Transit Administration in 49 CFR Parts 625, 630, 655, 670, 672, 673, 674 and others, and the BSSO Program Standard; that they are authorized representatives of the Board of Commissioners of Metro Transit that their signatures attest that all items and conditions contained in this plan are understood, accepted and approved; and that they are committed to implementing the Safety Plan and achieving its safety goals and objectives.

## Approved By:

\_\_\_\_\_  
**Board Approval**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Join Safety/Union Committee Approval**


\_\_\_\_\_  
8/24/2022

**Date**

\_\_\_\_\_  
9.12.22

**Date**

  
**Taulby Roach**  
President & CEO (Accountable Executive)  
Bi-State Development

  
**Andrew Ghiassi**  
General Manager of Safety (Chief Safety Officer)  
Bi-State Development

\_\_\_\_\_  
9/12/22

**Date**

# Revisions/Amendments

Revision No.	Revision Date	Revised Sections
1	06/19/2020	Initial Submission
2	01/01/2021	Organizational charts, Emergency Management, Hazard Management
3	03/31/2022	Organizational charts, Emergency Management, Hazard Management, New Bi-Partisan Infrastructure Law requirements, updated committees and working groups

# Executive Summary

## General

### Applicability

Metro Transit (Metro) is committed to comprehensive safety planning. As an operator of a public transportation system that receives Federal financial assistance under Title 49 of the United States Code (USC) Chapter 53, Metro is subject to the appropriate and applicable requirements and guidelines set forth by the Federal Transit Administration (FTA), and this Public Transportation Agency Safety Plan (PTASP) is compliant with these requirements as well as with the requirements of the National Public Transportation Safety Plan (NSP).

### Policy

Metro and the FTA have adopted the principles and methods of System Safety and of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation. All rules, regulations, policies, guidance, best practices, and technical assistance administered will, to the extent practical and consistent with legal and other applicable requirements, follow the principles and methods of SMS.

Metro Transit's Public Transportation Agency Safety Plan, hereafter referred to as the "Safety Plan" is an agency-wide safety plan that meets and is responsive to the FTA's Public Transportation Agency Safety Program (PTASP) requirements as set forth by 49 CFR Part 673. The Safety Plan reflects the specific safety objectives, standards, and priorities of Metro. Metro has incorporated its System Safety compliance into SMS principles and methods tailored to the size, complexity, and scope of its own public transportation system and the environment in which it operates.

### Definitions

Unless otherwise stated, definitions used in this document are consistent with federal regulations and guidance as shown in Chapter 1.

## Safety Plan

### General

Metro has established a Safety Plan that meets or exceeds the General Requirements of both of the aforementioned requirements and guidelines, including the following required elements:

- The Safety Plan, and subsequent updates, will be signed by the President & CEO who is the Accountable Executive, the GM Safety who is the Chief Safety Officer, and approved by Metro Board of Commissioners.
- The Safety Plan documents the processes and activities related to SMS implementation.
- The Safety Plan includes performance targets based on the safety performance criteria established under the National Public Transportation Safety Plan (NSP).
- Metro will establish a process and timeline for conducting an annual review and update of the Safety Plan.
- The Safety Plan includes reference to an emergency management and response plan and procedures



that address the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in Metro area.

- The Safety Plan includes bus, paratransit, and rail modes of service.

Metro will maintain the Safety Plan in accordance with the recordkeeping requirements in Subpart D of 49 CFR Part 673.

## Certification of Compliance

The State Safety Oversight Agency will review and approve the Safety Plan developed by Metro, as authorized in 49 U.S.C. 5329(e) and its implementing regulations at 49 CFR Part 674 and Part 673. Metro will certify its compliance with 49 CFR Part 673 on an annual basis.

## Safety Management System

Metro herein establishes and implements an SMS that is appropriately scaled to the size, scope and complexity of Metro, and includes four components:

- 1) Safety Management Policy (Part I)
- 2) Safety Risk Management (Part II)
- 3) Safety Assurance (Part III)
- 4) Safety Promotion (Part IV)

## Safety Management Policy

Metro has a written safety management policy (Chapter 1) that includes Metro's safety objectives and safety performance targets. The Metro safety management policy will be communicated throughout the organization.

### Responsibilities

As detailed in Chapter 2, Metro has also established the necessary authorities, accountabilities, and responsibilities for managing safety amongst the following individuals in Metro, as they relate to development and management of Metro's SMS:

- Accountable Executive: Metro has identified the President & CEO as the Accountable Executive. The President & CEO is accountable for ensuring that the Metro's SMS is effectively implemented throughout the system; and ensuring action is taken, as necessary, to address substandard performance in Metro's SMS. The President & CEO may delegate specific responsibilities, but the ultimate accountability for Metro's safety performance cannot be delegated and always rests with the President & CEO.
- Chief Safety Officer (CSO): The Accountable Executive has designated the GM Safety as the CSO. This position is the key SMS Executive who has authority and responsibility for day-to-day implementation and operation of Metro's SMS. The CSO holds a direct line of reporting to the President & CEO.
- Metro leadership and executive management: Metro has also identified other members of its leadership and executive management who have authorities or responsibilities for day-to-day implementation and operation of an agency's SMS.
- Management staff: Metro has designated management staff, groups, or committees/working groups to support the President & CEO and CSO in developing, implementing, and operating the agency's SMS.
- Metro has also established a process that allows employees to report safety conditions to senior management, and offers protections for employees who report adverse safety conditions to management.

# Safety Risk Management

## Safety Risk Management Process

Metro has developed and implemented a Safety Risk Management process for all elements of its public transportation system. The Safety Risk Management process is comprised of the following activities:

1. Identification of safety hazards;
2. Analysis of safety hazards;
3. Safety risk evaluation; and
4. Safety risk mitigation.



## Safety Hazard Identification and Analysis

Metro has established a process for hazard identification and analysis (Chapter 5).

## Safety Risk Evaluation and Mitigation

Metro has established activities to evaluate and prioritize the safety risk associated with the potential for and consequences of safety hazards (Chapter 6). Safety risks are evaluated in terms of likelihood and severity that take into account mitigations already in place to reduce the likelihood or severity of the potential consequence(s) analyzed. Metro has established criteria for the development of safety risk mitigations that are necessary based on the results of the agency's safety risk evaluation.

# Safety Assurance

## Safety Performance Monitoring and Measurement

Metro has established activities (described in Chapter 7) to:

1. Monitor the system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance;
2. Monitor Metro operations to identify hazards not identified through the Safety Risk Management process;
3. Monitor Metro operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended;
4. Investigate safety events to identify causal factors; and
5. Monitor information to account for all sources including: reporting through any internal and external safety reporting programs. Examples of external reporting entities include, but are not limited to: Federal Transit Administration (FTA), Bi-State Safety Oversight (BSSO), etc.

## Management of Change

Metro has established a process for identifying and assessing changes that may introduce new hazards or impact Metro's safety performance. If Metro determines that a change may impact its safety performance, then Metro will evaluate the proposed change through its Safety Risk Management process. (See Chapter 8.)

## Continuous Improvement

Metro has established a process to assess its safety performance (Chapter 9). If Metro identifies any deficiencies as part of its safety performance assessment, then Metro will develop and carry out, under the authority of the President & CEO, a plan to address the identified safety deficiencies.

## Safety Promotion

### Safety Communications

Metro fosters open communication regarding safety between all levels of the agency (Chapter 10). This starts with fully communicating the safety policy to all employees. Metro uses notices, posters, and bulletins to ensure all employees are aware of their own and the agency's safety commitments and requirements.

In addition, the Safety Department supports all other departments in ensuring that safety messaging and awareness are communicated effectively within each department. Employees are required and encouraged to report hazards, take responsibility for safety in their tasks and work areas, educate themselves on safety and with formal training, and attend safety briefings, trainings, activities and events.

Finally, all levels of the agency are required, through formal and informal communications, to ensure that safety information is disseminated throughout the agency. This Safety Plan sets forth the requirements for both the formal and informal reporting that supports Metro's SMS.

### Competencies and Training

Metro has established a comprehensive safety training program for all agency employees and contractors directly responsible for the management of safety on Metro's system (Chapter 11). The training program includes refresher training, as necessary.

## Safety Plan Documentation and Recordkeeping

Safety Plan documentation and recordkeeping is described in Chapter 4.

### Safety Plan Documentation

At all times, Metro maintains documents that set forth and support its Safety Plan, including those related to the implementation of Metro's SMS, and results from SMS processes and activities. Metro maintains documents that are included in whole, or by reference, that describe the programs, policies, and procedures that Metro uses to carry out the Safety Plan.

As prescribed by 49 CFR Part 673.31, Metro makes documentation available to the Federal Transit Administration (FTA), other federal and state entities as appropriate, and the BSSO. A variety of methods are used to convey this documentation. Methods include, but are not limited to: data requests, access to various computer databases which house safety/SMS data, internal documents that analyze data, daily incident management data, and monthly hazard logs.

### Safety Plan Records

In addition to any documents or records required elsewhere by 49 CFR Part 673, Metro maintains records of:

- a) Safety risk mitigations developed in accordance with 49 CFR Part 673.25;
- b) Results from Metro performance assessments as required under 49 CFR Part 673.27; and
- c) Employee safety training taken for purposes of compliance with this part and the Public Transportation Agency Safety Training Certification Program.

# Part I: Safety Management Policy

## Chapter 1 – Safety Policy Statement

### 1 General Safety Policy

It is the policy of Metro to provide a safe and reliable transportation service for the general public, to provide safe and healthful working conditions for Metro employees, and to comply with applicable occupational and environmental laws and regulations.

Operational and safety training, accident investigation, Standard Operating Procedures, and audit/inspection programs are documented and referenced in Metro's Safety Plan. The purpose of this plan, among others, is to recognize and correct unsafe acts and conditions, to promote safety awareness, and to assist in the prevention of injuries and illness as well as events that are harmful to the environment.

Every Metro employee and any outside contractor who serves Metro has the duty to adhere to the Safety Plan; to recognize, report and correct hazards; to work in a safe manner; to promote safety awareness; and to actively assist in accident prevention.

The President & CEO accepts overall responsibility for safety at Metro. The Executive Director of Metro, Executive Vice President Organizational Effectiveness, Executive Vice President of Administration, Vice President of Marketing and Communication, Asst. Executive Director Transit Assets, GM MetroLink, GM MetroBus, GM Paratransit, Assistant Exec Dir Engineering Systems, GM Security, GM Safety, Chief of Planning are responsible and accountable for implementation of the Safety Plan in their respective areas.

All Metro employees must carry out their assigned duties in a safe and efficient manner. The Executive Safety and Security Committee (ESSC) is responsible for taking a proactive position in assisting Metro management to implement SMS, and identifying and controlling hazards to ensure the highest practical degree of safety for Metro riders and employees. As Chairman of the ESSC, the President & CEO has the primary responsibility for coordinating the implementation of the Safety Plan and monitoring compliance.

The signatures of the President & CEO, and Chief Safety Officer included in the Approvals section of this plan attest to the fact that this plan is understood, accepted and approved; and that management is committed to implementing SMS through the Safety Plan and achieving its safety goals and objectives.

### 2 Safety Management Policy

Metro is furthermore committed to comprehensive safety planning, and as an operator of a public transportation system that receives Federal financial assistance under Title 49 USC Chapter 53, also complies with 49 CFR Part 673.

Metro has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing its safety program. All rules, regulations, policies, guidance, best practices, and technical assistance administered will, to the extent practical and consistent with legal and other applicable requirements, follow the principles and methods of SMS.

Metro has a written statement of safety management policy that includes Metro's safety objectives and safety performance targets.

## 2.1 Safety Management Policy Statement

The management of safety is one of our core business functions. Metro is committed to developing, implementing, maintaining, and constantly improving processes to ensure that all our transit service-delivery activities take place under a balanced allocation of organizational resources, aimed at achieving the highest level of safety performance objectives and meeting established standards. All levels of management and all employees are responsible for the delivery of this highest level of safety performance.

Metro's commitment is to:

- Support the management of safety by providing appropriate resources resulting in a culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively manages safety with the same attention to results as other Metro management systems;
- Integrate the management of safety among the primary responsibilities of all officers, directors, and employees;
- Define clearly for all staff, officers, directors, and employees alike, their responsibilities for Metro's safety performance and the performance of our safety manager system (SMS);
- Implement hazard identification and analysis activities, safety risk evaluation activities, and an employee safety reporting program as fundamental sources for safety data, in order to eliminate or mitigate the safety risk of the consequences of hazards resulting from Metro operations or activities to a point which is consistent with our acceptable level of safety performance;
- Ensure that no action will be taken against any employee who discloses a safety concern through the employee safety reporting program (unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures has occurred);
- Comply with, and whenever possible exceed, federal and state legislative and regulatory requirements and standards;
- Ensure that sufficient skilled and trained people are available to implement safety management processes;
- Provide all staff with adequate and appropriate safety-related information and training; ensure they are competent in safety management matters; and allocate to employees only tasks commensurate with employee skills;
- Establish and measure our safety performance objectives against realistic and data-driven safety performance indicators and safety performance targets consistent with the National Public Transportation Safety Plan;
- Continually improve Metro's safety performance through management processes that ensure appropriate safety management action is taken and is effective; and
- Ensure externally supplied systems and services to support Metro operations are delivered meeting our safety performance standards.



**Taulby Roach**  
President & CEO (Accountable Executive)  
Bi-State Development

## 2.2 Communication

The Metro safety management policy will be communicated throughout the organization through:

- SMS Training for all employees;
- Communications to all Metro personnel from the President & CEO and CSO;
- New hire trainings;
- Safety Briefings; and
- General bulletin board postings.

The Safety Plan will be available at all times to all employees. It will be maintained in an accessible electronic file or in hard copy(s) by all of management in locations accessible to employees under their supervision and management.

## 3 Authority

### 3.1 Federal

Statutory mandates in the Moving Ahead for Progress in the 21st Century Act (Pub. L. 112–141; July 6, 2012) (MAP–21), reauthorized by the Fixing America’s Surface Transportation Act (Pub. L. 114–94; December 4, 2015) and codified at 49

U.S.C. 5329(d), are in place to strengthen the safety of public transportation systems that receive Federal financial assistance under Chapter 53. This legislation defines requirements for the adoption of Safety Management Systems (SMS) principles and methods; the development, certification, and update of Public Transportation Agency Safety Plans; and the coordination of Public Transportation Agency Safety Plan elements with other FTA programs and proposed rules, as specified in 49 U.S.C. 5329.

In Section 20021 of MAP–21, Congress directed the FTA to establish a comprehensive Public Transportation Safety Program, one element of which is the requirement for Public Transportation Agency Safety Plans. Accordingly, the FTA issued a series of rulemakings with: 49 CFR Parts 672, 673, and 674.

### 3.2 State Safety Oversight Program

The Bi-State Safety Oversight (BSSO) is the designated State Safety Oversight (SSO) agency for fixed guideway safety oversight for the MetroLink system.

Metro is covered under the authority of the BSSO program and must develop and implement a compliant Public Transportation Agency Safety Plan (PTASP), System Security Plan (SSP), and Emergency Preparedness Program Plan (EPPP) that comply with the BSSO Program Standard.

## 4 Definitions

The following definitions used in this document are consistent with 49 CFR Parts 625, 630, 670, 673, and 674 *Two-Hour Accident Notification Guide* issued by FTA in February 2018 and the “SMS Glossary of Terms: FTA’s Guide to Relevant Terms for SMS Development” of September 2016.

- Accident – an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision involving an Metro vehicle; a runaway Metro vehicle; an evacuation for life safety reasons; or any derailment of an Metro vehicle [673] at any location, at any time, whatever the cause.
  1. An accident must be reported in accordance with the thresholds for notification and reporting set forth in Appendix A to Part 674.
- Accountable Executive – a single, identifiable person who has ultimate responsibility and accountability for the implementation and maintenance of the SMS of Metro; responsibility for carrying out the Safety

Plan and Transit Asset Management Plan (TAMP); and control or direction over the human and capital resources needed to develop and maintain both the Safety Plan in accordance with 49 USC 5329 and TAMP.

1. The Accountable Executive at Metro is Taulby Roach (President & CEO).

- ADA – Americans with Disabilities Act.
- Administrator – the Federal Transit Administrator or the Administrator’s designee.
- Advisory – a notice from FTA to recipients regarding an existing or potential hazard or risk in public Transportation that recommends recipients take a particular action to mitigate the hazard or risk.
- Audit – an examination of records and related materials, including, but not limited to, those related to financial accounts.
- BOCC – Bus Operations Control Center.
- BSSO – the representatives from the Missouri and Illinois Departments of Transportation assigned as the State Safety Oversight Agency for the MetroLink rail fixed guideway system.
- BTW – Behind-The-Wheel, a type of required Operator training.
- Capital asset – a unit of rolling stock, a facility, a unit of equipment, or an element of infrastructure used in public Transportation.
- Executive Director – Executive Director Metro Transit of Metro Transit.
- CFO – Chief Financial Officer of Metro Transit.
- Chief Safety Officer (CSO) – an adequately trained individual who has responsibility for safety and reports directly to the Accountable Executive. The CSO does not serve in other operational or maintenance capacities. The Chief Safety Officer role at Metro is fulfilled by the GM Safety.
- CM – Construction Manager.
- Consequence – the potential outcome(s) of a hazard.
- Continuous Improvement – a process by which a transit agency examines safety performance to identify safety deficiencies and carry out a plan to address the identified safety deficiencies.
- Contractor – an entity that performs tasks on behalf of Metro, FTA, a State Safety Oversight Agency, or other rail transit agency, through contract or other agreement, including tasks required for rail compliance.
  1. For example, contractors could handle any portion of a major construction infrastructure project, handle daily switch inspections, or monthly substation maintenance. A contractor is a third party hired by the agency to fulfill a rail compliance need. The rail transit agency may not be a contractor for the oversight agency.
- Corrective Action Plan – a plan developed by Metro that describes the actions that Metro will take to minimize, mitigate, correct, or eliminate risks and hazards, and the schedule for taking those actions. Either a State Safety Oversight Agency or FTA may require Metro to develop and carry out a corrective action plan.
- DBE – Disadvantaged Business Enterprise.
- Decision support tool – a methodology: (1) To help prioritize projects to improve and maintain the state of good repair of capital assets within the public transportation system based on available condition data and objective criteria; or (2) To assess financial needs of asset investments over time.
- Direct recipient – an entity that receives funds directly from the Federal Transit Administration.

- Directive – a formal written communication from FTA to one or more recipients which orders a recipient to take specific actions to ensure the safety of a public transportation system.
- EEO – Equal Employment Opportunity.
- Equipment – an article of nonexpendable, tangible property having a useful life of not less than one year.
- Equivalent Authority – The Board of Commissioners of Metro Transit is an entity that carries out duties for a recipient or sub recipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve the Safety Plan.
- ESSC – Executive Safety & Security Committee.
- Event – an Accident, Incident, or Occurrence.
- Examination – a process for gathering facts or information, or an analysis of facts or information previously collected.
- Facility – a building or structure that is used in the provision of public transportation.
- FTA – the Federal Transit Administration.
- FMLA – Family Medical Leave Act.
- Full level of performance – the objective standard for determining whether a capital asset is in a state of good repair.
- Grade Crossing (as defined in the National Transit Database glossary) an intersection of roadways, railroad tracks, or dedicated transit rail tracks that run across mixed traffic situations with motor vehicles, streetcar, light rail, commuter rail, heavy rail or pedestrian traffic; either in mixed traffic or semi-exclusive situations.
- Hazard – any real or potential condition that can cause injury, illness, or death; damage to or loss of a facility, equipment, rolling stock, infrastructure, property, Metro system; or damage to the local environment, or reduction of ability to perform prescribed function.
- Hazard Analysis – the formal activities to analyze potential consequences of hazards during operations related to provision of services.
- Human Factors – applied technology comprising principles that apply to equipment design, certification, training, operations, and maintenance, which seek safe interface between the human and other system components by proper consideration to human performance.
- Hazard Identification – formal activities to analyze potential consequences of hazards during operations related to provision of service.
- Human Performance – human capabilities and limitations that have an impact on the effectiveness and efficiency of operations related to provision of services.
- Implementation Strategy – the approach to carrying out transit asset management practices, including establishing a schedule, accountabilities, tasks, dependencies, roles and responsibilities.
- Incident – an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of Metro, a maintenance-related evacuation of a train into the right-of-way or onto adjacent track; or customer self- evacuation, certain low-speed collisions involving a rail transit vehicle that result in a non-serious injury or property damage, or damage to catenary equipment that disrupts transit operations. Incidents must be tracked and reported to FTA's National Transit Database in accordance with the thresholds for reporting set forth in Appendix A to Part 674.
- Individual – a passenger, employee, contractor, other Metro facility worker, pedestrian, trespasser, or any



person on Metro property.

- Inspection – a process for gathering facts or information, or an analysis of facts or information previously collected. At the conclusion of an inspection, FTA may issue findings and recommendations.
- Investigation – the process of determining the causal and contributing factors of an accident, event, or hazard, for the purpose of preventing recurrence and mitigating risk or investigation of an event.
- Key asset management activities – a list of the transit asset management activities that are critical to achieving a transit provider's transit asset management goals for a particular year.
- Lagging Indicators – provide evidence, through monitoring, that intended safety management outcomes have failed or have not been achieved.
- Leading Indicators – provide evidence, through monitoring, that key safety management actions are undertaken as planned.
- Management of Change – a process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance. If a transit agency determines that a change may impact its safety performance, then the transit agency must evaluate the proposed change through its Safety Risk Management process.
- Near miss – a safety event where conditions with potential to generate an accident, event, or occurrence existed, but where an accident, event, or occurrence did not occur because the conditions were contained by chance or by existing safety risk mitigations.
- National Public Transportation Safety Plan (NSP) – the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53, or authorized at 49 U.S.C. 5329.
- NTSB – the National Transportation Safety Board, an independent Federal agency.
- OCC – Operations Control Center (Rail)
- Occurrence – an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of Metro.
- Operational System Description – the analysis of operations to gain an understanding of critical operational interactions to identify hazards, or those that have been identified, as well as to identify the mitigations in place to safeguard against the consequences of hazards.
- Organizational Accident – an accident that has multiple causes involving many people operating at different levels of the respective agency.
- Organizational System Description – a formal description of the structure of a transit agency, including departmental interfaces; functions and responsibilities directly and indirectly related to the delivery of transit service; and functions and responsibilities related to the safety management of service delivery.
- OCS – Overhead Catenary System.
- Operator of a Public Transportation System – a provider of Public transportation, such as Metro, as defined under 49 U.S.C. 5302(14), and which does not provide service that is closed to the general public and only available for a particular clientele.
- Passenger – a person who is on board, boarding, or alighting from a Metro-owned/operated rail transit vehicle for the purpose of travel.
- Pattern or practice – two or more findings by FTA of a recipient's noncompliance with the requirements of 49 U.S.C. 5329 and the regulations thereunder.
- Performance criteria – categories of measures indicating the level of safe performance within Metro.

- Performance measure – a parameter that is used to assess performance outcomes.
- Performance target – a specific level of performance for a given performance measure over a specified timeframe.
- Person – a passenger, employee, contractor, pedestrian, trespasser, or any individual on the property of a rail fixed guideway public transportation system.
- PHA – Preliminary Hazard Analysis.
- PPE – Personal Protective Equipment.
- Practical Drift – the slow and inconspicuous, yet steady, uncoupling between written procedures and actual practices during provision of services.
- Program Standard is a written document developed and adopted by BSSO that describes the policies, objectives, responsibilities, and procedures used to provide safety and security oversight of rail transit agencies.
- Public Transportation Agency Safety Plan (PTASP) – the comprehensive agency safety plan for Metro that is required by 49 U.S.C. 5329 and Part 673, based on a Safety Management System. Until one year after the effective date of FTA’s PTASP final rule, a System Safety Program Plan (SSPP) developed pursuant to 49 CFR part 659 may serve as the rail transit agency’s safety plan.
- Public Transportation Safety Certification Training Program – either the certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight, established through interim provisions in accordance with 49 U.S.C. 5329(c)(2), or the program authorized by 49 U.S.C. 5329(c)(1).
- Public Transportation System – the entirety of Metro’s operations, including the services provided through contractors.
- Rail fixed guideway public Transportation system – any fixed guideway system that uses rail, is operated for public Transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration (FRA), or any such system in engineering or construction. Rail fixed guideway public Transportation systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.
- Rail Fixed Guideway System – any light, heavy, or rapid system, monorail, inclined plane, funicular, trolley, or automated guideway that: (1) is not regulated by the Federal Railroad Administration; and (2) is included in FTA’s calculation of fixed guideway route miles or receives funding under FTA’s formula program for urbanized areas (49 U.S.C. 5336); or (3) has submitted documentation to FTA indicating its intent to be included in FTA’s calculation of fixed guideway route miles to receive funding under FTA’s formula program for urbanized areas (49 U.S.C. 5336).
- Rail Transit Agency – any entity that provides services on a rail fixed guideway public transportation system.
- Rail Transit Vehicle – Metro’s rolling stock, including, but not limited to passenger and maintenance vehicles.
- Rail Transit -Controlled Property – property that is used by Metro and may be owned, leased, or maintained by Metro.
- Recipient – an entity that receives Federal financial assistance under 49 USC Chapter 53 and includes sub- recipients.
- Record – any writing, drawing, map, recording, tape, film, photograph, or other documentary material by which information is preserved. The term “record” also includes any such documentary material stored

electronically. [670]

- RFP – Request for Proposal.
- Risk – the composite of predicted severity and likelihood of the potential effect of a hazard.
- Risk mitigation – a method or methods to eliminate or reduce the effects of hazards.
- Rolling stock – any revenue vehicle used in a public Transportation system.
- ROW – right-of-way
- Safety – the state in which the potential of harm to persons or property damage during operations related to provision of services is reduced to and maintained at an acceptable level through continuous hazard identification and safety risk management activities.
- Safety and Security Certification – the process applied to project development to ensure that all practical steps have been taken to optimize the operational safety and security of the project during engineering, design, and construction before the start of passenger operation.
- Safety Assurance – processes within Metro SMS that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that Metro meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- Safety Deficiency – a condition that is a source of hazards and/or allows the perpetuation of hazards in time.
- Safety Management Policy – Metro’s documented commitment to safety, which defines Metro’s safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- Safety Management Policy Statement – a document signed by the Accountable Executive and distributed throughout Metro that formalizes executive leadership’s commitments to support SMS with both short-term and long-range initiatives.
- Safety Management System (SMS) – the formal, top-down, Metro-wide approach to managing safety risk and assuring the effectiveness of Metro’s safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks, hazards, and management of safety risk.
- Safety Objective – a high-level, global, generic, and non-quantifiable statement regarding conceptual safety achievements to be accomplished by an organization regarding its safety performance.
- Safety Performance – an organization’s safety effectiveness and efficiency, as defined by safety performance indicators and safety performance targets, measured against the organization’s safety objectives.
- Safety Performance Indicator – a data-driven, quantifiable parameter used for monitoring and assessing safety performance.
- Safety Performance Measurement – the assessment of non-consequential safety-related events and activities that provide ongoing assurance that safety risk mitigations work as intended.
- Safety Performance Monitoring – the activities aimed at the quantification of an organization’s safety effectiveness and efficiency during service delivery operations, through a combination of safety performance indicators and safety performance targets.
- Safety Performance Monitoring and Measurement – activities a transit agency must establish to:
  1. Monitor its system for compliance with, and sufficiency of, the agency’s procedures for operations and maintenance;
  2. Monitor its operations to identify hazards not identified through the Safety Risk Management

process;

3. Monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended;
  4. Investigate safety events to identify causal factors; and
  5. Monitor information reported through any internal safety reporting programs.
- Safety Performance Target – a specific level of performance for a given performance measure over a specified timeframe related to safety management activities.
  - Safety Promotion – a combination of training and communication of safety information to support SMS as applied to Metro’s system.
  - Safety Reporting Program – a process that allows employees to report safety conditions to senior management, protections for employees who report safety conditions to senior management, and a description of employee behaviors that may result in disciplinary action.
  - Safety Review – a formal, comprehensive, on-site review by the BSSO of the transit agency’s safety practices to determine whether the agency complies with the policies and procedures required under the Safety Plan.
  - Safety Risk – the assessed likelihood and severity of the potential consequence(s) of a hazard, using as reference the worst foreseeable, but credible, outcome.
  - Safety Risk Evaluation – the formal activity whereby Metro determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
  - Safety Risk Management (SRM) – a process within Metro’s SMS/Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
  - Safety Risk Mitigation – the activities whereby a public Transportation agency controls the likelihood or severity of the potential consequences of hazards.
  - Safety Risk Probability – the likelihood that the consequence might occur, taking as reference the worst foreseeable – but credible – condition.
  - Safety Risk Severity – the anticipated effects of a consequence, should it materialize, taking as reference the worst foreseeable – but credible – condition.
  - Security - freedom from intentional danger for employees and passengers.
  - Serious injury – any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.
  - SRM – Safety Risk Management (see above).
  - SSCP – Safety and Security Certification Plan
  - SSCWG – Safety and Security Certification Working Group.
  - State – the States of Missouri and Illinois or a State agency.
  - State of Good Repair (SGR) – the condition in which a capital asset is able to operate at a full level of performance.
  - State Safety Oversight Agency (SSOA) – an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in 49 CFR part

674.

- Sub-recipient – an entity that receives Federal transit grant funds indirectly through a State or a Direct Recipient.
- System Safety – the discipline that, through the application of system safety management and engineering principals, achieves the optimal degree of safety within the constraints of operational effectiveness and solid financial management.
- Testing – an assessment of equipment, facilities, rolling stock, and operations of a recipient's public transportation system.
- Threat – any real or potential condition that can cause injury or death to passengers or employees, or damage to or loss of transit equipment, property, and/or facilities.
- Transit agency – an operator of a public transportation system that receives Federal financial assistance under 49 U.S.C. Chapter 53, including Metro.
- Transit asset management (TAM) – the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycle in order to provide safe, cost-effective, and reliable service.
- Transit Asset Management Plan (TAMP) – a plan developed for Metro pursuant to 49 CFR part 625 that includes, at minimum, capital asset inventories and condition assessments, decision support tools, and investment prioritization.
- Transit asset management policy – a transit provider's documented commitment to achieving a state of good repair for all of its capital assets. The transit asset management policy defines the transit provider's transit asset management objectives and defines and assigns roles and responsibilities for meeting those objectives.
- Transit asset management strategy – the approach a transit provider takes to affect its policy, including how it will meet objectives and state of good repair performance targets.
- Transit asset management system – a strategic and systematic process of operating, maintaining, and improving public Transportation capital assets effectively, through the life cycles of those assets.
- Transit provider – a recipient or sub recipient, including Metro, who owns, operates, or manages capital assets used in the provision of public Transportation.
- USDOT – United States Department of Transportation.
- Vehicle – any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.
- Vulnerability – a characteristic of passengers, employees, vehicles, and/or facilities that increases the likelihood of a security breach.

## 5 Objectives and Performance Targets

Metro has established Safety Objectives, performance targets and performance measures in coordination with its State Safety Oversight Agency and in compliance with the National Public Transportation Safety Plan. These are delineated in Part III: Safety Assurance.

## 6 Scope

It is the mission of Metro's management to provide bus, paratransit, and light rail services to the St. Louis

Region. This Safety Plan is intended to cover all current and future Metro bus, paratransit and rail operations, services, and projects. In order to implement Metro's safety policies, goals, and objectives, this Safety Plan:

- Addresses all Metro departments and contractors;
- Applies to all activities which involve planning, design, construction, procurement, installation, and testing of equipment or facilities, operations, maintenance, support activities, and the environment in which the transit system operates, including areas of public access and adjacent property;
- Charges each officer, director, manager, supervisor, and employee with the responsibility for Safety Plan implementation and success;
- Requires coordination, integration, communication, and cooperation among all officers, directors, managers, supervisors, departments, and employees;
- Encompasses all rail, paratransit and bus facilities, equipment, vehicles, and employee activities and applies to all who come in contact with the rail and bus systems;
- Establish appropriate safety performance measures to ensure continuous safety improvement;
- Accommodates federal and state safety assessments, inspections, investigations, audits, examinations and testing; and
- Fosters a positive safety culture at Metro.

## 7 Purpose

Metro has adopted the practices and methods of SMS as described in the National Transportation Safety Plan (NSP). The purpose of this Safety Plan is to systematically implement Metro's SMS program and introduce safety processes where they are necessary to achieve assurance. The Safety Plan is reviewed annually to ensure all systems, equipment, facilities, plans, procedures, manuals, and training programs are in compliance with established safety requirements; and that the Safety Plan reflects the current SMS configuration at Metro. Specifically, the Safety Plan:

- Establishes the safety program on a company-wide basis;
- Provides a framework for implementing Metro's safety management system, policy, goals and objectives;
- Identifies the relationships and responsibilities of each Metro department relative to achieving safety goals and objectives;
- Identifies the relationships and responsibilities of Metro with municipal, and state governing bodies and other organizations and agencies that impact transit system safety;
- Provides a mechanism whereby Metro can demonstrate its commitment to safety, foster a positive safety culture and meet safety performance goals;
- Provides requirements that, as appropriate, contractors and suppliers meet Metro's safety requirements prior to commencing work and/or while on the premises;
- Satisfies federal, state, and local requirements;
- Ensures that the system meets or exceeds accepted industry safety standards;
- Facilitates FTA and SSOA safety inspections, reporting, corrective actions and general and special directives and requirements; and
- Implements NSP performance criteria, state of good repair, vehicle safety standards, meet training criteria and all other safety management requirements and goals.

## 8 Employee Safety Reporting Program

Metro has an efficient and robust Employee Safety Reporting program. Employees (including contractors) and customers are encouraged to report safety conditions to the Safety Department that is a hazardous condition or may cause a hazardous condition. All employees are protected from retaliation from their peers and/or supervisors due to reporting safety conditions.

Examples of items that can be reported include:

- Hazards/potential hazards
- Safety issues and concerns
- Accidents/incidents
- Possible solutions and safety improvements
- Close calls/near misses

When is Safety Reporting Protected?

- Reporting safety hazards or potential hazards.
- Making suggestions for safety improvements.
- Reporting other employees' unsafe behavior.
- Fatigue that presents an unacceptable hazardous condition.
- Self-report of a close call or near miss.

When is Safety Reporting Not Protected?

- Willful safety violations.
- Reckless and neglectful acts.
- Actions resulting in an accident/incident.
- Criminal activities.
- Alcohol or drug use.
- Making a false report.
- Being observed violating Metro's safety rules by supervisor.

There are a variety of methods to report safety issues. One method is to use the Safety Hotline at 314-982-1638. A report can also be made using the email address: [Safety@metrostlouis.org](mailto:Safety@metrostlouis.org). Employees can also notify a Safety Representative in person. All employees can have the option of remaining anonymous or can request an update once resolved. An alternate method is to utilize the SMS training cards provided to all employees. The card summarizes employee reporting options and provides a QR code for employee hazard reporting via smartphone.

Reported safety items are currently recorded and tracked in Excel spreadsheets, the Agency plans to transition to a custom built record management system (using ESRI ArcGIS) by Fall 2022.

The Safety Department will investigate each item reported. If the person who originally filed the issue leaves their contact information and requests a contact back, the Safety Department will report the findings to the person. The safety concerns reported will then be made available for all employees to see and the results of the investigations in the Safety Promotion process described in Part 4.

Also, all employees will be required to receive SMS awareness training. This training has been developed by the Safety Department and is available electronically here:

<https://elearning.easygenerator.com/154e344e-2e4d-47d2-b94d-0d79d00d5992>



# Part I Safety Management Policy

## Chapter 2 – Safety Accountability and Responsibility

### 1 Management Structure

Metro has established the necessary authorities, accountabilities, and responsibilities for the management of safety amongst the following individuals in Metro, as they relate to the development and management of Metro SMS:

Accountable Executive: Metro has identified the President & CEO as the Accountable Executive. The President & CEO is accountable for ensuring that the agency's SMS is effectively implemented throughout Metro's system; and ensuring action is taken, as necessary, to address substandard performance in Metro's SMS. The President & CEO may delegate specific responsibilities, but the ultimate accountability for Metro's safety performance cannot be delegated and always rests with the President & CEO.

Chief Safety Officer (CSO): The Accountable Executive has designated the GM Safety as the Chief Safety Officer (CSO). This position serves as the SMS Executive with authority and responsibility for day-to-day implementation and operation of Metro's SMS. The CSO holds a direct line of reporting to the President & CEO. The President & CEO, or other designee assigned by the President & CEO will serve as the CSO when the position is vacant or unavailable.

Metro leadership and executive management: Metro has also identified other members of its leadership and executive management who have authorities or responsibilities for day-to-day implementation and operation of Metro's SMS.

### 2 System Overview and History

**MetroLink:** The MetroLink Rail Fixed Guideway System (MLRFGS) is owned and operated by Metro, a Bi-State Development (BSD) enterprise. Metro was created in 1949 through a compact between Missouri and Illinois and ratified by the United States Congress. Metro's broad powers enable it to cross local, county, and state boundaries to plan, construct, maintain, own, and operate specific facilities in its efforts to enhance the quality of life in the region. Its service area encompasses 200 municipalities. The mission of the Bi-State Development Agency (now doing business as Bi-State Development (Metro)), as articulated by its governing board, is to promote "regional economic development."

**MetroBus:** MetroBus is the St. Louis metropolitan region's bus system that operates a fleet of 400 clean-burning diesel buses on 59 bus routes in Missouri and Illinois, encompassing a service area of nearly 540 square miles.

**Call-A-Ride:** Metro Call-A-Ride is the St. Louis metropolitan region's paratransit system that operates a fleet of more than 120 modern, wheelchair-lift equipped vans. This shared-ride service is available with advance reservations to the general public and to persons whose disabilities inhibit them from using accessible, fixed-route MetroLink and MetroBus service.

### 3 Metro Operations

#### 3.1 General Administration

Metro is governed by a 10-member Board of Commissioners; five each from the States of Missouri and Illinois. Missouri Commissioners are appointed by the Missouri Governor, based on recommendations from



the St. Louis County Executive and the Mayor of the City of St. Louis. The County Board Chairs of St. Clair and Madison County directly appoint Illinois Commissioners. The Commissioners are required to be resident voters of the respective states and must reside within the Bi-State Metropolitan Region. Commissioners serve without compensation. Operating five enterprises, Bi-State Development is a dynamic and multi-faceted resource for economic development in the St. Louis region. Metro, the region's public transportation system, operated by BSD, includes approximately 83 vehicles, 46-mile MetroLink light rail system; approximately 400 MetroBus vehicle fleet that operates on 59 MetroBus routes in Missouri and Illinois; and Metro Call-A-Ride, a paratransit fleet of approximately 120 vans. BSD owns and operates St. Louis Downtown Airport and its surrounding industrial business park. In addition, it operates the Gateway Arch Riverboats, Gateway Arch Revenue Collections Center and Gateway Arch trams. BSD also operates the Regional Freight District.

### 3.1.1 Lambert Airport to 5th & Missouri Alignment (Phase I)

The initial MetroLink (ML) route is a conventional light rail line extending 16.9 miles east from Lambert International Airport (Lambert Terminal One Station and Terminal Two) to the 5th and Missouri Station in East St. Louis, Illinois. All of the ML alignment is on semi-exclusive right-of-way. Phase I consists of approximately three quarters of a mile of elevated structure at Lambert Airport, a tunnel below a portion of University of Missouri-St. Louis campus, a tunnel below the Washington University School of Medicine/ Barnes Jewish Hospital / Children's Hospital medical buildings complex, a former baggage cart tunnel under Union Station, the historic Washington/8th Street Tunnel under downtown St. Louis and the lower deck of the Eads Bridge. In addition, nine miles of the Phase I alignment is on continuous former railroad right-of-way. With the exception of a one-third of a mile single-track section just east of the Lambert Terminal One Station, the existing ML route is double tracked. The alignment contains several bridges spanning highways, railroads, and the Mississippi River. This alignment connects a number of major activity centers beginning with Lambert International Airport and including the University of Missouri-St. Louis (UMSL), Forest Park, the Central West End, St. Louis University, Union Station, Busch Stadium, Civic Center, the Convention Center and the Edwards Jones Dome, Laclede's Landing, the Arch, and the Casino Queen. Of the 20 stations, eleven (11) are at-grade, three (3) are below grade, two (2) are subsurface, and four (4) are on elevated structures. All stations have 200-foot long high-level (car floor height) platforms to accommodate a two-car consist. Phase I is typically supported by ballasted track, consisting of 132-lb. rail installed on wood ties. Highway grade crossing surface improvements along the Phase 1 Alignment include replacing 132 lb. rail with new head hardened 115 lb. rail and panelized concrete surface installed on concrete crossties. There are 115 lb. to 132 lb. rail transitions installed at the merge with Phase I at the DeBaliviere Junction. Phase 1 Stations are:

- Lambert Airport, Terminal One (elevated)
- Lambert Airport, Terminal Two (elevated)
- North Hanley (Park & Ride & with parking garage)
- UMSL North
- UMSL South (Park & Ride)
- Rock Road (Park & Ride)
- Wellston (Park & Ride)
- Delmar (Park & Ride)
- Forest Park-DeBaliviere (Junction; Park & Ride; below grade)
- Central West End (Bus Transfer Center)
- Cortex
- Grand (Park & Ride & Transit Plaza)
- Union Station (below grade)

- Civic Center (Bus Transfer Center)
- Stadium (below grade)
- 8th & Pine (subsurface - tunnel)
- Convention Center (subsurface - tunnel)
- Arch/Laclede's Landing (elevated)
- East Riverfront (elevated)
- 5th & Missouri (Park & Ride)

### 3.1.2 Crossover arrangements on the Phase I alignment:

- 5th/Missouri Interlocking - Universal crossover with turn back signal
- East Riverfront Interlocking – Scissors with a diamond configuration
- Laclede's Landing Interlocking - Double crossovers (scissors with a diamond configuration)
- Tucker Interlocking– Universal crossover with one (1) turn back signal near Stadium Station
- Ewing Yard Interlocking - Universal crossover with two (2) single crossovers and one (1) turnout into the yard
- Central West End Interlocking - Universal crossover
- Forest Park Pocket Interlocking - Double ended pocket track
- DeBaliviere Junction Interlocking – Turnout to Cross County alignment on track # 1 and on track #2; a diamond on track # 2; and a single crossover on the Cross County alignment (Parkway)
- Waterman Interlocking - Single crossover
- Page Interlocking - Universal crossover
- UMSL South Interlocking – Universal Crossover
- North Hanley Interlocking - Double crossovers (scissors with a diamond configuration)
- Airport Interlocking - A switch is located at each end of the single-track section between the Airport stations

### 3.1.3 Active Warning systems for Highway Grade Crossings (Phase I)

Manual on Uniform Traffic Control Devices (MUTCD) compliant active warning system for highway grade crossings, which include conventional railroad-type warning bells, cantilevered flashing lights, and cantilevered-gates, provide motorist and pedestrian warning at each grade crossing. In addition, lunar white lights facing the track on each side of the crossing flash when gates are descending. These lights turn solid when gates are horizontal to alert the operator that protection is in place. There are 12 road grade crossings on the Phase I alignment:

- Broadway (E. St Louis)
- 4th Street (E. St Louis)
- Main (E. St Louis)
- Ewing
- Sarah
- Newstead

- Boyle
- Taylor
- Bartmer
- Etzel
- Plymouth
- North Market

#### 3.1.4 St. Clair County Extension (Phase II)

The St. Clair Extension is a 20.9-mile addition to ML, heading southeast and east from the former 5th and Missouri terminus to Shiloh-Scott Station, and serving much of St. Clair County, Illinois. Phase II links Phase I with various activity centers and includes nine stations. Phase II is also on exclusive right-of-way and is also double tracked. Approximately 14 miles is on former CSX System railroad alignment. Phase II has no tunnels but there are numerous bridge structures over major highways, railroads, and creeks. Phase II is supported by ballasted track, consisting of 115 lb. rail installed with resilient fasteners on concrete ties with the exception of Special Track work (Crossovers & Turnouts). Phase II Stations are:

- Emerson Park (Park & Ride)
- Jackie Joyner-Kersee
- Washington Park (Park & Ride)
- Fairview Heights (Park & Ride)
- Memorial Hospital (below grade; Park & Ride)
- Swansea (Park & Ride)
- Belleville (Park & Ride)
- College (Park & Ride)
- Shiloh-Scott (Park & Ride)

#### 3.1.5 Crossover arrangements on the Phase II alignment:

- Emerson Park Interlocking – Double ended pocket track
- Hall Interlocking – Three single crossovers, one of which goes into the 29th Street Yard; additionally, there are two turnouts into the 29th Street Yard.
- Fairview Interlocking - Double ended pocket track
- Royal Interlocking - Universal crossover
- Belleville Interlocking - Universal crossover
- College Interlocking - Universal crossover with turn back signal
- Scott Interlocking – Double crossover (scissors with diamond configuration) and tail track

#### 3.1.6 Active Warning systems for Highway Grade Crossings (Phase II)

- Missouri Avenue
- St. Louis Avenue
- Martin Luther King
- 9th Street

- 15th Street
- 18th Street
- 37th Street
- St. Clair Avenue
- Kingshighway
- Lebanon Road
- Old Caseyville Road
- Shiloh Station Road

### 3.1.7 Cross County Extension (Phase III)

The Cross County Extension (Phase III) is a 7.6-mile branch to ML, first heading west from the Forest Park-DeBaliviere Station through Clayton and then south to Shrewsbury, serving a portion of southwest St. Louis City and County. It links Phase I and Phase II in Missouri and Illinois with various activity centers including Washington University, the St Louis County seat in Clayton, the Galleria Mall, and the Sunnen Industrial Park. Phase III is also on exclusive right-of-way, of which 4 miles is on former railroad alignment. Stations in Phase III are similar to those on Phases I & II and include elevated, at grade and subsurface configurations. There are four tunnels in Phase III. The DeBaliviere Tunnel begins just west of the Forest Park DeBaliviere Station junction and the track rises to the surface 483 feet later on the south side of Forest Park Parkway. The Skinker Tunnel begins just east of Skinker Station and the track rises to the surface 1000 feet later on the north side of Forest Park Parkway. The Big Bend Tunnel starts east of the University City-Big Bend Station and travels 5,500 feet to the Forsyth station. The alignment rises out of the tunnel to the surface west of Forsyth Station.

The Skinker Tunnel and the Big Bend Tunnel are both equipped with ventilation systems. The Eager Road Tunnel, located just north of the Brentwood/U.S. I-64 Station, runs 450 feet underneath U. S. I-64, Eager Road, and 2 other ramps. There is one MUTCD compliant street grade crossing (Sunnen) that employs an active warning system equipped with conventional railroad-type warning bells, flashing lights, and cantilevered gates. Phase III is also supported by ballasted track consistent with the methods used on Phase II. Direct fixation is used at the station platform areas and in the Phase III tunnels for support and fastening of 115 lb. rail. Some of the special interlocking is on wood ties. There are 115 lb. to 132 lb. rail transitions installed at the merge with Phase I at the DeBaliviere Junction. Excluding the Forest Park- DeBaliviere Junction station, there are nine (9) stations on the Phase III alignment:

- Skinker-University City (subsurface – tunnel with mezzanine level)
- University City-Big Bend (subsurface – tunnel with mezzanine level)
- Forsyth (below grade)
- Clayton –Central (Shaw Park Garage)
- Richmond Heights (Park & Ride)
- Brentwood I-64 (Park & Ride; Meridian Garage; below grade)
- Maplewood-Manchester (Elevated; Bus Loop)
- Sunnen (Park & Ride)
- Shrewsbury Lansdowne I-44 (Elevated; Park & Ride)

### 3.1.8 Crossover Arrangements on Phase III

- Big Bend Interlocking– Universal crossover (in tunnel)
- Enterprise Interlocking - Universal crossover

- Clayton Road Crossover – Single crossover (hand throw)
- Brentwood Interlocking - Universal crossover (on bridge)
- Shrewsbury Interlocking - Double crossover (scissors with a diamond configuration) and tail track

### 3.1.9 Stations

Fare collection at the stations is accomplished via a self-service proof-of-payment system. Security at the stations is provided through roving contract security and law enforcement task force details, Transit Security Specialists (TSS), Transit Service Managers (TSM), and Fare Inspectors. An elevator, escalator, or an ADA18 compliant ramp services all of the elevated and subsurface stations. An ADA compliant public address system including speakers and message boards convey visual and audible information to passengers. In addition, conditions at station platforms are monitored by closed circuit television (CCTV) and passenger assistance telephones (PAT) are available on most platforms and at Ticket Vending Machines (TVM). Most parking lots and garages also have CCTV (some have pan, tilt and zoom functions), and blue light emergency telephones. The Public Safety Dispatch Center, located at Ewing Yard, monitors the CCTV system and PATs on a 24-hour basis. Additional details can be found in the separate System Security Plan (SSP).

### 3.1.10 Tunnels

The MLRFGS has a total of eight (8) tunnels on Phases I & III. Phase II has one (1) pedestrian tunnel below the alignment. Most of the longer tunnels have either wet or dry standpipe systems and are designed to comply with NFPA20 130. All tunnels are equipped with closed circuit television cameras (CCTV) monitored by Public Safety Dispatch. Jet fan ventilation systems are included in the Skinker & Big Bend Tunnels on Phase III. All tunnels are equipped with blue light emergency telephones.

### 3.1.11 Bridges

There is a total of fifty-six (56) rail bridges along the MLRFGS ROW. Most of these bridges span highways; however, several span creeks or ditches and seven (7) are over freight rail tracks. The Eads Bridge employs closed circuit television cameras (CCTV) monitored by Public Safety Dispatch. No Clearance Zone Signage has been posted on all Phases to delineate areas of limited horizontal clearance. There are non-slip walkways at the centers of most bridges to provide safety for maintenance employees and patrons (in the event of an evacuation).

### 3.1.12 Pedestrian Overpasses

There are several pedestrian bridges (overpasses) on Phase I, II, and III:

- Des Peres Pedestrian Bridge (CC0.5, Metro-owned)
- Ackert Walkway from Washington University to the north side of Forest Park Parkway (CC1.2, owned by others)
- Ritz Carlton Pedestrian Overpass (CC2.6, owned by others)
- Clayton-Central Station Pedestrian Walkway – connects the Clayton-Central Station center platform to the Shaw Park Parking Garage to the north (CC3.1, Metro-owned)
- Pedestrian Overpass over Black Creek (CC5.8, Metro-owned)
- DeBaliviere Pedestrian Walkway Bridges (west and east sides of DeBaliviere Highway Bridge, MP 8.7, Metro- owned)
- Forest Park Pedestrian Walkway – existed prior to Phase I (MP 9.9, owned by others)

The Ritz-Carlton pedestrian overpass was constructed by Metro during Phase III but is owned and maintained by others. Each pedestrian walkway is protected by a fence or railing, and where applicable,

posted warning signs to prevent contact with the Overhead Catenary System (OCS).

### 3.1.13 Light Rail Vehicles

The initial fleet of ML cars consists of 31 Siemens-built, Model SD 400 Light Rail Vehicles (LRVs). These 1000 series vehicles are bi-directional, and an operator's cab is provided at each end of the car. The cabs are identical except for some switches and electronic equipment installed only at one end. The LRV has a single articulation joint and is approximately 89 feet long. Each LRV has four double-width doors per side for high platform loading, as well as a low-level, single-width door at each end, at the right front position. The low-level door allows track-level access and/or emergency egress. The LRVs operate on nominal 860-volt DC electrification, with speeds capped at 55 miles per hour. The LRVs are equipped with 72 seats, and are capable of accommodating 106 standees (178 passengers in total) at a normal (AW2) loading (this provides for three square feet per standing passenger), and up to 212 standees (288 total passengers) at crush (AW3) loading. Metro added 10 2000 series AC powered LRVs in 1999 for the initial alignment. There are 24, 3000 series AC powered LRVs added to the fleet during the construction of Phase II. These vehicles are functionally identical to the existing fleet. Finally, 22 4000 series AC powered LRVs were added to the fleet for the Cross County Extension bringing the total fleet size to approximately 83. These are also functionally the same as the existing fleet.

### 3.1.14 Light Rail Vehicle Design

Metro light rail vehicles are designed to "fail" in the safest manner possible so failure of any safety critical component will automatically stop the train or cause it to run at a safer, restrictive speed. The Automatic Train Protection (ATP) subsystem of the Automatic Train Control System (ATCS) assures safe separation of trains. The LRV operator performs daily pre-trip departure tests to ensure proper operation of safety-critical subsystems. The safety and security features of the LRV include:

- Fire extinguishers in every LRV cab;
- Dead man's pedal and hand held button;
- Passenger Intercom System;
- Emergency battery power provides communications, emergency car lighting, running lights and head and taillights if traction power is lost;
- Safety sensitive edges on all high level doors;
- The door interlock system prevents the train from moving while the doors are open;
- Internal manual door releases that are, in turn, linked to the LRV door interlock system (in an emergency the doors can be opened for passenger evacuation);
- Fire and smoke resistant materials;
- Each car is equipped with head lights, tail lights, brake lights, and railroad lamps;
- Cab signal input/output data monitoring system;
- Emergency braking capabilities exist to provide emergency stopping;
- Accidental decoupling protection;
- Pantograph lowering devices;
- A Public Address (PA) system for communication by the operator to passengers as well as to persons external to the train;
- All LRVs are equipped with cameras that record to a 6000 Pro Digital Video Recorder; and
- ML trains are operated manually with cab speeds of 0 (stop), 5, 15, 25, 35, 45, and 55 miles per hour as well as a yard mode. (Operation on sight, not to exceed maximum restricted speed of 15

MPH)

### 3.1.15 Train Control

There is a total of 24 interlockings with power-operated switches whereby Controllers can route trains to the other track and request a signal to reverse their direction. Both main tracks are cab signaled in both directions with proper traffic established. The signal system on all line segments of the MetroLink consists of an Automatic Train Protection (ATP) Signal System. The signaling system utilizes wayside signals located at interlocking and incab signals. Mainline block track circuits are double rail Audio Frequency (AF). Separation between mainline block track circuits is maintained by impedance bonds. Interlocking track circuits are a combination of double rail Audio Frequency (AF) track circuits and single rail power frequency (PF) track circuits operating at 60HZ or 100HZ. Separation between interlocking track circuits is maintained by insulated joints. All signal locations are controlled via vital microprocessors. Wayside signals provide authority through interlocking limits and the first track circuit beyond the interlocking. Cab signals provide authority through signal blocks and all speed commands. Cab signals operate at 2340 Hz and are modulated by various frequencies for the speed commands. Cab signals are directly injected at impedance bonds, or via cab signaling loops, depending upon the specific situation. There are 3 basic types of signal locations:

- Interlockings (Signal House): Locations including power switches and wayside signals.
- Audio House (Relay House): Location required when distance to adjacent interlocking is too far for AF track circuits to operate.
- Highway Grade Crossing (Crossing Case): Signal case located at highway grade crossing for controlling flashing light and gates.

The design of the signaling system complies with all relevant requirements of the American Railway Engineering and Maintenance-of-Way Association (AREMA). This design ensures no single, independent component failure results in an unsafe condition. Color-light wayside signals at interlockings and eight (8) aspect cab signals are used. The critical safety features of the signal and train control system are described below: The Automatic Train Protection System is a vital fail-safe system that ensures safe train operation. It consists of car borne and wayside equipment and performs the following functions:

- Prevents rear-end collision;
- Prevents head-on collisions caused by allowing or admitting trains onto conflicting, converging, or opposing routes;
- Prevents derailments caused by switch movement directly ahead of or beneath a train;
- Enforces maximum authorized, civil and temporary speed restrictions;
- Provides broken rail protection;
- Provides insulated joint breakdown protection;
- Provides route integrity and security for approaching and traversing established route trains; and
- Provides traffic integrity between interlockings.

Aspect	Indication
Green	Straight Route at permitted speed
Green Over Lunar	Straight Route – Restricted speed
Yellow	Diverging Route into Normal Direction of

	Travel at permitted speed
Yellow Diverging	Route into Normal Direction of
Yellow Over Lunar	Diverging Route – Restricted speed
Red	Red Stop
Flashing Yellow	Diverging Route Against Normal Direction of Travel at permitted speed
Lunar	Restricted speed

#### 3.1.16 Wayside Signal Aspects used on MLRFGS

##### Highway Grade Crossing Safety Features

A flashing lunar indicator at grade crossings inform the operator the flashing lights are activated, but the crossing gates are not in a horizontal position.

A solid lunar indicator at grade crossings inform the operator the crossing gates are in a horizontal position and other crossing equipment is functioning properly.

Where grade crossings are at the end of a platform, dwell times and speed reduction are used to ensure sufficient time exists for the crossing gates to come down.

#### 3.1.17 Operations Control Center (OCC)

The OCC is located at the Ewing Yard. Its function is to direct, control, and monitor operations using radio, telephone, CCTV, and public address communications. Light Rail Controllers, assigned to OCC 24 hours each day, are responsible for all movement of trains and equipment on the mainline. The Controllers, through the Supervisory Control and Data Acquisition (SCADA) system can view and activate critical safety and security features including the following:

- Fire protection equipment and deluge systems;
- Security systems;
- Train movements;
- Power removal and restoration at substations and on the catenary system; and
- Tunnel ventilation systems.

The Controller can implement required corrective actions necessary to maintain regular service or special event schedules as well as those necessary to minimize the adverse impacts of equipment failures or emergency situations. The Controllers monitor and control operations through proper use of the following system equipment:

- SCADA System: Each Controller monitors SCADA displays to ensure the status of and allow for train control, traction power systems, fire and intrusion, and other essential communication systems;
- CCTV: Each Controller has access to CCTV cameras to help monitor and coordinate activities on the MetroLink system. CCTV cameras are located on each station platform and at select parking lots, ticket machines, and other locations throughout the system; and
- Metro Bus Communications and Public Safety Dispatch are also located in OCC

#### 3.1.18 Communications



- Public Address
- Radios
- Telephones in communication rooms, signal bungalows and substations
- Fiber Optics system
- CCTV
- SCADA
- Passenger Assist Telephones (PATs)
- Emergency Telephones (ETs)
- Intrusion and fire detection systems
- Tunnel Ventilation Control System (TVCS)

Employees and patrons are able to communicate with security personnel at the OCC from any station through the use of PATs. Security also monitors station activity using CCTVs. Telephones and the station's public address system are used to communicate verbal instructions to passengers. Safety and security features of the Communications System include:

- Vandal-resistant PATs located on the platform, and at multiple TVM sites;
- Emergency telephones (blue light) are located in the tunnels (at the ends and at each emergency egress location) and on many parking lots;
- A Public Address System at stations and on the LRVs;
- CCTVs are located throughout the system as follows:
  - At all stations; primarily focused upon the PAT and platform edge
  - In parking lots and parking garages
- ENCRYPTIC Digital Recording Device Cameras on LRVs;
- Intrusion detection at traction power substations and signal/communication rooms;
- Smoke detectors and/or fire/smoke alarms in maintenance facilities, MetroLink station comm rooms, signal/interlocking houses, traction power substations, and underground stations;
- Fixed and portable radios for operations, maintenance, security, yard and management personnel;
- Emergency stop buttons and failure alarms on escalators;
- Emergency phones in elevators; and
- Information boards.

### 3.1.19 Radio System

MetroLink Operations staff including Operators, MOW/ROW, Safety and Security have access to the first five (5) channels listed below. Channels beyond five (5) are division/departments specific. Currently, mobile and portable radios provide two-way voice communication via 5 preset channels as follows:

Channel Designation:

- (1) MetroLink Operations East (Union Station to Shiloh-Scott)
- (2) MetroLink Operations West (Union Station to Lambert Airport Main including Cross County Extension)

- (3) Operations Emergency
- (4) Ewing Yard
- (5) 29th Street Yard

MetroLink Subscriber radios (portable and mobile) are connected to OCC and each other through a region wide communications network. The network is divided into five cells and the associated tunnel subsystems.

### 3.1.20 Ewing Yard and Shops

This location is a 12-acre facility adjacent to the mainline at 700 South Ewing Avenue in the city of St. Louis. It can functionally accommodate 50 LRVs. The main shop building is 71,000 square feet and contains the facilities and equipment required to maintain ML passenger vehicles, fixed facilities and equipment. Its construction is pre-cast concrete exterior wall panels and steel columns and joists. The second floor office space is framed by metal studs and drywall and a single-ply membrane roofing over rigid insulation covers the entire structure. The Ewing Facility is 100% covered by sprinklers with a wet pipe system. The system is equipped with a sprinkler system flow alarm and valve switches integrated with a fire panel which is connected to alarms, smoke detectors, pull boxes and sprinkler tamper alarm. The fire panels are located in a 24-hour attended location. The Shop area includes the following LRV service, inspection, and repair facilities:

- A car wash facility for exterior vehicle cleaning;
- A platform for interior vehicle cleaning;
- A blow down facility for traction motor and undercarriage cleaning;
- A running repair track for scheduled car servicing inspection, minor repairs, and changing-out minor components;
- A heavy repair area for vehicle overhauls, major repairs and modifications, exchange of trucks, and vehicle wheel truing;
- A truck shop for repair and overhaul of trucks and change-out of truck components;
- A wheel and axle shop for dismounting and pressing wheel and bearings;
- A pantograph shop for testing and repairs;
- A brake shop for testing and repair;
- A coupler shop for testing and repair;
- A heating, ventilation, and cooling (HVAC) shop for testing and repair; and
- Component repair shops support maintenance services for all elements of the ML system and include:
  - Welding shop
  - Electrical room
  - Mechanical room
  - Machine shop
  - Electronics shop
  - Wheel truing equipment

The Ewing Yard and Shops also houses the Operational Control Center (OCC), Bus Communications and Public Safety Dispatch (mezzanine level) where personnel monitor, direct, and control ML operations. The Rail Dispatcher, who controls movement in the Ewing Yard, is located on the 1st floor of the facility inside the front entrance.

### 3.1.21 29<sup>th</sup> Street Yard and Shops

This is located at 2901 St. Clair Avenue, East St. Louis, IL, just east of the Jackie Joyner-Kersey Center Station, on the mainline. This facility accommodates 48 LRVs.

The 29<sup>th</sup> Street facility is approximately 51,800 square feet, located on a 15-acre site, with two through tracks and two, one-LRV-long stub tracks. One through track includes a car wash and an interior cleaning location. The other through track, with four car spots, is for running repairs. The two stub tracks that enter the shop from the west are equipped with a bridge crane and truck turntables to perform heavy maintenance. It is primarily a single story facility, but there is some limited parts storage on a mezzanine. An LRV paint facility with two stub tracks is located on the southeast side of the main building. One track is configured for painting preparations (e.g. body work), and the other is a paint booth. The Rail Dispatcher, who controls movement in the 29<sup>th</sup> Street Yard, is located on the 1st floor of the facility inside the front entrance.

The 29<sup>th</sup> Street Yard is equipped with the same component repair capabilities as the Ewing Yard with the exception of the wheel truing equipment. There is also a limited amount of office space on the first floor. The 29<sup>th</sup> Street facility is constructed in a similar fashion to Ewing and the fire protection system is identical.

### 3.1.22 Electrification & Power Distribution System

The LRV is propelled by electricity furnished by a power conversion and distribution system. There are thirty-one (31) substations located near the passenger stations along the ROW and there is one at each yard and shops facility. These provide power to the distribution system. The distribution system is composed primarily of a contact wire above each track, together with associated feeder cables, support poles, and components.

### 3.1.23 Substations

Substation electrical supply equipment receives high voltage three-phase Alternating Current (AC) power from Ameren Missouri at both 34.5 Kilo Volt (KV) and 13.8 KV, depending upon the location of the substation, and from Ameren Illinois at 12.47 KV. The substations convert the AC power to 860 Volt Direct Current (VDC) nominal line voltages. Manual controls at the substations allow local power to be removed and restored.

Substations are equipped with smoke/fire detectors and intrusion detectors, and with equipment status monitors. Some of the conditions monitored include:

- Traction power disconnects
- Transformer over-temperature (stages 1 & 2)
- Rectifier diode over-temperature (stages 1 & 2)
- DC current breaker tripped (east or west)

All detected alarms and controls at the substations are transmitted to OCC via SCADA.

### 3.1.24 Power Distribution System

The electrical power distribution system is constructed using either direct suspension (suspended from cross span wire) or messenger/catenary wire suspension (suspended from horizontal arms extended out from a support pole) or by overhead conductor rail (Eads Bridge). In tunnels, the messenger and contact wires are mounted to the roof. The messenger/catenary system includes both fixed and auto-tensioned sections.

Safety and security features of the electrification system include:

- Only trained and qualified employees are allowed to access substations;
- Doors to substations are locked and vandal-resistant;
- Fire and intrusion detection are provided;

- OCC can selectively remove and restore traction power to the OCS and the substations;
- Mechanical disconnect switches are mounted on OCS poles in Phase I and mounted at grade in vandal-proof boxes on Phase II and Phase III and on some newer Phase I installations;
- OCS disconnect switches have locking mechanisms to guard against unauthorized operation;
- All OCS support structures are grounded and double insulated;
- All draw-out switchgear are mechanically interlocked with breakers; and
- Critical safety functions are monitored from the OCC.

### 3.1.25 State of Good Repair (SGR) & Transit Asset Management

One of the significant requirements of MAP-21 is that each transit agency develop a Transit Asset Management Plan (TAM). Metro began developing this plan in 2012 and has finalized its detailed listing of critical assets. The initial phase of this project resulted in completed asset listings for the Ewing Yard & 29th Street, Signals, Stations, and Traction Power Substations. Moving Ahead for Progress in the 21st Century Act (MAP-21) supports the Department of Transportation's (DOT) aggressive safety agenda. One of the significant requirements of MAP-21 is that each transit agency develop a Transit Asset Management Plan (TAM). The elements of the TAM include:

- Current asset inventory
- Asset condition assessment
- Performance measures
- Investment prioritization
- Tracking system that factors Safety

The FTA developed the National Safety Plan, which sets national priorities through performance based requirements; articulates goals for improved safety risk analysis and performance management in future national safety plans; defines process for collecting improved, standardized industry safety data; establishes clear and consistent definitions/metrics for tracking performance allowing for performance comparisons across agencies and enabling FTA to formulate national trend data and set priorities. Metro initiated development of its TAM in 2012 and its contractor, Code Red Business Systems (CRBS) completed the current asset inventory listings for the following asset groups:

- Bus & Rail Maintenance Facilities
- MetroLink Stations
- Transfer Centers
- Yard & Shops
- Vehicles
- Signal & Train Control Systems
- Communications Systems
- Track
- Overhead Catenary System
- Traction Power Substations

The Metro Asset Management Improvement Committee (AMIC) was commissioned in 2014 and is developing the necessary policies and procedures that will further the asset management culture. Metro's Asset Management System, Enterprise Asset Management (EAM) is currently utilized to track Metro assets

through the unit lifecycle. Assets are assessed based on age, condition, and performance and once the FTA releases guidance on safety requirements the database shall be utilized to query safety critical data to support better decision making and trend analysis. CRBS, being cognizant of forthcoming regulations has included place holder registers for inventory forms.

The plan divides the assets into four major classes - Vehicles, Facilities/Stations, Guideway, and Systems. A top level view of those classes is shown in the below table.

The nexus between SMS and TAM is not prescriptive in the MAP-21 rulemakings. Metro is exploring how to functionally integrate these management systems, starting with identification of the assets most critical to transit system safety, and then identifying how Metro can better manage these assets to maximize the benefits of SMS and TAM.

### 3.1.26 Metro Asset Classes

Vehicles	Facilities/Stations	Guideway	Systems
<ul style="list-style-type: none"> <li>• Rail vehicles and fixed guideway non-revenue vehicles</li> <li>• Busses, Paratransit and non-revenue vehicles</li> </ul>	<ul style="list-style-type: none"> <li>• Rail Maintenance Facilities</li> <li>• Bus maintenance Facilities</li> <li>• Service Facilities</li> <li>• Stations</li> </ul>	<ul style="list-style-type: none"> <li>• Track</li> <li>• Bridges and Aerial Structures</li> <li>• Tunnels, U Sections and Cross Passages</li> <li>• Ancillary</li> </ul>	<ul style="list-style-type: none"> <li>• Security</li> <li>• Traction Electrification</li> <li>• Signals</li> <li>• Communications, monitoring, SCADA</li> <li>• Revenue Collection.</li> </ul>

## 3.2 Bus and Paratransit Operations

### 3.2.1 Bus Fleet

The current fleet makeup for buses is approximately 400 Cummins powered diesel vehicles. The vast majority of the fleet is manufactured by Gillig Cooperation, others are manufactured by New Flyer. The active bus fleet is a mixture of 35, 40, and 60 foot vehicles with manufacture dates from 2000 to 2018. The average age of bus fleet at this time is 6.35 years.

### 3.2.2 Paratransit Fleet

The paratransit fleet is comprised of 1 Chevrolet C4500 built in 2008, 19 Chevrolet C4500s built in 2009, 49 Chevrolet C5500s built in 2010 and 37 Freightliner M2 built in 2015, and 17 Freightliner M2 built in 2016. All Chevrolet vans are powered by 6.6 Dura Max diesel engines and the Freightliner vans are powered by Cummins Interact System B (ISB). The average age of the van fleet is 5.84 years.

### 3.2.3 Fleet Specs, and Seating Capacity

Length	Width	Height	Seating
Bus			
40'	102"	114.5"	40/39
35'	102"	114.5"	32/20
60.7'	102"	110.4"	54/30
Van			
24'	96"	124"	14

25'	96"	125"	14
LRV			
89.6"	104.5"	150"	72

### 3.2.4 Bus Facilities

MetroBus currently has five (5) facilities. Each facility has its own maintenance shop. One of the facilities is located in Illinois and the remaining four are located in Missouri. Following is a list of the facilities/stations, their addresses, and telephone numbers:

- East St. Louis                      801 N. 47th Street                      (618) 271-7450
- Brentwood                          3000 S. Brentwood                      (314) 982-1441
- DeBaliviere                        565 DeBaliviere                        (314) 982-1540
- Central Facility                    Compton & Spruce                      (314) 982-1504
- Bus Operations Control        700 Ewing                                (314) 289-6868

Each bus facility/station has a Facility Director and the Missouri facility/stations have a Station Superintendent. All Operators are assigned to a station and are under the immediate supervision of a Transit Service Manager (TSM). It is the Station Superintendent's job to guarantee the smooth and efficient operation of his/her station. The Station Dispatcher is in charge during the absence of the Station Superintendent. Operators have routine contact with the Station Dispatcher every work day. The Station Dispatcher's duties include making your work assignment. Some stations have a clerk who assists in the handling of office clerical duties, including the typing of accident reports. It is important that employees cooperate with all station personnel. In the event that they have any questions or problems, solicit the aid of the station personnel.

### 3.2.5 Metro Transit Centers

- Ballas Transit Center                      790 South New Ballas, Town & Country, St. Louis, MO 63141
- Catalan Loop Transit Center              8610 South Broadway, St. Louis, MO 63111
- Central West End Transit Center        4510 Children's Place, St. Louis, MO 63110
- Civic Center Transit Center              401 South 14th Street, St. Louis, MO 63103
- Hampton-Gravois Transit Center        7315 Gravois, St. Louis, MO 63101
- North Broadway Transit Center        6231 North Broadway, St. Louis, MO 63147
- North County Transit Center            3140 Pershall Rd., Ferguson, MO 63136
- North Hanley Transit Center            4300 Hanley Road, St. Louis, MO 63134
- Riverview Transit Center                9000 Riverview Drive, St. Louis, MO 63147
- Shrewsbury-Lansdowne I-44 Transit Center    7201 Lansdowne Ave., St. Louis, MO 63119
- Washington Park Transit Center        909 N. 54th Street, East St. Louis, IL 62203

### 3.2.6 MetroBus Routes

Missouri Routes		
1 Gold	33 Midland	71 Patterson-Redman
2 Red	34 Earth City	73 Carondelet
4 Natural Bridge	35 Rock Road	74 Florissant
5 Green Line	40 N. Broadway	76 McDonnell-Waterford
8 Shaw-Cherokee	41 Lee	77 Village Square
9 Oakville	42 Sarah	78 Bellefontaine

10 Gravois-Lindell	47 Hanley	79 Ferguson
11 Chippewa	49 Lindbergh	90 Hampton
13 Union	56 Kirkwood-Webster	91 Olive
16 City Limits	57 Manchester	94 Page
18 Taylor	58 Chesterfield Valley	95 Kingshighway
19 St. Louis Avenue	59 Oakland	97 Delmar
21 Watson Road	60 Shepley-Lilac	98 Ballas-North Hanley
30 Arsenal	61 Chambers	100 Hazelwood
31 Chouteau	64 Lucas-Hunt	174X Halls Ferry Express
32 Dr. ML King	70 Grand	
Illinois Routes		
1 Main Street-State Street	6 Rosemont	13 Caseyville-Marybelle
2 Cahokia	8 Alta Sita	14 Memorial-Westfield Plaza
4 19 <sup>th</sup> & Central	9 Washington Park	15 Belleville-Shiloh-O'Fallon
5 Missouri Ave.-ML King	12 O'Fallon-Fairview Heights	16 St. Clair Square

## 4 Administration

It is the responsibility of Metro's Senior Staff, Directors, Managers and Supervisors to ensure safety throughout the system. Safety responsibilities and tasks are described throughout this section.

### 4.1 Board of Commissioners

The Board of Commissioners is a bi-state entity under the control of a 10 member Board of Commissioners appointed by government bodies from participating states, which presently include Missouri and Illinois.

### 4.2 President & CEO

The President & CEO has the ultimate responsibility of implementing the PTASP and directs the allocation of available resources as necessary to meet system safety goals and objectives, as well as monitoring and evaluating safety programs. This position also is responsible for carrying out Metro's Transit Asset Management Plan (TAM) and has control/direction over the human and capital resources needed to develop and maintain both the PTASP<sup>1</sup> and the TAM<sup>2</sup>. In addition, the President & CEO implements Metro's safety policy and, provides policy direction to departments while advising in the development of strategies for resolution of major problems.

### 4.3 General Manager Safety

The President & CEO has designated the GM Safety to act as the Chief Safety Officer<sup>3</sup> (CSO) over Metro Transit. This position holds a direct line of reporting to the President & CEO. The GM Safety has the authority and responsibility for the day-to-day implementation and operation of Metro's SMS.

### 4.4 Director of Safety

The Director of Safety has the authority and responsibility for the day-to-day implementation and operation of

<sup>1</sup> In accordance with 49 U.S.C. 5239(d)

<sup>2</sup> In accordance with 49 U.S.C. 5326

<sup>3</sup> In accordance with 49 CFR Part 673

Safety Department activities. This position reports directly to the GM Safety.

The Safety Department is further staffed by: Drug and Alcohol Program Manager, Public Safety Research Analyst, System Safety & Security Infrastructure Coordinator, and Safety Auditors who carry out safety activities.

#### 4.5 Executive Director Metro Transit

The Executive Director Metro Transit is responsible for the following functions: operations training; transit information; ADA compliance; rail, bus and paratransit operations; maintenance operations; scheduling; and service planning. In addition, this position oversees the grievance procedure and arbitrations and manages all committee activities between labor and management.

Metro Executives reporting directly to the Executive Director include:

- Asst. Executive Director Transit Assets
- Asst. Executive Director Planning & Systems
- General Manager of Call-A-Ride
- General Manager of MetroLink
- General Manager of MetroBus
- ADA Coordinator

Executives and their supporting staffs are described below.

#### 4.6 General Manager MetroBus and Call-A-Ride

Responsible for the following functions: safety in operations; operations training; transit information; ADA compliance; scheduling; and service planning. In addition, this position oversees the grievance procedure and arbitrations and manages all committee activities between labor and management.

#### 4.7 General Manager MetroLink

Responsible for the following functions: safety in operations; operations training; transit information; ADA compliance; scheduling; and service planning. In addition, this position oversees safety in maintenance; maintenance training; transit information; ADA compliance; maintenance operations and oversees the grievance procedure and arbitrations and manages all committee activities between labor and management.

#### 4.8 Asst. Executive Director Transit Assets

Responsible for the following functions: safety in maintenance; maintenance training; transit information; ADA compliance; maintenance operations. In addition, this position oversees the grievance procedure and arbitrations and manages all committee activities between labor and management for maintenance positions.

#### 4.9 Exec VP Administration

Metro combines budget, payroll and accounting into one cohesive Finance Division whose Chief Financial Officer reports to the Sr. VP Chief Financial Officer. The Finance Division encompasses the following functions: Accounting, Budgets, and Fare box Revenue Collection, and Information Technology. Specific safety-related functions of the Finance Division include facilitating achievement of Safety Plan objectives through preparation and control of Metro's budget, staffing level recommendations and monitoring and control of capital programs.



#### 4.10 Assistant Executive Director Engineering Systems

The Engineering Department is responsible for ensuring that equipment purchased by Metro meets safety requirements and that design requirements have been coordinated with all appropriate departments, as well as, grants administration,. As required, the Engineering Department may be assisted by a Program Management Consultant and Construction Management Consultant, General Architectural and Engineering Consultant, and contractors.

#### 4.11 Exec VP Organizational Effectiveness

Organizational Effectiveness is responsible for assuring that staff positions are effectively defined and classified and that qualified personnel are identified to meet staffing needs. Organizational Effectiveness manages, coordinates and monitors all employee relations activities and employee benefit programs. This department also manages the employee assistance programs.

#### 4.12 VP MarCom

MarCom is responsible for public relations, marketing and retail sales, advertising, film production and creative services. The Public Information Officer provides liaison with the public and provides information on Metro operations.

#### 4.13 General Manager Security

General Manager Security is responsible for coordinating day-to-day operations that include providing security for Metro's system including all operating facilities and protecting and safeguarding Metro's employees and riders.

#### 4.14 Legal Counsel/Claims

Metro uses the following resources for legal services:

- Outside legal counsel;
- Metro's internal and external counsel for legal issues including workers' compensation, legal opinions, human resources and insurance, and an in-house department to handle claims (both liability and workers' compensation) and to direct outside counsel to handle the litigation.

## **5 Safety and Security Committees**

#### 5.1 Executive Safety and Security Review Committee (ESSC)

Metro takes a proactive approach to system safety by identifying and assessing system-wide safety and security issues in the Executive Safety and Security Committee (ESSC) meetings. The ESSC has been established to facilitate safety and security coordination among Metro departments. Chaired by the President & CEO, the Committee is charged with the responsibility of assisting in maintaining a high level of system safety and security. This committee brings together the common sense, technical expertise and unique perspectives of a variety of staff to focus upon system safety and security issues. The committee functions as the interdepartmental unit empowered to lead Metro in hazard management efforts. The ESSC assesses system-wide safety and security issues and verifies that safety and security is considered and incorporated in any new procedures, training programs, facilities and designs.

This committee meets at least quarterly and supports Safety in the following:

- Determining safety and security compliance with management policies, rules, procedures and assigned security responsibilities;

- Reviewing and discussing identified hazards and status of activities to resolve including review of supporting documentation (e.g. hazard tracking log, hazard investigation reports, and inspection reports);
- Reviewing safety and security data, information, and trends and identifying organizational issues that may contribute to events or less effective response to events;
- Actively promoting safety and security campaigns;
- Reviewing drills, exercise scenarios, and after action reports;
- Proposing improvements in safety and security procedures, equipment, and training;
- Assessing safety and security impacts of facility and/or operational changes;
- Annual review and revision as needed of the Safety Plan, as well as assuring its implementation;
- Monitoring compliance of each department with specific safety responsibilities and procedures as set forth in the Safety Plan by reviewing the results of safety audits conducted by the Safety Department;
- Participating in accident/event investigations as appropriate and in accordance with Metro's established procedures. The type of accident/event dictates who investigates the accident/event, appropriate forms or reports to be used and who is to be notified;
- Performing system safety review functions as required. Coordinating and follow up with any external safety audits and participating as required (e.g., BSSO, peer reviews);
- Collecting, analyzing and reporting safety data. Reviewing maintenance and failure rate data to identify safety problems;
- Reviewing results of safety inspections, emergency drills, simulations and tests and developing action as appropriate;
- Preparing written documentation of all meetings, tasks, activities, investigations, analyses and recommendations. Following up on all pending matters;
- Establishing safety goals and objectives as defined by Metro employee safety program; and
- Resolving field-related operating issues that may require a change, modification and/or addition to fixed safety/operational assets and/or operating procedures as a result of accidents, events, or field observations that relate to day-to-day safe and secure operations.

ESSC Committee members include:

- President & CEO (Chair)
- General Manager Safety (Chief Safety Officer) (Co-Chair)
- General Manager Security (Co-Chair)
- Executive Director Metro Transit
- Director of Safety
- Director of Security
- Executive Vice President of Organizational Effectiveness
- Asst. Executive Director Transit Assets
- General Manager MetroLink
- General Manager MetroBus

- General Manager Call-A-Ride
- Chief Financial Officer
- Vice President of MarCom
- Emergency Preparedness Coordinator
- Chief Audit Executive (Observer)
- Assistant Executive Director Engineering Systems
- Executive Vice President of Administration
- Vice President Economic Development
- General Counsel
- Director of Risk and Absence Management
- Assistant Executive Director of Planning and System Development

## 5.2 Joint Labor Management Health and Safety Committee

On November 15, 2021, the Infrastructure Investment and Jobs Act was signed into law requiring a joint labor/safety committee. This Committee will be formed by the regulatory deadline of July 31, 2022. In accordance with the law, this committee will consist of:

- An equal number of frontline employee representatives and management representatives
- Frontline employees selected by the Labor Union

The duties of the Committee:

- Approve the Safety Plan before final Board approval
- Identify and recommend risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through BSD's safety risk assessment
- Identify mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended
- Identify safety deficiencies for purposes of continuous improvement
- Establish risk reduction performance targets using a 3-year rolling average of the data submitted to the National Transit Database (NTD) once the FTA updates the National Public Transportation Safety Plan

## 6 Safety Tasks by Position

### 6.1 General Manager Safety

The General Manager Safety serves as the Chief Safety Officer and is responsible for developing Metro's Agency Safety Plan and providing the day-to-day leadership, management and administration of the Metro safety program through:

- Communicating Metro's safety and security goals and programs and strategic direction.
- Providing direction in the development, coordination, and implementation of safety training programs.
- Managing the agency's SMS and safety program.
- Developing safety policies, procedures, and programs that support a safe work and transit environment.
- Managing safety assurance audits and corrective action plans.

- Managing the Safety Department Committees and Working Groups.
- Co-Chair monthly ESSC meeting to address system hazards and other safety concerns.
- Developing and overseeing the Safety Department budget.
- Ensuring sufficient manpower and equipment resources are adequately deployed at Metro to meet SMS requirements, and informing the President & CEO of any deficiencies in this critical area.
- Provides monthly and/or quarterly reports to the President & CEO on SMS compliance agency-wide.
- Providing information, recommendations and status reports to the President & CEO on resource allocation supporting SMS compliance at Metro.

## 6.2 Director of Safety

The Director of Safety carries out the day-to-day responsibilities of the Safety Department by:

- Directing and monitoring of the SMS program at Metro, and ensuring immediate corrective action is implemented for failures of the SMS.
- Provides primary consultation and guidance on SMS implementation throughout the agency.
- Oversees and supports departmental assessments, investigations, inspections, observations and other Safety Assurance activities to ensure full compliance with SMS.
- Assists in and supports development of safety policies, procedures, and programs.
- Supervises and oversees work of assigned safety staff, conducts performance reviews with staff, and initiates appropriate actions related to such.
- Serves as Metro's main contact with BSSO and other agencies related to safety programs and procedures.
- Oversees development and maintenance of industrial hygiene, occupational management databases and computer information systems, and
- Ensure the investigation of safety concerns reported to the Safety Department.
- Supervising the Drug and Alcohol Administrator and Safety Auditors.

## 6.4 Drug and Alcohol Program Manager

The Drug & Alcohol Program Manager is responsible for the implementation and managing Bi-State's Drug & Alcohol Program and ensuing compliance with federal requirements. This includes:

- Monitoring compliance with the DOT/FTA/USCG Drug and Alcohol Testing Programs to ensure all applicable testing types and thresholds are met.
- Ensuring all employees receive the necessary training and are aware of drug and alcohol policies.
- Maintaining an accurate list of safety sensitive employees.
- Scheduling random selection, reasonable suspicion, and DOT testing.
- Maintaining secure recordkeeping systems for all testing records and related materials.
- Generating reports.
- Serving as Metro's Designated Employer Representative (DER) during disciplinary hearings.

## 6.5 Safety Auditors

- Investigates and reports on complaints, events, accidents and hazards as required.
- Handles fire-life safety deficiencies that do not require contractor or facilities maintenance.
- Performs documentation audits for compliance with SMS.
- Provides support for the Safety Department.
- Collects and analyzes data and performs trend analysis.
- Provides safety messages to all operators.
- Conducts safety meetings/trainings.
- Performs safety inspections: Facility & Shop, mainline & work site, and construction site.
- Participates in MetroBus and Paratransit activities and attends monthly meetings, and
- Develops and performs safety-related training.

#### 6.6 Public Safety Analyst

The Public Safety Analyst is responsible for collecting, analyzing and reporting safety and security-related data. This includes:

- Fulfill safety/security reporting requirements for the National Transit Database (NTD).
- Direct and support the development of safety/security performance metrics; provide analytical support for evaluating the effectiveness of safety/security initiatives as outlined in the Agency Safety Plan and System Security Plan (SSP).
- Develop and manage data collection tools and dashboards that support Safety Assurance and Safety Management Systems (SMS).
- Prepare monthly, quarterly, and annual safety/security reports for internal and external stakeholders.
- Collaborate with the Transit Police Task Force to collect, analyze, and report data related to criminal activity across MetroLink.

## 7 System Safety Task Matrix

The remainder of this section describes in matrix and narrative format the specific activities required to implement the Safety Management program.

*Table A: System Safety Task Matrix*

Safety Tasks by Functional Area	Executive	Maintenance	Operations	Safety	Finance	Engineering	ESSC	Frequency
Develop system safety policy statement	A	S	S	P	S	S	S	AR
Develop Safety Plan	A	RC	RC	P	S	S	RC	AR
Update Safety Plan	A	RC	RC	P	S	S	RC	Yearly
Liaison with BSSO	S	S	S	P	S	S	S	AR
Conduct internal safety audits	A	P	P	P	P	P	S	Yearly
Develop emergency response plans	A	P	P	P	S	S	S	AR
Investigate, document and report all accidents/events	S	P	P	S	S	S	S	AR
Collect, analyze, document, distribute and review safety data	RC	P	P	S	P	P	S	Daily
Report required threshold accidents to outside agencies (BSSO, FTA, NTSB)	A	S	S	P	S	S	S	AR
Hazard management	S	P	P	S	P	P	P	AR
Configuration management	S	P	P	S	P	P	P	AR
Safety and security certification	S	S	S	S	S	P	S	AR
Training Functions	S	P	P	P	P	P	S	AR
Design reviews	S	S	S	S	S	P	S	AR
Occupational safety and health programs	S	P	P	P	S	P	S	AR
Implement SMS	P	P	P	P	P	P	P	Daily
<p>Responsibility: Participants are responsible, as shown in the matrix, for:</p> <p>A Approval – approving specified documentation</p> <p>P Primary Task – including preparation of the specified documentation</p> <p>S Secondary/Support – provide necessary support to accomplish and document task.</p> <p>RC Review &amp; Comment – review and provide comment on the task or requirement.</p> <p>Frequency:</p> <p>(D) Daily, (M) Monthly, (Q) Quarterly, (Y) Yearly, and (AR) As Required.</p>								

## 8 Management Personnel and Responsibilities

Within Metro, each department/functional area provides distinct roles and carries out specific safety management responsibilities to ensure the protection of passengers, employees, emergency responders, the community served, and Metro's property.

Safety management responsibilities by department/function are summarized in the following table:

*Table B: Management Personnel by Department with System Safety Management Accountability*

Department/Functional Area	Specific Position(s) w/ Safety Management Accountability
Human Resources	Director of Human Resources
Safety	GM Safety, Director of Safety
MarCom	VP MarCom
Public Safety	General Manager Security
Rail Operations	General Manager of MetroLink
Bus Operations	General Manager of MetroBus
Paratransit Operations	General Manager of Call-A-Ride
Operations Training Rail	Assistant Superintendent Light Rail Training
Operations Training Bus & Paratransit	Director of Bus and Van Operator Training
Scheduling and Service Planning	Asst. Executive Director Planning & Systems
Bus, Rail & Paratransit Vehicle Maintenance	Asst. Executive Director Transit Assets
Bus Maintenance	Chief Mechanical Officer
Rail Maintenance	Chief Mechanical Officer
Paratransit Maintenance	Chief Mechanical Officer
Bus & Rail Facility Maintenance	Sr. Director Bus & Rail Facility Maintenance & Support Services
Traction Power	Superintendent of Traction Power Maintenance
Signals	Superintendent of Signals Maintenance
Communications	Superintendent of LRT Communications Maintenance
Right-of-Way Maintenance	Senior Director of Maintenance of Way
Track Maintenance	Superintendent Rail ROW Maintenance
Procurement	Director of Procurement
IT	Director of IT Infrastructure
Engineering & Engineering	Assistant Executive Director of Engineering Systems

The above Management Personnel are responsible for ensuring their departments are in full compliance with Metro's SMS program as described herein and in supporting documentation. They will perform Safety Assurance activities, including documentation, internal controls, monitoring and auditing of their departmental compliance with this Safety Plan and other supporting programs, plans and procedures. The

Safety Department is responsible to support each of the departments below in these efforts.

### 8.1 President & CEO

SMS is a management system. It requires the attention of the highest management official, and is a tool for the executive to ensure that all employees know and understand that safety is not the responsibility of a “safety department,” but is the responsibility of each and every employee in each and every department.

Metro’s Accountable Executive is the President & CEO.

The Accountable Executive has ultimate responsibility for establishing and maintaining the SMS for Metro. The President & CEO is also responsible to:

- Ensure safety concerns are considered in Metro’s ongoing budget planning process;
- Ensure transparency in safety management priorities for the Board of Commissioners and for the employees;
- Establish guidance on the level of safety risk acceptable to the agency; and
- Ensure the safety management policy statement is appropriate and communicated throughout the agency.

### 8.2 Organizational Effectiveness

- Develop position descriptions that address safety-related restrictions and requirements;
- Develop and administers medical standards for specific job positions, as warranted;
- Ensure that successful candidates for positions are capable of safely performing the tasks of these positions on a repetitive basis;
- Administer the application of Metro's employee discipline policy;
- Provide oversight and follow-up of site visits by health professionals (e.g., in connection with Metro’s drug and alcohol testing program);
- Maintain complete and current documentation in personnel files, including HIPAA records for Drug & Alcohol compliance;
- Ensure employees are screened prior to employment in compliance with all FTA and BSSO requirements; and
- Assist Maintenance Training and Operations Training in training program development.

### 8.3 MarCom/PIO

- Act as a source of information to the public and news media during an emergency
- Coordinate the dissemination of information to BSD team members
- Provide public information on safety and security for regular operations
- In partnership with the Safety Department develop marketing and communication tools to increase the transit safety awareness of customers and others coming in contact with Metro
- In partnership with the Safety Department develop and implement community outreach programs promoting the safe use of Metro services

### 8.4 Transit Security Specialists

- Being alert and observant of the personal security of Metro passengers, employees, and the general



public at stations, stops, and along Metro Transit system routes.

- Managing security logistical deployments within assigned zones.
- Responding to security and emergency incidents.
- Reporting observations of new vandalism damage or graffiti to Dispatch.
- Providing leadership and direction to Metro employees during security incidents.
- Providing liaison with local or Transit Police Taskforce officers and assisting in crowd control, securing witness information, and providing general on-scene assistance, as may be requested.
- Making on-scene decisions about restricting or continuing operations due to a security incident, in coordination with law enforcement.
- Issuing warnings, exclusions, and citations for violations of Metro Code of Conduct and fare policies.
- Preparing and submitting internal Metro reports for security incidents in which they are involved or to which they respond.
- Collaborating with Transit Police Taskforce officers in fare enforcement missions.
- Following radio communication protocols for internal and outside agency talk groups.
- Patrolling park and ride lots and parking structures, monitoring appropriate use, and issuing warnings and citations for parking violations.
- Patrolling the light rail alignment and bus routes, identifying, reporting, and responding to identified security breaches or vulnerabilities.

## 8.5 Operations

The General Managers of MetroLink, MetroBus and Call-A-Ride are responsible for the following functions: safety in rail, bus and paratransit operations, operations training, and scheduling and service planning. In addition, this position negotiates, interprets, and administers various collective bargaining agreements, and provides direction to line management in all matters concerning labor and employee relations, including management of all committee activities between labor and management.

### 8.5.1 Rail Operations

- Ensure safety and security of MetroLink operations;
- Coordinate safety-related activities of Rail Operations staff and ensure compliance with the Safety Plan;
- Recommend development of industrial, occupational, and environmental safety management goals;
- Ensure compliance with company and safety-related programs, policies and procedures, bulletins, and the Safety Plan;
- Coordinate daily activities of rail operations supervisors, instructors, dispatchers, movement directors, off board fare collectors, and operators;
- Implement and monitor Metro's Drug and Alcohol Program;
- Take appropriate actions to resolve identified hazards in a timely manner;
- Support the internal safety and security audits and participate in emergency response drills as required;
- Continuously identify any operating hazards that require formal implementation of the Hazard Management Process; and
- Ensure that Rail Service Delivery staff adheres to established standard operating procedures,

bulletins, rules and processes set out in the Safety Plan.

#### 8.5.2 Rail Operations Training

- Train and qualify new rail operators on routes and equipment operation, pre-trip inspection, emergency procedures and injury and illness prevention;
- Perform re-training following accidents & occupational injuries as warranted; and
- Coordinate with General Manager Safety to incorporate Metro's safety policy, rules and procedures in verbal instructions and hands-on training.

#### 8.5.3 Bus/Paratransit Operations

- Administer and monitor standardized programs, policies and procedures;
- Coordinate daily activities of dispatchers, clerks and secretaries;
- Implement and monitor Metro's Drug and Alcohol Program;
- Ensure that preventive maintenance, running repairs, housekeeping and vehicle servicing are performed safely;
- Ensure that Bus/Paratransit staff adheres to established standard operating procedures, bulletins, rules, and the processes set out in the Safety Plan;
- Take appropriate actions to resolve identified hazards in a timely manner;
- Assist in the coordination of internal safety audits and participate in emergency response drills as required;
- Monitor bus operations by means of field supervision and radio dispatching;
- Ensure effective response during emergencies as required by circumstances;
- Assist in accident investigations as required; and
- Serve on Operations and Safety and Security Certification Working Group.

#### 8.5.4 Riverboat Operations

- Administer and monitor standardized programs, policies and procedures;
- Ensure compliance with all Federal and State regulations governing operations on the waterways;
- Coordinate daily activities of all riverboat staff
- Implement and monitor the DOT/Coast Guard Drug and Alcohol Program compliance;
- Ensure that preventive maintenance, running repairs, housekeeping and vehicle servicing are performed safely;
- Ensure that Riverboat staff adheres to established standard operating procedures, bulletins, rules, and the processes set out in the Safety Plan and other supporting documentation;
- Take appropriate actions to resolve identified hazards in a timely manner;
- Assist in the coordination of internal safety audits and participate in emergency response drills as required;
- Monitor riverboat operations by means of field supervision and radio dispatching;
- Ensure effective response during emergencies as required by circumstances;
- Assist in accident investigations as required; and

#### 8.5.5 Scheduling and Service Planning

- Under the guidance of the Chief of Planning, ensure that service delivery schedules allow sufficient running time for safe operations at speed limits and adequate recovery time for bus, rail and paratransit operators;
- Investigate operator complaints of insufficient running time;
- Develop work runs and schedule relief in accordance with collective bargaining agreements and regulatory requirements; and
- Ensure operational safety of stops, shelters, and route design and layover/recovery areas.

#### 8.6 Vehicle Maintenance

The Asst. Executive Director Transit Assets is responsible for ensuring safety in the following areas:

##### 8.6.1 Transit Asset Management Program & State of Good Repair

- Metro has developed required performance measures under the requirements of 49 CFRs 625 & 630. At this time, Metro is in development of a fully compliant Transit Asset Management Plan (TAMP), including its state of good repair for rolling stock, equipment, infrastructure and facilities.

##### 8.6.2 Special Projects

- Handle special maintenance projects, including those with safety-related impacts, as required.

##### 8.6.3 Maintenance Training

- Ensure proper training of all new mechanics and technicians to safely and effectively inspect, maintain and repair Authority's fleet.
- Ensure proper training of maintenance staff in emergency/safety procedures and injury and illness prevention as appropriate.

##### 8.6.4 LRV Maintenance

- Assure that the LRV fleet is properly maintained and available in safe operating condition according to Metro's procedures;
- Provide necessary mechanisms for reporting defects and hazardous conditions;
- Coordinate with the General Manager Safety on system safety requirements;
- Administer and monitor standardized programs, policies, and procedures;
- Administer safety programs for department employees;
- Monitor the collection and disposal of waste (e.g., oils, clarified waste water sludge) to affect safe handling and minimize employee and environmental exposure to potentially hazardous products and materials;
- Ensure appropriate action to resolve reported or otherwise identified hazards in a timely manner. As appropriate, coordinate the development and testing of engineering solutions as a means of addressing vehicle related hazards; and
- Coordinate with the General Manager Safety in the development and implementation of risk reduction measures associated with the operation and maintenance of Metro's rail revenue vehicles.

#### 8.6.5 Bus/Paratransit/Non-Revenue Maintenance

- Coordinate safety-related activities of the bus maintenance staff and ensure compliance with the Safety Plan;
- Oversee field maintenance programs and practices and ensure compliance with the Safety Plan;
- Ensure that programs, retrofits, major repairs and maintenance practices are performed safely and monitored for safety-related issues;
- Ensure that functions comply with the Safety Plan;
- Monitor body and paint, mechanical repairs and component rebuild activities for quality;
- Coordinate and monitors the Vehicle Improvement program, and all off-property repairs;
- Assist in accident investigation process as required;
- Arrange removal of defective or damaged equipment
- Ensure preventive and corrective maintenance of Metro's non-revenue fleet;
- Ensure body and mechanical repairs, excluding major hydraulic and high-rail components on all of the non-revenue vehicles;
- Schedule and coordinates preventive maintenance activities;
- Maintain vehicle records;
- Assist Safety Department in conducting safety-fire inspections and correcting any identified safety deficiencies;
- Assure that the communications electronic systems are properly maintained and operational on a daily basis. Ensure that equipment is in compliance with manufacturer specifications, federal requirements, and directives;
- Ensure all emergency communications electronic equipment is in compliance with organizational requirements along with the associated guidelines. Ensure that applicable safety practices and procedures are adhered to relative to the communications and electronic service industry and
- Maintain Metro radios and fare boxes.

#### 8.6.6 Quality Assurance

- Where applicable, participate in the development of technical equipment specifications and procedures that address the safety requirements of regulatory agencies and Metro. Ensure that replacement equipment meets safety requirements prior to acceptance. Examine equipment and systems to explore the potential for increased efficiencies and improvements in user and fire safety as well as in performance;
- Administer warranty programs;
- Coordinate major equipment rebuild, repair, and retrofits;
- Ensure performance of inspection and testing activities necessary to ensure that equipment, supplies, and operations result in the desired level of safety;
- Monitor the performance of preventive maintenance efforts;
- Stop work on all unauthorized modifications;
- Establish and maintain current drawings for Metro facilities and systems;
- Analyze equipment failures and identifies trends;

- Document equipment and facility modifications and informs affected staff of these modifications; and
- When appropriate participate with the Safety Department in accident investigations, and develops findings and recommendations.

#### 8.6.7 Inventory

- Monitor procurement practices to ensure that safety is not compromised in replacing parts;
- Monitor man-machine interfaces and
- Ensure Metro stocks quality parts and provides specification and quality assurance for parts and materials.

#### 8.7 Maintenance of Way (MOW)

- Ensure signals and switches are maintained safely and efficiently;
- Ensure substations and catenary are maintained safely and efficiently Facilities/Grounds
- Ensure Metro rights-of-way and structures are maintained safely and efficiently.
- Ensure safety of Metro buildings including mechanical and electrical equipment;
- Ensure that rail stations and stops meet applicable safety requirements and Metro practices;
- Ensure that work is coordinated within Facilities/Grounds to complete work safely and efficiently without adversely affecting revenue service;
- Monitor compliance of organizational policies and procedures;
- Ensure the creation and maintenance of accurate records of inspections, maintenance work, accident-related activities and emergency responses;
- Assist as necessary in accident investigations;
- Develop preventive maintenance procedures with input from employees who perform the work;
- Monitor the performance of preventive maintenance efforts
- Ensure the creation and maintenance of accurate records of inspections, maintenance work, accident-related activities, and emergency responses;
- Ensure necessary procedures are in place and implemented for conducting maintenance activities in a safe and effective manner for all;
- Provide for enforcement of required safety procedures for all maintenance activities;
- Assist the Safety Department in conducting safety/fire inspections and correcting any identified safety deficiencies; and
- Serve as liaison with various municipalities and other external agencies for hazard resolutions involving operations.

#### 8.8 Finance

The Chief Financial Officer ensures the following critical activities occur:

- Facilitate achievement of Safety Plan objectives through preparation and control of Metro's budget and staffing level recommendations;
- Manage and maintain the safety of IT systems and fare collection processes;

- Ensure necessary funding for safety programs/projects;
- Ensure that equipment purchased by Metro meets safety requirements and that design requirements have been coordinated with all appropriate departments;
- Perform technical maintenance for accident record keeping, employee injury reporting forms, and related accident data as required;
- Provide claims administration;
- Ensure that the procurement process complies with established procedures for evaluating materials and products for use by Metro;
- Ensure that all contracts comply with Metro's Safety Plan and all federal, state and local fire/safety regulations;
- Include safety requirements in contracts such that contractors must meet all applicable state, federal, and local regulations as well as Metro's requirements;
- Develop and maintain a list of hazardous materials and equipment;
- Enforce safety procedures related to hazardous substance acquisition, handling, labeling, storage, disposal, and record keeping;
- Ensure the Internal Audit department performs financial audits as required.

### 8.9 Engineering

The Assistant of Engineering Systems ensures the following critical activities take place:

- Administer/monitor construction contracts to ensure that contractor procedures conform with current BSSO and OSHA regulations and that the results are safe for Metro and/or public use;
- Monitor the installation of facilities, systems, and equipment to ensure compliance with contractual requirements and procedures;
- Write technical specification;
- Coordinate communications concerns relative to joint missions and training exercises with local municipalities;
- Approve any new, upgraded or modification of communications or electronic systems;
- Conduct environmental impact studies;
- Oversee design and engineering consultant services, and construction contracts;
- Report and makes recommendations to the Executive Director Metro Transit and Metro's Board on major capital projects;
- Participate on Metro's Executive Safety and Security Review Committee (ESSC) and the Safety and Security Certification Review Committee (SSSCWG) as appropriate;
- Coordinates capital program matters and activities with communities, governmental agencies, regulatory agencies and funding agencies;
- Program and schedule major capital project tasks;
- Manage hazard and vulnerability processes for capital projects'
- Establish and maintains current drawings for capital project facilities and systems;
- Develop project specific safety and security plans and milestones'

- Monitor implementation of project specific safety and security plans, activities and responsibilities'
- Monitor environmental and chemical compliance with local, state and federal regulations for capital projects'
- Provide capital budget analysis;
- Provide document control for capital projects' and
- Provide configuration management for capital projects.

# Part I Safety Management Policy

## Chapter 3 – Integration with Security and Emergency Management

The following sections describe Emergency Response Planning, Coordination, and Training:

### 1 Emergency Management

The Emergency Management program is a function of the Department of Security under the direction of the General Manager of Security. Emergency Management responsibilities of the program reside with the Emergency Preparedness Coordinator who reports directly to the General Manager of Security. Together, they coordinate with internal/external entities to develop a Multi- Year Training and Exercise Plan (MYTEP) which will conform to training requirements listed in the Emergency Preparedness Program Plan (EPPP) as described below.

Metro's EPPP is its primary guidance and policy document for emergency preparedness, response, recovery and mitigation. The Plan provides for supporting plans and procedures to be developed to guide Bi-State Development (BSD) in response to all hazard emergencies, such as the PTASP and SSP. BSD/Metro is responsible for the coordination and provision of Transportation resources provided to federal, state, and local governments, volunteer organizations, and the general public response in the event of an all hazard response which necessitates immediate evacuation. In such circumstances, BSD/Metro has coordinated with both local, county, and state governments and the emergency management agencies in its service area to support on-going development and revision of their respective Emergency Preparedness Program Plans and supporting incident management and response protocols and resource inventories.

Emergency response planning, coordination, and training procedures are also contained in Metro's Standard Operating Procedures for bus and rail operations and Metro's System Security Plan (SSP) and Emergency Preparedness Program Plan. Metro ensures that the guidelines contained in the EPPP are regularly evaluated through agency-wide emergency exercises. Security personnel participate in annual drills and fire/life safety training with various emergency responders and Metro Departments including Safety. The EPPP is reviewed and updated, as needed, or on an annual basis by the Emergency Preparedness Coordinator and the ESSC. Users of the Plan are encouraged to submit recommendations for its improvement. Comments are required to be specific and accompanied by the reasons for the recommendations.

#### 1.1 Meetings with External Agencies

Metro staff attends first responder meetings throughout the year and other emergency response meetings as required to coordinate and plan emergency response and proactive processes. Agencies represented at these meetings including local police, state police, FBI, Attorney General's office, fire departments, emergency medical service, emergency management agencies and public utilities.

Metro also coordinates with the City of St. Louis and County Fire Departments and Protection Districts as well as with other supporting agencies for planning, training and exercises to ensure comprehensive response to any adverse event on the system.

A regional Fire-Life Safety/ Security Committee will quarterly to discuss issues related to emergency management and familiarization.

#### 1.2 Emergency Preparedness Planning



Bi-State Development's emergency management planning and preparation is consistent with the objectives outlined in the Homeland Security Presidential Directives (HSPDs) requiring implementation of the National Response Plan (NRP), the National Incident Management System (NIMS), the National Infrastructure Protection Plan (NIPP), and the National Preparedness Goal. BSD/Metro's activities to support implementation of HSPD requirements are coordinated through the Urban Area Strategic Initiative (UASI) Working Group.

### 1.3 Emergency Management Training, Drills, and Exercises

Emergency Management drills and exercises are planned and conducted with police, fire and emergency response personnel from the various jurisdictions. On new extensions, extra tabletop exercises and drills are held to familiarize the jurisdictions with ML operations, its equipment and facilities, and procedures. Metro operates on a three-year cycle. Metro follows the Homeland Security Exercise and Evaluation Program (HSEEP) protocol. The following is a three-year exercise chart schedule.

Event	Approximate Date
Table Top Exercise	Year 1 - 2020
Functional Drill	Year 2 - 2021
Full Scale	Year 3 - 2022

### 1.4 Implementation of Findings

After Action Reports (AARs) are developed following the completion of emergency drills and exercise scenarios and all hazard incidents. The ESSC reviews the After Action Reports and develops and implements appropriate actions to respond to the After Action Report recommendations. Discrepancies found as a result of corrective training or drills are corrected in the procedures developed by the appropriate department with the assistance of the Safety Department.

### 1.5 Emergency Familiarization Training Program

Emergency exercises, including tabletops and full field exercises are a critical part of Metro's emergency preparedness training

Periodic familiarization and refresher training have been planned and coordinated between Metro and the local fire and police departments. This training included disaster activities, vehicle emergency equipment, and communications.

This program provides instruction on the equipment used on ML. Training and familiarization is conducted for fire and rescue personnel, local police, and ML employees. This training consists of two (2) phases with Phase 1 (Computer Based Training Module) mandatory. Phase 2 (In-person facility and vehicle tour) shall be scheduled through the Emergency Preparedness Coordinator or by emailing request to [Safety@metroslouis.org](mailto:Safety@metroslouis.org). The required computer training is accessible here:

<https://elearning.easygenerator.com/d44f5325-452d-40c5-9577-c558363aa7ab>

#### 1.5.1 Fire Departments

- Procedures for notification, control, and degree of responsibility on-site;
- Levels of service (equipment, personnel, etc.) to be delivered in response to various types of transit emergencies;

- Appropriate methods for communication and transfers of command;
- Familiarization with Metro equipment and facilities;
- Use of tools, equipment, and Metro personnel to assist as necessary;
- Procedures to remove and restore power; and
- Scheduled drills and exercises.

### 1.5.2 Police Departments

Familiarization training is also provided to local and regional police and law enforcement organizations including those law enforcement personnel specifically assigned by contract to the MLRFGS. Law Enforcement Training is conducted and coordinated with Metro Public Safety. Included in the training is:

- Procedures for notification, control, and degree of responsibility on-site;
- Familiarization with Metro equipment and facilities; and
- Scheduled drills and exercises.

### 1.6 Employee Training

All Metro operations and maintenance personnel undergo emergency response training to ensure they have a thorough understanding of their role and responsibility during an emergency. At a minimum, training is provided on Metro's SOP's and emergency plans that the employee may be required to implement, and on

<https://elearning.easygenerator.com/3761a523-d5dc-4c30-88f4-e85cd5263eed>

any specialized equipment. In addition, management conducts an annual review of emergency response plans to ensure consistency with training drills and exercises. All Metro new hires also receive a transit employee emergency guide, emergency evacuation routes/procedures, and a comprehensive overview of what to do during an emergency, first aid and fire extinguisher training. This training session is offered via computer based training and accessible here:

### 1.7 Emergency Management Training

Metro and BSD incorporates emergency management training through various safety, security, and operations training programs.

Additional training typically addresses rules, policies, and procedures, as well as many of the hazards in the transportation environment (e.g., live power, track and roadway safety, hazardous materials and alternate fuels, medical emergencies or blood-borne pathogen awareness, personal safety, and injury prevention). NIMS and Incident Command System (ICS) orientation and training activities are ongoing. All employees participate in the Metro Emergency Reference System Guide training.

### 1.8 Emergencies Involving Criminal Activity

A more detailed discussion of the response and handling of emergencies involving criminal activities (i.e., terrorism, bomb threats, hijacking, etc.) is found in Metro's System Security Plan (SSP) and Emergency Preparedness Program Plan (EPPP).

## **2 Command Center**

### 2.1 MetroLink Operations Control Center (OCC)

The MetroLink Operations Control Center is utilized to coordinate, manage and provide mitigation planning for emergencies involving the rail system. The OCC is located at 700 S. Ewing Avenue, St. Louis, MO 63103. It is equipped with display boards, computers and/or laptops (with internet connection), television with satellite dish, telephone lines, portable radios and other equipment as directed by the President & CEO.

The Command Center Director is the General Manager MetroLink or designee. The Director is in charge of the overall management of the event in the Command Center by making executive and policy decisions based on the information received.

## 2.2 MetroBus, Bus Operations Center (BOC)

The MetroBus Operations Center (BOC) is utilized in the same manner as MetroLink's OCC but is focused solely on bus operations rather than rail. It is located at the same location as OCC at 700 St. Ewing Avenue, St. Louis, MO 63103. It is equipped with the same equipment as OCC and has their own designated area within the Ewing Control Center. They are located in the same room as OCC and Public Safety Dispatch in order to provide for efficient communication and coordination.

The Operations personnel are responsible for the operation, maintenance and coordination of transportation services (bus, rail and paratransit). Transit Service Managers are responsible for coordinating the on-site response to events. Safety and Security personnel are responsible for ensuring that all Metro operations are maintained with the highest degree of safety and security. Safety and security personnel identify any special needs and provide strategies to safely mitigate the situation.

## 2.3 Emergency Operations Center (EOC)

The Emergency Operations Center is activated anytime there is a need to handle an event, foreseen or unforeseen beyond current capabilities. The Accountable Executive is responsible for the declaration and activation of Level 3 and 4 emergencies, generally after consultation with established Incident Command. For all Level 1 and 2 accidents and emergencies, guidance is provided in SOPs.

### 2.3.1 Activation Criteria

The EOC may be activated for any, but are not limited to, of the following reasons:

- Resources beyond Metro's capability are required to respond to an emergency;
- An emergency of long duration;
- Major policy decisions will be needed
- Severe weather events;
- Local or state emergency is declared; and
- Activation of the Command Center will be advantageous to the management of the emergency.

### 2.3.2 Functions of the Emergency Operations Center

For Level 3 events, the Emergency Operations Center coordinates all emergency plans and management decisions (with the incident commander/EOC Director leading the discussion), including, but are not limited to, taking the following actions:

- Implement event plans and document all Command Center actions;
- Request assistance from outside emergency response agencies for fire, medical, police and evacuation emergencies;
- Dispatch supervisors to the scene or other designated locations;
- Dispatch Metro public safety to assist at the event scene;

- Communicate with the Operations Control Center, Bus Operations Center (BOC), and Public Safety Dispatch for all bus and rail movements, as required; as appropriate, activate/deactivate overhead catenary power;
- Contact maintenance supervisors for assistance, as required;
- Coordinate requirements for supplemental service, both bus, rail, and public safety;
- Perform management notifications, respond to incoming telephone calls and perform other duties as assigned; and
- Provide timely media information.

#### 2.4 EOC Activation Level

Bi-State Development and Metro recognizes four levels of emergency operations, which are determined by the severity of the incident. The purpose of this rating system is to provide a standard for determining the magnitude of response to the emergency.

Planned special events are categorized by the expected size of the crowd drawn to the event, and by the potential number of transit customers affected by the event. The purpose of the rating system is to provide a universal standard for determining the level and scope of the response to the event.

*Table C: EOC Activation Levels*

Levels of Emergency	
<p>Level 1</p> <p>Emergency Surveillance</p>	<p>An event where Metro property or equipment is damaged, team members or customers are injured and/or service is disrupted. Emergency services may be required, but in general, Metro operating department resources are adequate to conclude the event.</p> <p>OR</p> <p>An event that has minimum impact on Metro's transit service with few or no response team members required on-scene. In general, Metro Transit's</p> <p>Operation's department resources and capabilities are adequate to manage the event.</p>
<p>Level 2</p> <p>Minor Emergency</p>	<p>Some coordination with a couple of outside agencies is required for incident stabilization. Incident operations cannot be resolved within our current capabilities.</p> <p>OR</p> <p>An event of a large nature that involves a certain part of the service area, including multiple days (such as Mardi Gras) and/or large crowds. It may involve bus and/or rail, but is generally local in nature. Maintenance of the right-of-way, which adversely affects transit service and causes significant delays of over 20 minutes, would typically be suspended within this category. Response team members and crowd management services may be needed to ensure customer service.</p>
<p>Level 3</p> <p>Major Emergency</p>	<p>An emergency requiring the close coordination of several Metro Transit departments (Operations, Maintenance, Safety, Security, Claims, Customer Service, Security, and Executive Staff) and significant mutual aid from community Police, Fire or Medical Services. Examples may include a large fire, severe injury accident, and significant criminal event, emergency in the right-of-way, area-wide power outage, civil disturbance, major hazardous material spill or severe weather. This kind of event has a greater impact upon portions of Metro Transit operations and may halt some of those operations temporarily. Metro Transit operating department resources may be adequate to conclude the event.</p>
<p>Level 4</p> <p>Catastrophic Emergency</p>	<p>A regional disaster or event requiring a large amount of outside resources to assist Metro Transit or in which Metro Transit is required to assist. Response to this type of emergency requires centralized emergency management of all Metro functions, as well as decentralized on-site management and response.</p> <p>When a Yellow Major Emergency is declared, the City of St. Louis or St. Clair County directs Metro Transit resources and coordinates with emergency response agencies.</p>

# Part I Safety Management Policy

## Chapter 4 – SMS Documentation & Records

### 1 Safety Plan Management

The Safety Management program operates under a principle of continuous improvement. To this end, the Safety Plan must be reviewed annually and revised as needed to reflect changes in Metro's organization, procedures, equipment, facilities, and operating environment including:

- Policy changes (mission, goals, or objectives):
- Organizational changes:
- Changes to rules and regulations:
- Changes in operating procedures:
- Elimination of equipment or addition of new equipment: and
- Elimination of a facility or addition/acquisition of a new facility.

Changes in safety policy, goals, or objectives require the approval of the President & CEO.

Changes in policy, organization, rules, regulations, or operations necessitating Safety Plan adjustments are accomplished within the schedule described herein.

### 2 BSSO Requirements

#### 2.1 Submittal Procedure

The BSSO requires Metro to assess its Safety Plan once each year. Metro must submit proposed Safety Plan changes to the BSSO annually for review and approval, including a summary identifying and explaining proposed changes. The specific due dates for the Safety Plan are contained in the Bi-State Safety Oversight Program Standards Manual for Oversight of MetroLink (Program Standard).

Metro must also submit to the BSSO any Safety Plan revisions made between annual updates. Such submissions are made prior to the time the revision is to be implemented. The BSSO reviews, and approves as appropriate, such revisions.

#### 2.2 Review and Approval Procedure

##### 2.2.1 Approved Plans

The BSSO reviews revised Safety Plans to ensure that they comply with the BSSO Program Standard. Following finalization of the initial PTASP in 2020, by April 1 of each year, Metro shall provide the BSSO with a draft of the annual update or written confirmation that a review was conducted with no revisions deemed necessary. The BSSO completes this review within 30 calendar days of receipt of the plan, or notifies Metro if additional time is needed to complete the review. If Metro's plan complies with the Program Standard, the BSSO issues a written approval of the plan and requests that Metro send a final copy of the Safety Plan with appropriate approval signatures and other endorsements as needed with 15 days of receiving Board approval. The plan the BSSO reviews and approves is considered the Safety Plan in effect until another such plan is submitted and approved in accordance with the requirements of the Program Standard.

### 2.2.2 Rejected Plans

If the BSSO determines that the submitted Safety Plan does not meet the published standards of the Program Standard, it will send a written notice, along with a description of what changes are necessary to gain approval. This written notice will typically be made up of a completed checklist, and as needed, an additional narrative or memo. Metro will have 30 calendar days to make such changes, unless otherwise specified in the BSSO's correspondence.

The BSSO will meet with Metro to discuss the review if Metro wishes. In the event Metro objects to a noted deficiency or requested change from the BSSO, it shall provide written notice of its objections, and suggest alternatives within 7 calendar days. The BSSO and Metro shall review the objections and suggested alternatives and agree to an appropriate course of action within 15 calendar days. This review process may include meeting(s) to clarify any deficiencies or issues.

## 3 Metro Internal Safety Plan Review and Approval Process

The General Manager Safety will coordinate the annual review and revision process of the Safety Plan and ensure the review takes place. The Director of Safety will notify Metro management by October 31<sup>st</sup> of each year of the requirement to review their section of the Safety Plan for revisions. The General Manager Safety has the responsibility to incorporate any required changes into the overall Safety Plan. The revised Safety Plan is then presented to the Executive Safety & Security Committee for review and approval. A copy of the updated Safety Plan is forwarded to the BSSO for review and approval by April 1. After the BSSO issues their approval a final version of the Safety Plan, the BSD Board of Commissioners will vote to approve the document. Within 15 days of Board approval, a fully executed signed version is transmitted to the BSSO, and a published copy is posted on the Hub. In the event that no changes are required following the annual Safety Plan review, the President & CEO will notify the BSSO that the annual review of the Safety Plan has been completed and that changes are not required.

A revision cover sheet is included with the distribution of each revision. The revision cover sheet includes the revision number, date, and description of all updates. If no revisions are deemed necessary, a dated revision cover sheet is distributed verifying that no revisions are needed.

## 4 Training Records

BSD has developed Safety & Security learning management system (LMS) that tracks progress and completion of the 'Core Safety & Security Courses.' Managers have the ability to check progress of employees to determine if training is still required. The Hub/Support Applications/Safety Training Results

Records of safety-related training are maintained in accordance with the requirements of 49 CFR 673 and 674.

<http://metrows16/safetytrainingresults>

# Part II: Safety Risk Management

## Safety Risk Management Process

Metro has developed and implemented a Safety Risk Management process for all elements of its public transportation system. The Safety Risk Management process is comprised of the following activities:

- Identification of safety hazards,
- Analysis of safety hazards,
- Safety risk evaluation, and
- Safety risk mitigation.

## Safety Hazard Identification and Analysis

Metro has established a process for hazard identification and analysis. Metro includes, as a source for hazard identification and analysis, data, and information provided by the BSSO and the FTA. (Chapter 5)

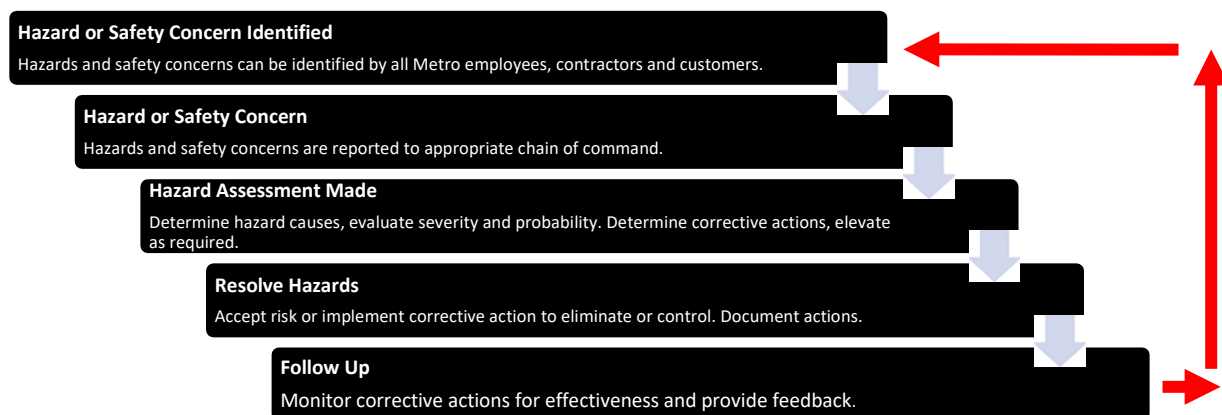
## Safety Risk Evaluation and Mitigation

Metro has established activities to evaluate and prioritize the safety risk associated with the potential consequences of safety hazards. Safety risks are evaluated in terms of probability and severity and take into account mitigations already in place to reduce the probability or severity of the potential consequence(s) analyzed. Metro has established criteria for the development of safety risk mitigations that are necessary based on the results of the agency's safety risk evaluation. (Chapter 6)

## Hazard Management Process

Chapters 5 and 6 together describe the Hazard Management Process but the figure below summarizes the process.

*Figure 1: Hazard Management Process*





# Chapter 5 – Hazard Identification & Analysis

## 1 Hazard Management Process – Activities and Methodologies

### 1.1 Hazard Management Process

*Hazard – any real or potential condition that can cause injury, illness, or death; damage to or loss of a system, equipment or property, or damage to the local environment.*

Hazard identification and resolution is the core element of the Safety Plan, requiring timely correction of unsafe conditions, ideally, anticipated and reconciled before serious accident, injury, or damage occurs. The methodology employed for the formal process of hazard identification and resolution at Metro is based on U.S. Department of Defense Military Standard (MIL-STD-882E) *Standard Practice for System Safety*.

To ensure that Metro provides safe and reliable transportation services, Metro uses the hazard methodology to ensure hazards are identified, analyzed for potential impact on the operating system, and resolved in a manner acceptable to Metro management and regulatory agencies.

All Metro management, staff, contractors, and suppliers are required to implement hazard management and safety and system assurance throughout the design, construction, testing, and operational phases of Metro's projects. Hazards which cannot be eliminated in the design phase are to be controlled by safety devices, warning devices, training, and/or written procedures to prevent hazards.

Hazard identification and resolution is a safety process managed by the General Manager Safety with the assistance of the Executive Safety and Security Review Committee (ESSC). Hazards are also managed and discussed through individual Bus/CAR/MetroLink SMS meetings on a monthly basis.

### 1.2 Hazard Identification

FTA SMS guidance defines hazard identification as:

*Hazard Identification – formal activities to analyze potential consequences of hazards during operations related to provision of service.*

Hazard identification activities define conditions and failures that have the potential for causing an accident. It is the responsibility of all Metro employees to identify and report hazards in accordance with the processes described in the Safety Plan. While identifying every hazard is virtually impossible, the implementation of the hazard identification procedures can greatly increase Metro's ability to identify and thereby eliminate hazards or reduce risk to an acceptable level. The Safety Department conducts periodic inspections of facilities and equipment to identify hazards on a proactive basis. It also reviews incident reports, injury and illness reports, and worker's compensation databases. In the investigation of serious accidents, *ad hoc* safety committees/working groups are assembled utilizing various disciplines as members to develop a consensus determination of hazard severity and causal factors. When required, contractors and manufacturers may provide outside assistance to the committee/working group. Independent reviews may be obtained as to ensure objectivity.

Departmental managers are responsible for ensuring their employees report hazards to the Safety Department for review and analysis. Ultimately, these same managers are responsible for their respective department's compliance with their role in the SRM process described in this Part.

Another important source of hazard identification comes from the Employee Safety Reporting Program which is described in detail in Part 1 and additionally in Part 4. Hazards/concerns reported through this process will go through the same SRM process as described in this Chapter.

### 1.2.1 Formal Approach

The General Manager Safety, with support from the ESSC, will determine those hazards for which formal analyses [i.e. Preliminary Hazard Analysis (PHA), or Operating Hazard Analysis (OHA)] are prepared. Further details are provided below in Hazard Evaluation and Analysis.

To address hazards resulting from system extensions or modifications, operational and other changes, safety analysis included in design and procurement contracts will provide for:

- Identification of potential/existing hazards;
- Assessment of the severity and probability of occurrence/reoccurrence of each potential hazard;
- Timely awareness of hazards for those who must resolve them;
- Ability to track and control hazards through all phases of a project's life cycle; and
- Formal Safety and Security Certification where applicable.

### 1.2.2 Methods of Identification

Hazard identification can be derived from the day-to-day operations and maintenance activities of the system. These activities can include the certification of new construction, the review of system modifications, structure inspection activities, equipment modifications, design reviews, testing, analysis, and maintenance inspections. Finally, hazards are often identified as a result of safety audits, peer reviews, customer complaints, and triennial reviews. A summary of sources for hazard identification is as follows:

- |  |   |
|--|---|
| • Maintenance Audits & Inspections       | • MetroLink Incident Management System                      |
| • Facility & Equipment Inspections       | • Trespasser/Near Miss Log                                  |
| • Structures Inspection Program          | • Safety Meeting Discussion Points and Action Items         |
| • Training & Certification Programs      | • Facility Inspections                                      |
| • Accident & Injury Investigations       | • Revenue Vehicle Inspections                               |
| • Contractor, Patron, & Employee Reports | • Transit Asset Management                                  |
| • Safety Data Acquisition & Analysis     | • Safety Committees and Working Groups                      |
| • Operating Rules & Procedures           | • External Regulatory Agencies such as the FTA and the BSSO |
| • System Replacements & Updates          | • Employee Safety/Hazard Reporting                          |
| • New Systems & Rolling Stock            |   |
| • SSO Three Year Reviews                 |   |
| • Internal Safety & Security Audits      |   |

## 1.3 Hazard Investigation, Evaluation/Classification, and Analysis

### 1.3.1 Hazard Investigation

#### *1.3.1.1 Metro Safety Reportable Hazards*

Hazards identified by an employee can be reported through the Employee Safety Reporting Program as described in Chapter 8. Employees are trained on hazard reporting through the company-wide SMS training.

Investigation findings are documented and provided to the General Manager Safety, who will provide support for the department and monitor corrective actions through full resolution. These hazards will be included on the hazard/mitigation log for completion and monitoring.

The Employee Reporting Program is another option for employees to report hazards directly to the safety department. These hazards/concerns are tracked in an ESRI computer database.

### *1.3.1.2 BSSO Reportable Hazards*

In accordance with BSSO Program Standard requirements, if Metro determines that the final risk assessment of the hazard identified is “unacceptable” using the criteria and assessment process specified in this Safety Plan, Metro notifies the BSSO within 24 hours or by 5:00 pm on the next regular working day following the determination of the unsafe condition as “unacceptable”. Metro transmits notifications to the BSSO in accordance with the BSSO State Safety Oversight Program Rail Event Notification Standard Operating Procedure issued 2022.

Metro or its contractor investigates a hazard reported to the BSSO as unacceptable in accordance with the provisions specified by Metro in its Safety Plan. Metro maintains a database of hazards reported to the BSSO and makes these files available to the BSSO for review and evaluation.

Metro will submit to the BSSO electronically the initial report of its investigation of an unacceptable hazard within fourteen (14) calendar days of the hazard being identified by Metro.

Metro submits to the BSSO status reports of the unacceptable hazard investigation at least monthly. Until the investigation is completed. Metro shall transmit these status reports electronically.

Upon completing the investigation of the unacceptable hazard, Metro prepares and submits to the BSSO for review and approval a final report that includes a description of activities, findings, identified causal factors, hazard analysis, and a corrective action plan (CAP) as appropriate. Metro transmits an electronic copy of the final investigation report to the SSO via email.

# Chapter 6 – Safety Risk Evaluation

## 1 Hazard Evaluation and Analysis

The next step in the hazard management process involves classification of each hazard in terms of severity and probability of occurrence in order to determine the risk with which it is associated. This, in turn, provides the basis for determining possible mitigation strategies and allows the RFGS to prioritize the hazards. The risk assessment criteria are adapted from the APTA<sup>4</sup> Guidelines, MIL-STD 882E<sup>5</sup>, and from the FRA Collision Hazard Analysis Guide<sup>6</sup>. The classification process is described in the following sections. The initial risk assessment is performed by the Safety Department.

A formal hazard analysis will be conducted on hazards identified in activities such as listed below:

- Training & Certification Programs
- Accident & Injury Investigations
- Contractor, Patron, & Employee Reports
- Safety Data Acquisition & Analysis
- Operating Rules & Procedures
- System Replacements & Updates
- New Systems & Rolling Stock
- SSO Three Year Reviews
- Internal Safety & Security Audits
- MetroLink Incident Management System<sup>7</sup>
- Safety Meeting Discussion Points & Action Items
- Facility Inspections
- Revenue Vehicle Inspections
- Transit Asset Management
- Safety Committees and Working Groups
- External Regulatory Agencies (e.g. FTA & BSSO)
- Employee Safety/Hazard Reporting

Maintenance items, such as vehicle and facility inspections will not receive formal hazard ratings and will be entered and tracked in BSD's EAM system. The EAM system will track and document the maintenance defect items from discovery to repair. A formal hazard analysis can be conducted on maintenance items where trends are discovered.

All items that receive a formal hazard analysis is currently listed on a hazard log excel sheet in addition to the Unacceptable/Undesirable Hazards log which is transmitted to the BSSO on a quarterly basis. As of 2022, the Safety Department is developing an all-encompassing hazard log using an ESRI database that will list all hazards which receive a formal hazard rating. Real-time access to the database will then be shared with the BSSO.

### 1.1 Hazard Severity

Hazard Severity is a measure of the most practical/credible mishap resulting from personnel error, environmental conditions, design inadequacies, and/or procedural deficiencies for systems, subsystems, or component failure or malfunction.

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<sup>4</sup> American Public Transportation Association

<sup>5</sup> MIL-STD 882E (11 May 2012) is the Department of Defense document that describes its Standard Practice for System Safety and was widely accepted by the rail transit industry as a best practice in the area of hazard management

<sup>6</sup> Collision Hazard Analysis Guide: Commuter & Intercity Passenger Rail Service; Office of Safety, Federal Railroad Administration, Wash. DC. (Oct. 2007)

<sup>7</sup> The majority of items listed in this system are events that occurred on the MetroLink alignment and do not warrant a formal hazard rating. Formal hazard ratings will be used for identified hazards and significant trends.

*Table D: Hazard Severity Table – Severity could result in one or more of the following categories.*

Category	Technical Definitional	Human Cost	Property Cost	Other Impacts
Catastrophic	Could result in death, permanent disability or complete system loss could result from incident cause by hazard.	Death to 2 or more; permanent disability to multiple persons.	Loss will exceed \$1M	Irreversible environmental damage.
Critical	Could result in multiple severe injuries, disability, or major system loss will result from incident cause by hazard.	Hospitalization of 3 or more persons; single fatality.	Loss between \$500K and \$1M	System interruption greater than 24 hours.
Marginal	Conditions are such that injuries to 2 or more persons and/or severe damage to system and components.	Immediate medical care (EMS) away from scene for 2 or more persons.	Loss between \$10K and \$500K	System interruption less than 24 hours.
Negligible	Minor injury or damage.	Injury or occupational illness not resulting in a lost work day.	Damage less than \$10,000	Minimal environmental impact.

## 1.2 Hazard Probability

Metro describes the probability that a hazard may occur in potential occurrences per unit of time, events, items or activity. Metro derives qualitative hazard probability from research, analysis, and evaluation of safety data from the operating experience of Metro and/or other similar transit authorities. When available, the use of appropriate and representative quantitative data that defines frequency or rate of occurrence for the hazard, is generally preferable to qualitative analysis. Due to the unique nature of hazards, the quantitative analysis for each hazard may differ. A qualitative hazard probability ranking for Metro is as follows:

*Table E: Hazard Probability Table*

Hazard Probability Levels			
	Description	Quantitative	Fleet/System
Frequent	Likely to occur frequently	1 time out of 10 or more during a 12 month period of time	Continuously experienced
Probable	Will occur several times	1 time out of 100 during a 12 month period of time	Occurs frequently
Occasional	Likely to occur some time	1 time out of 1000 during a 12 month period of time	Will occur several times multiple locations
Remote	Possible to occur	1 time out of 100,000 during a 12 month period of time	Could occur once or twice
Improbable	Unlikely but possible to occur	1 time out of 1,000,000 in a 12 month period	Very unlikely but could occur once within lifetime of a fleet or system
Eliminated	So unlikely, we assume the occurrence may not be	Will not occur	This category applies to hazards that have been eliminated by

	experienced.		design
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## 2 Hazard Control and Elimination (Resolution)

FTA defines risk as:

*Risk – the composite of predicted severity and likelihood of the potential effect of a hazard*

The objectives of a Hazard Resolution process are:

- To identify areas where hazard resolution may require a change in the system design or development of special procedures;
- To verify hazards involving interfaces between two or more systems have been resolved;
- To verify the resolution of a hazard in one system does not create a new hazard in another system; and
- To verify required analysis is provided in a timely manner, and identify where delinquent analysis is delaying hazard resolution.

Hazard resolution is not synonymous with hazard elimination. In Metro's operating environment, as in the real world, some hazards may be impossible to eliminate and it may be highly impractical to eliminate others. Thus, hazard resolution involves the reduction of risk to the lowest practical level. This is accomplished in a variety of ways, from re- design to warnings or administrative controls.

To determine what action to take to correct or to document acceptance of identified hazards, a system of determining the level of risk involved has been adopted. This risk assessment activity is incorporated in a formal safety analysis. In turn, this will enable management to properly understand the amount of risk involved relative to what it will impact (schedule, dollars, operations, etc.) to reduce the hazard to an acceptable level.

Before implementation of any corrective action, Metro has established a hazard severity category (1 through 4 and a probability ranking (A through F) which are combined to form a numerical value called a Risk Index, reflecting both severity and probability of occurrence for each identified hazard. Metro assigns a Risk Index to a hazard before implementation of any corrective action. The range of possible Risk Indices is shown in the following matrix.

*Table F: Hazard Risk Index*

Frequency of Occurrence	1 Catastrophic	2 Critical	3 Marginal	4 Negligible
(A) Frequent	1A	2A	3A	4A
(B) Probable	1B	2B	3B	4B
(C) Occasional	1C	2C	3C	4C
(D) Remote	1D	2D	3D	4D
(E) Improbable	1E	2E	3E	4E
(F) Eliminated	N/A	N/A	N/A	N/A

### 2.1 Hazard Assessment

Metro applies risk assessment criteria to the identified hazards based on their estimated severity and probability of occurrence to determine acceptance of the risk or the need for corrective action to further reduce the risk. The risk assessment and acceptance criteria assist Metro management in understanding the amount of risk involved by accepting the hazard relative to the costs (schedule, dollars, operations, etc.) to

reduce the hazard to an acceptable level. The following table identifies the hazard acceptance criteria:

*Table G: Hazard Acceptance Criteria*

HAZARD ACCEPTANCE CRITERIA				
	Hazard Risk Index	Decision Authority	Special Conditions	Responsible Party
	1A, 1B, 2A, 2B, 3A	Unacceptable	Requires immediate resolution and review, notification to SSO with 24 hours, concurrence from the ESSC and the Chief Safety Officer	CSO & ESSC
	1C, 1D, 2C, 2D, 3B, 3C	Undesirable	Requires review and approval of mitigation plan(s), or Accept risk from the Chief Safety Officer	CSO
	1E, 2E, 3D, 3E, 4A, 4B, 4C	Acceptable with Review	Mitigate risk to as low as reasonably practical or accept risk	Director of Safety
	4D, 4E	Acceptable	Risk is acceptable as is without further mitigation	Director of Safety

## 2.2 Hazard Resolution Precedence

Management will take appropriate actions to reduce the risk associated with the identified hazard to the lowest level practical. The methods utilized for eliminating or controlling hazards are listed in their order of precedence, as follows:

- Design for Minimum Risk: In other words, incorporate features in the initial design to eliminate hazards. If an identified hazard cannot be eliminated, then the associated risk can be reduced to an acceptable level through design.
- Incorporate Safety Devices: If identified hazards cannot be eliminated or their associated risk adequately reduced through design, that risk shall be reduced to an acceptable level through the use of fixed, automatic or other protective safety-designed features or devices. Provisions shall be made for periodic functional checks of safety devices.
- Provide Warning Devices: When neither design nor safety devices can effectively eliminate identified hazards or adequately reduce associated risk, devices shall be used to detect the condition and to produce an adequate warning signal to alert personnel of the hazard. Warning signals and their application shall be designed to minimize the probability of incorrect personnel reaction to the signals, and shall be standardized within like types of systems.
- Develop Procedures and Training: Where it is impractical to eliminate hazards through design selection or adequately reduce the associated risk with safety and warning devices, procedures and training shall be used. However, without a specific waiver, no warning, caution or other form of written advisory shall be used as the only risk reduction method for Category 1 or 2 hazards. Procedures may include the use of personal protective equipment. Precautionary notations shall be standardized. Tasks and activities judged critical might require certification of personnel proficiency.
- Reduce, Replace, Remove, or Do Not Operate – If there is no practical way to reduce the hazard, replacement, removal, or non-operation is indicated.
- Accept (with or without varying levels of review)– If a hazard will result in no, or less than minor, illness, injury, or system damage, no further action is necessary.

### 2.3 Procurement/Contractor Requirements

Metro procurements of safety-critical systems, processes or products require that responding contractors/suppliers utilize a methodology for hazard management in accordance with this list in order of precedence. Specifications include the requirement for all contractors/suppliers who provide systems, subsystems, or equipment that affect safe vehicle movement or passenger/employee safety to adhere to this Safety Plan. The contractor/supplier's Safety Plan and supporting documentation must be approved by the Metro department responsible for the contract in coordination with the ESSC. The Metro-approved contractor program plans must, at a minimum, define objectives, tasks, procedures, schedules, and data submittal for the safety activities that will be performed by the contractor/supplier.

### 2.4 Hazard Event Tracking / Monitoring

Metro tracks and analyzes all events/hazards through the use of the ESRI system and a Tableau database. The data is searchable and includes a variety of elements beyond hazards to include day-to-day operational activities. Metro has given the BSSO access to the Tableau database. The BSSO can access data in real-time. Incidents are tracked with 30 days, per 49 CFR Part 674.27. Occurrences are also tracked and made available per 49 CFR Part 674.27.

Hazards are identified and prioritized through a variety of methods. Examples include but are not limited to: the ESRI and Tableau databases, the daily MetroLink Defect Call, on-going and/or follow up meetings, communications with individual departments, and regular Safety Department hazard meetings.

For hazards meeting the unacceptable or undesirable thresholds, Metro has established a Hazard Tracking Log which reflects the consolidation of information in the hazard management process. The Hazard Tracking Log includes the following required information:

- |                            |  |
|----------------------------|--|
| • Hazard ID#               | • Description of Hazard                            |
| • Reported by              | • Location (if applicable)                         |
| • Source                   | • Probability Level                                |
| • Severity Category        | • Hazard Classification rating (initial and final) |
| • Location (if applicable) | • SSO Report Date                                  |
| • Mitigations              | • Status   |

All hazards are continuously tracked and analyzed for potential trends. To assist in trend analysis evaluation, Metro uses the Tableau Server. This server can generate a variety of reports based on the hazard being analyzed.



Figure 2: Sample Hazard Log

HAZARD ID	HAZARD DESC	REPORTED BY	HAZARD LOCATION	MILE POST	SOURCE	DATE OPENED	HAZARD CLASS	TEMP MITIGATION	PERM MITIGATION	STATUS	CLOSE DATE
2010HAZ01	Deterioration at Union Station Tunnel	MOW - Structures	Union Station Tunnel	13.4	INSPECTION: STRUCTURES	11/23/2010	2 - High	TEMP REPAIRS; frequent monitoring	CAPITAL PROJECT	Load ratings completed by Modjeski & Masters indicate that additional temporary shoring towers are needed in the North Bay area near the Comm Room. Design Phase of the replacement tunnel continues, currently at 15% complete. A separate design package for constructing a new Comm. Room outside of the tunnel is at 60% design completion. A Construction Manager / General Contractor (CM/GC) has been selected, with contract negotiations in progress. The CM/GC will work with the design team through the design phase to provide constructability and cost estimating advice, prior to construction.	
2010HAZ03	Deteriorating Concrete Ties	Grott	Various - Cross County & St.		INSPECTION: MOW	11/3 /2010	3 Medium	MONITOR	TBD	Remediation in IL and XCO continues	
2010HAZ04	TRESPASSERS ON ROW	Ghassi	Various		ACCIDENT	11/23/2010	3 Medium	MONITOR	TBD	MONITOR Trespasser Log; ongoing; See white paper; Priorities established;	
2010HAZ06	2010HAZ07 Forest Park Ped Bridge poor condition	MOW - Structures	Forest Park over ROW	9.8		7/26/2011	3 Medium	3 Medium	Monitor	Metro continues to monitor this bridge with the City. Metro requested a brief structural analysis of one of the steel trusses be performed by Juneau, which was completed and shared with the City. The City is in the process of hiring a contractor to perform initial repairs on the bridge in Summer 2018, and a potential 2nd phase of repairs in Summer 2019.	Monitor; City of St Louis has assumed ownership & will repair; City has contractor on board
2010HAZ08	Water intrusion in Downtown Tunnel	Audit	Downtown tunnel		3 YR SAFETY REVIEW - 2008	12/13/2012	3 Medium	More frequent inspections & monitoring	Capital Project	Amanda Wedekemper will be managing the project. The RFP for design was advertised in January, with no proposals received. Since then, the RFP has been revised and will be re-advertised in the next few weeks. Proposals were received recently and Metro is currently (June '18) in the Evaluation process of selecting a consultant for this project.	

The Hazard Tracking Log is submitted each month to BSSO. BSSO reviews the Monthly Hazard Tracking Log and forwards any questions or requests for information to Metro. In addition, Metro conducts quarterly meetings with BSSO to review the Hazard Tracking Log and the other activities associated with the hazard management process. The quarterly hazard management meetings are discussed further in other sections.

# Chapter 7 – Accident & Incident Investigations

## 1 Accident & Incident Investigations

This chapter describes the process used by Metro to report accidents and incidents occurring on MetroLink (ML), MetroBus, or Call-A-Ride property or involving employees or property. Additional details related to reporting, investigating, and documenting accidents and incidents can be located in the Department of Risk Management, Claims & Safety SOPs 4.1 through 4.7<sup>8</sup> and in ML SOPs 106.01 through 106.20.

### 1.1 Accident & Incident Notification

All accidents & incidents involving Metro personnel or property must be reported to the OCC/BOCC in accordance with Metro's rules and standard operating procedures. Safety SOP 4.4 provides guidance as to levels for notification & response. Any Metro employee involved in, or witnessing, an accident or incident, shall immediately notify OCC/BOCC. In turn, the OCC/BOCC shall notify appropriate management, supervisory and emergency response personnel in accordance with the notification protocol. For MetroLink this protocol is described in ML SOP 106.20. Internal notifications shall be made as soon as practical.

### 1.2 Accident Investigation

The Safety Department has the overall responsibility for accident investigations as defined by the accident investigation procedure. A TSM is first on the scene and initially investigates accidents. Depending on the severity of the accident, the Safety On-call Representative may also participate in the investigation. In the case of an accident defined as a Level 2 or higher, a Safety On-call Representative is notified and will respond to the scene. The Safety Representative will assume the lead investigation role. The Safety Department, with support from ML Operations, MetroBus, or Call-A-Ride, has identified certain procedures to follow when conducting an investigation. All formal safety investigations are confidential and include the following steps, as appropriate:

- On-site inspection of the scene;
- Review of statements written by involved persons;
- Interviews with involved persons and witnesses;
- Review of the following physical evidence:
  - System log data
  - Vehicle and signal system event recorder data
  - Communication tapes
  - Train control position data
  - Train alarm tabulation printouts
  - Car, track, equipment maintenance and inspection reports
  - OCC documentation
  - CCTV Tapes
  - DRD Videos
  - On-scene measurements
  - SCADA

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<sup>8</sup> This section of SOPs is general in nature and is applicable to the entire METRO system including bus, van, and rail.

- Perform system tests;
- Preserve evidence;
- Coordinate incident reconstruction activities; and
- Prepare report for management and the SSO (for rail).

### 1.3 Regulatory & Management Reporting

The Safety Department identifies and coordinates all reports to outside agencies as required.

#### 1.3.1 State Safety Oversight (Rail)

Metro reports rail accidents and injuries to the MoDOT and IDOT SSO, and the FTA in accordance with 49 CFR Part 674, the BSSO Program Standards Manual, and the BSSO Event Notification SOP.

The contact information for IDOT, MoDOT, and the FTA:

- IDOT – IDOT District 8 Communications Center Phone (618-346-3233 or 618-346-3237)
- MoDOT – MoDOT SSO Program Manager Phone (573-418-0500)
- MoDOT 24-Hour Emergency Phone (573-751- 4291)
- FTA – email ([CMC-01@dot.gov](mailto:CMC-01@dot.gov)) , phone (202-366-1863)

The following accidents and incidents require notification within two (2) hours<sup>9</sup>:

- A loss of life
- A report of a serious injury to a person
- A collision involving a rail transit vehicle
- A runaway train
- An evacuation for life safety reasons
- Any derailment of a rail transit vehicle, at any locations, at any time, whatever the cause

The FTA released two (2) guidance documents<sup>10</sup> that excludes deaths and serious injuries from the 2-Hour reporting requirement if it was due to: illness, drugs, or natural causes occurring on the rail transit property. In these circumstances, the SSO Program Standard<sup>11</sup> requires Metro notify the SSO within one business day.

Reports prepared for the SSO Agency will follow the format outlined in Annex A - adopted from APTA Standard for Rail Transit Accident/Incident Investigation; Volume 4-Operating Practices, APTA; RT-SOP-002-02, dated July 26, 2004. Accident reports developed and prepared for the respective SSO agency are reviewed, approved and adopted by the SSO agency. The SSO Agency may request that causal factors or hazards identified during the investigation be addressed or corrected by Metro. In that instance, Metro will prepare a CAP as described in Chapter 8 of Part III – Safety Assurance.

#### 1.3.2 NTSB<sup>12</sup>

Metro notifies the NTSB following a rail accident<sup>13</sup>:

<sup>9</sup> Appendix to Part 674 – Notification and Reporting of Accidents, Incidents, and Occurrences further defines the FTA reportable accidents. This Appendix is listed with 49 CFR Part 674 and the SSO Program Standard.

<sup>10</sup> Titled Two-Hour Accident Notification Guide (02/23/18), and Two-Hour Accident Notification Quick Reference Checklist (02/23/08).

<sup>11</sup> Section 7.5 Fatalities and Serious Injuries Unrelated to Rail Transit Operations or Maintenance.

<sup>12</sup> National Transportation Safety Board

<sup>13</sup> [53 FR 49152, Dec. 6, 1988]: Title 49 C.F.R. PART 840—RULES PERTAINING TO NOTIFICATION OF RAILROAD ACCIDENTS

- a) No later than 2 hours after an accident which results in:
  - 1) A passenger or employee fatality or serious injury to two or more crewmembers or passengers requiring admission to a hospital;
  - 2) The evacuation of a passenger train;
  - 3) Damage to a tank car or container resulting in release of hazardous materials or involving evacuation of the general public; or
  - 4) A fatality at a grade crossing;
- b) No later than 4 hours after an accident which does not involve any of the circumstances enumerated in paragraph (a) of this section, but which results in:
  - 5) Damage (based on a preliminary gross estimate) of \$150,000 or more for repairs, or the current replacement cost, to railroad and non-railroad property; or
  - 6) Damage of \$25,000 or more to a passenger train and railroad and non-railroad property.

Title 49 CFR. Part 840 stipulates that the operator of a railroad<sup>14</sup> shall notify the NTSB by telephoning the National Response Center at telephone 800-424-0201 at the earliest practicable time after the occurrence of any one conditions listed above.

49 CRF Part 840.4 stipulates that the information to be given in notification:

- a) Name and title of person reporting.
- b) Name of railroad.
- c) Location of accident (relate to nearest city).
- d) Time and date of accident.
- e) Description of accident.
- f) Casualties.
  - 1) Fatalities.
  - 2) Injuries.
- g) Property damage (estimate)
- h) Name and telephone number of person from whom additional information may be obtained.

### 1.3.3 Federal Transit Administration

Metro also reports safety and security data monthly to the National Transit Database (NTD).

The NTD is the means by which the FTA collects uniform safety and security data. For an incident to be reportable to the NTD, it must involve a transit vehicle or occur on transit property and meet certain criteria. Reporting requirements categorize incidents as major or minor based on thresholds described in the NTD Reporting Manual.

The FTA NTD Report Manual mentions the importance of distinguishing between safety incidents and crimes, injuries, or deaths resulting from robbery, assaults, trespassing, arsons, and other crimes and misdemeanors not considered safety items. Those incidents are reported separately. Further information for the FTA NTD Reporting Manual is available from <http://www.ntdprogram.gov/ntdprogram/> or the National Transit Database, PO Box 457, Merrifield, VA, 22116-0457; Telephone: 703-205-2475. Additional guidance on

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<sup>14</sup> (a) Railroad means any system of surface transportation of persons or property over rails. It includes, but is not limited to, line-haul freight and passenger-carrying railroads, and rapid transit, commuter, scenic, subway, and elevated railways

reporting accidents/incidents to the FTA is contained in the FTA National Database Report Manual.

Metro's Safety & Security NTD Data may be viewed on the NTD website at any time by approved employees, the SSO officials, and others who are qualified.

#### 1.3.4 Missouri Division of Workers' Compensation

Employee injuries must be reported to the Missouri Division of Workers' Compensation within 30 days after receiving notice.

#### 1.3.5 Illinois Division of Workers' Compensation

Metro complies with all reporting requirements for workers compensation in the State of Illinois.

# Part III: Safety Assurance

## Safety Performance Monitoring and Measurement

Metro has established activities to monitor its system for compliance with its procedures and maintenance and exercises activities that evaluate the effectiveness of any corrective action/mitigations for existing deficiencies.

A robust accident/investigation program has been established for safety events to determine casual factors.

In addition, information shared through the Employee Safety Reporting Program is included in the Safety Assurance program at Metro for investigating, monitoring, and analysis.

## Management of Change

Metro has established a process for identifying and assessing changes that may introduce new hazards or impact Metro's safety performance, which is described in Chapter 8. If Metro determines that a change may impact its safety performance, then Metro will evaluate the proposed change through its Safety Risk Management process.

## Continuous Improvement

Metro has established a process to assess its safety performance. If Metro identifies any deficiencies as part of its safety performance assessment, then Metro will develop and carry out, under the direction of the President & CEO, a plan to address the identified safety deficiencies. The continuous improvement process is further described in Chapter 9.

# Part III: Safety Assurance

## Chapter 8 – Safety Performance Monitoring and Measurement

This chapter describes Metro's performance measures, transit asset management and state of good repair, and other performance measuring and monitoring activities, including the Safety Working Groups, Rules Compliance/Procedures Review, Hazardous Materials Program, Employee Safety Reporting Program, Drug and Alcohol Program, and the Procurement Process.

### 1 Safety Working Groups

The Safety Department accomplishes many of its Safety Assurance activities through various working groups that span across the entire agency with all modes of transportation. These meetings enable the Safety Department to interface and collect data from the various departments to include: hazards, safety concerns, performance data, front-line worker collaboration, etc.

The Safety Working Groups are as follows:

- Front Line Team Member Safety and Security Working Group
  - To provide a strategic overview of safety and security issues affecting BSD from front-line team members and serve as the main forum for joint consultation between management and union.
- MetroLink Event Review Working Group
  - To provide safety assurance through use of management information on MetroLink safety performance.
- MetroBus Event Review Working Group
  - To provide safety assurance through use of management information on MetroBus safety performance.
- Safety & Security Certification Working Group
  - To ensure Safety and Security Design and CPTED Criteria are integrated into Engineering Projects and verified prior to revenue service.
- Call-A-Ride Event Review Working Group
  - To provide safety assurance through use of management information on Call-A-Ride safety performance.
- Team Member Assault Review Working Group
  - Preventing and mitigating team member assaults.
- Safety Assurance Review Working Group
  - To review, trend and mitigate deficiencies documented within safety assurance inspection reports.

### 1 Safety Data Acquisition

#### 1.1 Safety Data Acquisition and Analysis

It is the task of the Safety Department to monitor safety performance of Metro's operations. Selected data is accumulated and analyzed by Safety Department staff. This includes but not limited to: injuries, potentially hazardous equipment failures, structural defects, reports from the Employee Reporting Program, and rules and procedures violations. This information is presented at the quarterly Safety and Security Executive Committee (ESSC). The data is used in the tracking of hazard-related data to identify safety-related trends. These trends are further analyzed or investigated by the Safety Department, with the assistance of the affected department, to pinpoint the specific areas of concern. This is accomplished by interviews with personnel in the affected department(s) and analysis of pertinent documentation. Monthly safety meetings with each transportation mode are also used to discuss trends, hazards, information reported through the Employee Safety Reporting Program and any other safety concerns that may arise. Identified hazards are submitted to the management of the department responsible for implementation of the necessary corrective action. Also included in the submittal are recommendations for mitigation(s) or a request for corrective action development. The effectiveness of mitigations and corrective actions are tracked by the Safety Department, and through monthly Safety meetings with each mode of transportation.

### 1.2 Data Acquisition

Safety data is collected, documented and analyzed from numerous sources by all departments. Sources include but are not limited to:

- Accident Reports
- External agency Reports and Publications
- City Official Concerns
- Claims Reports
- Daily Operations Reports
- Maintenance Reports
- Employee Concerns
- Employee Occupational Injury Reports
- FTA Bulletins and Safety Advisories
- Homeland Security Alerts
- Hot Spot Maps
- Insurance Inspection Reports
- Internal Audit Reports
- BSSO/FTA Reviews
- Passenger Concerns/Customer Complaints
- Inspections, Assessments and Observations
- Safety Meetings
- Special Occurrence Reports
- Public Safety Reports, concerns and investigations
- Social Media Posts
- Employee Safety Reporting Program
- Customer Service information
- System reliability



- Rule Compliance Checks

Safety data collection also involves obtaining technical information, data and reports for use in systems development of program elements. Sources for such data include but are not limited to:

- American National Standards Institute (ANSI)
- American Public Transportation Association (APTA)
- American Society for Testing and Materials (ASTM)
- Federal Motor Carrier Safety Administration (FMCSA)
- Federal Motor Vehicle Safety Standards (FMVSS)
- Department of Homeland Security (DHS)
- Environmental Protection Agency (EPA)
- Federal Transit Administration (FTA)
- State Safety Oversight Program (SSO)
- Missouri and Illinois Statutes
- Safety Data Sheets (SDS)
- National Fire Protection Association (NFPA)
- National Transportation Institute (NTI)
- Occupational Safety and Health Administration (OSHA)
- Transportation Security Administration (TSA)
- National Transit Database (NTD)
- Centers for Disease Control (CDC)
- Missouri Department of Health
- Illinois Department of Health

Other data and information sources include building codes and professional society guidelines, and information technology and cybersecurity standards organizations.

### 1.3 Data Analysis and Access

Used as part of the hazard management process, data collection and analysis are used to identify hazards before they cause accidents by such techniques as trend analysis.

Metro's departments under the direction of Management Personnel are to collect and track their safety-related data to identify causal factors and undesirable trends, including those related to hazards. The investigation may include interviews, testing and analysis of related documentation. Identified hazards are tracked and findings requiring corrective action are submitted to the Safety Department and the other Metro department(s) for review, assessment, concurrence and discussion of further appropriate mitigations. The Safety Department reviews all safety data analysis, and verifies compliance with SMS and this Safety Plan, and provides expert advice to Metro Management on trends through the ESSC.

## **2 National Public Transportation Safety Plan Safety Performance Measures**

Metro has set performance targets based on the safety performance criteria established under the National Public Transportation Safety Plan (NSP). FTA's National Safety Plan describes the required safety performance areas public transit agencies must measure, outlined below. These performance measure

focus on existing data delivered to the National Transit Database (NTD).

Each year, Metro will set performance goals in each area. The goals for each are listed in Appendix A – National Public Transportation Safety Plan Safety Performance Measures.

National Public Transportation Safety Plan Safety Performance Measures			
System Reliability	Safety Events	Fatalities	Injuries
The mean distance between mechanical failures by mode.	The number and rate per total vehicle revenue miles by mode.	The number and rate total vehicle revenue miles by mode.	The number and rate per vehicle revenue miles by mode.

### 2.1 Coordination with East-West Gateway Council of Governments (EWGW) and the States

Per 49 CFR Part 673.15(a) & (b), Metro is required to coordinate its performance targets as required by the National Public Transportation Safety Plan with the local Metropolitan Planning Organization and the State(s). These entities consist of East-West Gateway Council of Governments (EWGW), IDOT, and MoDOT.

During the draft stages of the PTASP each year, Metro will communicate its proposed performance targets to EWGW. The Accountable Executive, or their designee, will communicate this to EWGW by electronic means or/or an actual meeting. This will be accomplished each year before the draft PTASP is transmitted to the BSSO.

The annual draft PTASP submittal to the BSSO will serve the requirement of Metro communicating its proposed performance targets with the State(s). Metro also has the opportunity of communicating and coordinating with the BSSO on its safety performance measures through the quarterly BSSO meetings and/or site visits.

## 3 Safety Performance Measures

### 3.1 Performance Indicators

Metro uses a variety of performance indicators to measure its compliance with, and the sufficiency of, its procedures for operations and maintenance. As described in Chapter 6, Metro uses information obtained from the Incident Management System through a Tableau database to track and trend Metro events and hazards. This information is tracked and trended on a monthly and quarterly basis.

Metro will also use Leading and Lagging Performance Indicators when briefing senior management. The ESSC is given performance data on these indicators at least quarterly and sooner if the need arises. A report is generated from this information and shared with the BSSO.

If a negative trend is present, the trend will be analyzed and mitigations measures discussed. If appropriate, a hazard rating will be assigned and tracked on the hazard/mitigation table. This will allow the hazard and mitigation efforts to be analyzed for effectiveness on a regular basis.

While listing all of the performance data here would be exhaustive, a summarized list is found in Appendix B – Performance Indicators<sup>15</sup>.

## 4 Operating and Maintenance Rules and Procedures

Operational and maintenance rules and procedures are contained in the Standard Operating Procedures (SOPs), Rule Book, and Operations Manuals. Facilities rules and procedures are contained in the Facilities

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<sup>15</sup> As a part of the overall SMS system, performance indicators will evolve and change. These changes can be directed internally as well as externally.

Maintenance Plan and manufacturers' manuals. These publications cover all rules and procedures that are necessary to operate a safe and efficient bus, rail and paratransit. The Metro Employee Manual, Drug & Alcohol Program Plan, and rule books cover the vast majority of the safety rules for Metro.

All rules compliance findings of non-compliance are evaluated by the General Manager Safety and the Safety Department, and where appropriate, are managed through Metro's hazard management process in compliance with Part II (Safety Risk Management) of this Safety Plan.

## 5 Rules Compliance

The data obtained from the Rules Compliance programs is an important part to the SMS process at Metro. These rules cover both operational and maintenance types. Currently, most of the data from rules checks are kept in Excel databases. Paper copies are also used for rules compliance checks. Safety has access to all of these records and reviews on a monthly basis for hazards and trends. In addition, the data from this program is also analyzed at monthly Rail and Bus/CAR safety meetings. Hazards and trends discovered are put through the SRM process and mitigations/CAPs are generated when appropriate.

These monthly safety meetings are also used to discuss the effectiveness of supervision relating to the implementation of operating and maintenance rules. If the data reflects an ineffectiveness or a process breakdown, a different direction may be warranted or a process may need to change.

### 5.1 Rules and Procedures for MetroLink

MetroLink has prepared and implemented a Rulebook and Standard Operating Procedures (SOPs) as well as specific maintenance procedures that affect safety.

### 5.2 Operating and Maintenance Rules

#### 5.2.1 MetroLink Rulebook

This manual consists of those rules and procedures applicable to all ML employees. Department managers, as required or as needed, make requests for revisions. The General Manager MetroLink approves revisions to the *ML Rulebook* after review by Safety Department and supporting staff.

A schedule of reviews has been established whereby system and operational changes are approved prior to implementation. Such changes include operational rules and procedures, supplementary manuals and bulletins. The General Manager MetroLink has the authority and responsibility for development and control of the ML Rulebook and General Orders. A new rulebook is published at least every three years to incorporate interim changes.

#### 5.2.2 General Orders

General Orders are issued to modify a current operating rule or procedure or to address an urgent operating requirement.

#### 5.2.3 Supplementary Manuals

Supplementary manuals are published to address a specific job assignment or function within a department, division or section. These manuals are developed, issued, and implemented at the departmental level. Revisions to supplementary manuals are the responsibility of the department manager affected.

### 5.3 Maintenance Personnel

Vehicle Maintenance Superintendents and Supervisors enforce rules and procedures by observing and monitoring employee performance in bus, paratransit and rail shops and yards. Facilities and Rail Maintenance Supervisors enforce rules and procedures by observing and monitoring employee and

contractor performance on the rail system and at work sites. Rules and procedures monitored and observed for compliance include but are not limited to:

- General safety;
- Proper use of tools, equipment and machinery;
- Proper use of personal protective equipment;
- Right-of-way safety;
- Fire safety;
- Material handling and storage: and
- Quality Assurance inspections and audits of procedures, including rule compliance.

Preventive maintenance activities are continuously monitored by maintenance managers and supervisors. Inspection tasks are periodically updated to reflect fleet needs and enhance operational efficiency and safety.

Maintenance Supervisors also conduct follow-up activities after audits to ensure employee compliance with maintenance rules.

#### 5.4 Maintenance of Way (Right of Way & Rail Systems Maintenance)

MetroLink established rules and procedures which govern maintenance activities along the operating right of way. These rules also apply to Metro contractors or other contractors that may perform maintenance or construction activities. Before any work along the right of way is authorized a work permit must be obtained. Before work is commenced, a supervisor will brief the work crew on the upcoming work and the applicable safety measures. The supervisor will then make unannounced visits to the work sites to check for work zone safety compliance. In addition, Transit Safety Managers (TSMs) as described below (LRV Operator Rules Compliance Program) and Safety personnel will make routine visits.

#### 5.5 Facility Worker Safety

Vehicle Maintenance Superintendents and Supervisors enforce rules and procedures by observing and monitoring employee performance in bus, paratransit and rail facilities and yards. Facilities and Rail Maintenance Supervisors enforce rules and procedures by observing and monitoring employee and contractor performance on the rail system and at work sites. Rules and procedures monitored and observed for compliance include but are not limited to:

- General safety;
- Proper use of tools, equipment and machinery;
- Proper use of personal protective equipment;
- Right-of-way safety;
- Fire safety;
- Material handling and storage: and
- Quality Assurance inspections and audits of procedures, including rule compliance.

#### 5.6 MetroBus & Call-A-Ride Operator Rules Compliance Program

MetroBus and Call-A-Ride have an Operator Evaluations Program to monitor operator performance, to identify violations and take the necessary action to correct these. Call-A-Ride has an Operator Evaluations Program to monitor operator performance, to identify violations and take the necessary action to correct

these. The Operator Rules Compliance Program consists of observations performed by TSMs to evaluate if the operators are adhering to the operating rules and to determine methods to improve their operating proficiency. All operators undergo at least one direct observation by a TSM during each calendar year. New operators have their first direct observation within one year from the date that they enter passenger service. For each evaluation, the TSM completes a checklist and discusses the results of the evaluation discussed with the operator. The Manager of Paratransit Operations takes action to correct the observed rule violations. Disciplinary action is administered in accordance with Call-A-Ride guidelines.

The plan is reviewed annually for effectiveness by the Safety Department and the General Manager Call-A-Ride. The review includes a thorough look back at the previous year to determine trends and significant exceptions. The plan for the coming year is crafted and will specifically detail the focus as to which rules will be reviewed and the frequency of those reviews.

Finally, the Internal Audit Program also reviews operator adherence to the Metro's operating rules. At least once in every three-year audit cycle, the Internal Audit Department audits operations. The audit includes a records review of the Operator Rules Compliance Program, first hand observations of the bus/van operator's performance in revenue service, and efficiency checks to ensure the operator response to unexpected events are appropriate.

## 6 MetroLink Hours of Service Compliance

Hours of Service is monitored through the MetroLink Event Review Working Group. This group meets monthly and has a collection of Operations Management and Training staff in attendance. One of the standing items for the meeting is hours of service compliance. A report is generated from a Tableau database each month that indicates all hours of service violations of the MetroLink Hours of Service SOP and the MoDOT Hours of Service rule. Each hours of service violation is discussed as well as potential mitigations or corrective actions. These actions are captured on meeting minutes and will be used for continuous improvement.

## 7 Facilities and Equipment Inspections

Metro has established and maintains a list of MLRFGS facilities, physical equipment, and rolling stock subject to inspections and tests for safety critical elements. Several departments perform or monitor safety-related tests and inspections of facilities, equipment, and rolling stock. The Transit Asset Management Plan provides a listing of all Metro facilities, equipment, and rolling stock.

### 7.1 Yard & Shops Inspections

The Safety Department inspects the MLRFGS operating and maintenance facilities on an annual basis to ensure the safety of employees and guests and to ensure compliance with applicable safety regulations.

The Safety Department participates with the Rail Facility Maintenance Department and the LRV Maintenance Department to identify and document compliance with local, state, and federal regulations regarding environmental pollution issues related to air, water, soil contamination, and provides assistance to control hazards. A safety inspection of each facility is completed annually and includes a review of the following:

- Reporting findings and recommendations resulting from safety tests and inspections to appropriate personnel and management;
- Metro management;
- Performing follow-up inspections to determine compliance with findings and recommendations;
- Evaluating the effectiveness of safety tests and inspections;
- Portable fire extinguishers;
- Fire detection and alarm systems;

- Fire suppression systems;
- Building construction and maintenance;
- Building facilities: i.e. heating, ventilation, and air conditioning, electrical, etc.;
- Means of egress and security (access controls);
- General housekeeping and storage practices; and
- Occupants' awareness of emergency procedures.

All inspections are documented. Inspection reports include the following:

- Date of inspection;
- Name of facility;
- Listing of items observed;
- Description of observed deficiencies;
- Lists of applicable codes, SOPs, and regulations;
- Suggestions to improve the safety of the facility; and
- Name of inspector.

The inspection team will ensure personal protective equipment (PPE) is available at all times, eyewashes and fire extinguishers are operational, and general facility defects are noted and corrected. Serious deficiencies, i.e. life threatening, are corrected immediately. If a serious deficiency cannot be corrected immediately, it is given priority for corrective action/mitigation and preventive measures are taken to mitigate the maintenance deficiency in accordance with the procedures outlined in this Safety Plan. If a corrective action/mitigation for a serious deficiency is delayed the Executive Safety & Security Committee or Chief Safety Officer may impose temporary measures to protect life and property. Examples of such measures include shut downs, evacuations, notifications, or signage advising of present conditions.

Inspections will be conducted to ensure compliance with local, state, and federal environmental regulations. Deficiencies in equipment and the facilities will be documented in EAM from discovery to closure. Conformance with these procedures provides timely resolution of possible hazards and deficiencies along with proper reporting of deficiencies within components of the system.

An inspection report identifying safety and health defects found during the inspection will be issued to the Rail Facilities Maintenance Department. The defects will also be entered and tracked in EAM. This Department is responsible for correcting any deficiencies related to facilities and the equipment therein and also provides a schedule listing when the corrections will be completed.

Facility inspections and audits are tracked by the Maintenance of Way Department and Safety Department within the EAM system. The procedures for the annual safety inspection, including the "Facility Inspection Checklist" are outlined in this Safety Plan.

## 7.2 Structures Inspection

The Metro Board of Commissioners adopted The ML Structures Inspection Manual in August 2002 as the official ML Structures Inspection Manual. The manual was updated in November 2008 and renamed the MetroLink Standard for Structures Inspection and Maintenance. Implementation of the Structures Inspection Program is the responsibility of the Program Manager. This plan includes protocols, timetables, and responsibilities for the inspection of ML structures. Structures governed by the plan include, but are not limited to, bridges, culverts, tunnels, retaining walls and elevated platforms. The current manual was last updated in 2019.

The inspections prescribed by this manual are performed in accordance with the current edition of the AASHTO "Manual for Bridge Evaluation" and other standards and guidelines as noted in the plan. Maintenance of Way is responsible for the implementation and monitoring of the program. Deficiencies found in the structures are rated on a scale of 0 (failed) to 9 (Excellent) based on its condition and the rating is recorded along with a report and photos in a structures database. A member of the Safety Department reviews reports on structures that receive a rating of 4 (Poor Condition) or lower. The hazard management process is then engaged to determine the risks associated with that structure.

### 7.3 Stations Inspections

The Rail Facility Maintenance Department has the primary responsibility for inspections of stations and parking lots. The stations are inspected at least monthly; however, all maintenance and operational personnel report hazards or defects as noticed. The frequency and scope of station inspections are discussed in more detail in below.

An annual emergency power simulation is conducted at MetroLink stations. The main power breaker is opened and electric power is removed. Operation of alarms, enunciators, generators, fire suppression systems, lights and equipment on the emergency circuit is verified.

### 7.4 Rolling Stock Inspections

The LRV Maintenance Department has the responsibility for regular inspection and maintenance of the MLRFGS rolling stock. The LRV Maintenance program includes daily safety inspections, mileage-based preventative maintenance inspections and RCM overhaul program. Scheduled inspections occur at mileage intervals of 5,000, 15,000, 30,000, 50,000, and 100,000 miles. LRV electro mechanics inspect equipment on the trains during preventive maintenance work. The LRV maintenance program is described in detail in the LRV Maintenance Manual.

LRV Maintenance conducts a pre-trip inspection on each LRV prior to passenger service. The LRV operator then performs a pre-departure check before commencing service. These items include:

- Fire protection equipment;
- Emergency communications equipment - PA, Radio, Intercom;
- Brakes, door operation, horns, bells, & silent alarm;
- On-board signal equipment; and
- Headlamps, RR lamp, & indicator lamps.

A copy of the Daily Pre-departure Inspection Form is available at the LRV Maintenance departments. The Safety Department conducts regular LRV Inspections at least four times per year and also participates in post-accident inspections.

The Safety Department will also conduct a sampled inspection program at least annually at both rail facilities. Deficiencies found will be entered and tracked within EAM.

### 7.5 Fire Detection & Suppression Equipment Inspections

The Safety Department is responsible for the inspection of fire protection equipment at Metro and other Metro facilities while the respective facility maintenance department is responsible for the maintenance. Generally, Metro adheres to NFPA 25<sup>16</sup> and uses the following guidelines:

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<sup>16</sup> NFPA 25 – National Fire Protection Association Standard for the Inspection, Testing, & Maintenance of Water-Based Fire Protection Systems; National Fire Protection Association, Quincy, MA

- Portable fire extinguishers are inspected monthly by Metro and serviced annually by a contractor;
- Sprinkler systems (drains and water flow alarms) are tested monthly by zone rotation so that all systems are checked at least quarterly;
- Fire pump tests are done annually by a qualified contractor;
- Deluge and dry pipe sprinkler systems are trip tested annually by a qualified contractor;
- Fire hydrants are flow tested annually at facilities, tunnels, and MetroLink stations;
- Hydrostatic tests are done every five years on dry pipe systems. A system that has been modified or repaired is hydrostatically tested before it is returned to service; and
- Reduced pressure back flow prevention devices that serve a fire protection system are tested and tagged by a certified plumber annually.

Safety maintains copies of the fire equipment inspection reports and copies are provided to the Maintenance of Way Department, and local fire authorities as requested.

### 7.6 Systems Inspections

The Rail Systems Maintenance Department has the overall responsibility for the inspection and maintenance of the MLFRGS systems elements consisting of the following:

- Track
- Signals
- Communication
- OCS
- Power Substations

## 8 Maintenance Audits & Inspections

Safety critical systems, such as track, structures, train control, transit vehicles, tunnel ventilation and fire control, elevators, escalators, and communications are inspected/tested and/or serviced on a scheduled, periodic basis. Inspections are done using checklists for each audit. When these systems are found in a failed or out of tolerance condition, in such a manner that would present a significant hazard, applicable operations will be restricted to maintain safety until an appropriate remedial action has been implemented. Equipment found in a failed or out of tolerance condition is recorded and tracked by the responsible maintenance department. These discrepancies are not to be closed out until repairs are completed. In the case of transit vehicle maintenance, should a vehicle not receive the prescribed preventive maintenance within the required maintenance schedule, the vehicle is will be withheld from revenue service.

The Safety Department performs internal safety audits of maintenance activities for safety critical systems. These audits focus on adherence to schedule, application of standards and procedures, and record keeping. All safety critical hazards discovered during audits or inspections are tracked in the hazard-tracking database.

### 8.1 Rail Systems Maintenance

#### 8.1.1 Train Control

The Signals Maintenance and LRV Maintenance Departments share the responsibility for the Metro's train control system. The Signals Maintenance Department is responsible for inspection and maintenance of wayside train control components. The LRV Maintenance Department inspects and maintains the train control components.



### 8.1.2 Signal System Inspections and Maintenance

The inspection program for the signal system includes all aspects of the Automatic Train Protection (ATP) systems; including: - track circuits, cab signals, Vital Logic Controllers (VHLC), vital relays, electronic interlockings, relay houses, signals, power-operated switches, and highway grade crossings. The frequency and scope are detailed in the ML Signal Systems Maintenance Plan. A number of “best management practices” regarding the frequency of inspection and the content of tests have been adopted from APTA’s Signal & Communications Equipment Inspection and Maintenance Volume VI; APTA’s Standard for Rail Transit Systems Highway Rail Grade Crossing Warning Device Inspection, Testing; and Maintenance Volume III; and Federal Railroad Administration’s Rules and Regulations Governing Railroad Signal and Train Control Systems. However, MetroLink is not subject to the FRA rules and regulations, and such practices have been adopted as suitable for MetroLink due to the similarity of equipment in certain applications. This plan is reviewed annually to determine if updates to the plan are required. Table H provides the inspection frequency of some of key Signal System elements.

*Table H: Inspection Schedule – Key Signal System Elements*

Inspection Schedule - Key Signal System Elements	
<u>Inspection</u>	<u>Frequency</u>
Solar Switches	Quarterly
Visible Damage Assessment	Monthly
Ground Tests <sup>17</sup>	Monthly
Signal House Utility/Standby Generator/VHLC/Ground Tests	Monthly
Power Switches/Power Switch Circuit Controllers	Monthly/ Annually
Highway Grade Crossings	Monthly/Annually
Hand Throw Switch Circuit Controller/Electric Lock/Derail	Quarterly
Snow Melting test	Annually
Impedance Bonds/Rail Connections	Semi-Annually
Wayside Signals	Monthly/Semi-Annually
Insulated Joints	Semi-Annually
AC/AF track Circuits	Semi-Annually
Signal House Utility	Semi-Annually
Timer Relays	Annually
AC Vane Relays	Every 2 Years
Vital Relays	Every 4 Years
Route Locking/Approach Locking/Indication Locking/Time Locking/Traffic Locking/Wayside Signal Aspects	Every 2 Years
Meggering	Every 10 Years
Shunt Fouling	Quarterly

<sup>17</sup> At minimum, Grounds Tests are performed monthly. Each time the system is modified or disarranged, a Grounds Test is performed

### 8.1.3 Traction Power & OCS Inspections & Maintenance

The Traction Power Maintenance Department performs the OCS and TPSS inspection and maintenance. The frequency and scope of traction power inspections is detailed in the Traction Power Maintenance Plan. A number of practices regarding the frequency of inspection and the content of tests have been adopted from APTA's Manual of Standards and Recommended Practices for Rail Transit Systems 2004. This plan is reviewed annually to determine if updates to the plan are required. Table I lists the frequency of some of the key Traction Power elements.

*Table I: Inspection Schedule – Key Traction Power & OCS Elements*

Inspection Schedule – Key Traction Power & OCS Elements	
<u>Inspection or Sub-System</u>	<u>Frequency</u>
TPSS – Visual & equipment readings	Weekly
OCS – Mainline Visual	Weekly
TPSS – Breakers & Batteries	Quarterly
OCS – Video Inspection	Quarterly
OCS – Section Insulators	Quarterly
OCS – Air Break & Overlap	Quarterly
OCS – Fixed Tension	Quarterly
OCS – Lightning Arresters	Quarterly
OCS – Poles and Pole Ground	Quarterly
OCS – Yard Inspections	Quarterly
OCS – Balance, Weights	Semi-Annual
OCS – DC No-load Switch	Semi-Annual
OCS – Yard Door Bridge & DC Switch (Shop)	Semi-Annual
TPSS – Transformers, switchgear, rectifiers, circuit breakers	Annual
OCS – Hands-on hardware and support elements	Annual
OCS – Wire Gauge	Annual
Ladders & Hot Stick	Annual
Auxiliary PPE & Equipment	Annual

#### 8.1.4 Communication Equipment Inspections and Maintenance

The LRT Communications Maintenance Department is responsible for the inspection and maintenance of the MLRFGS communication equipment. The frequency and scope of inspections are detailed in a database available at Rail Systems. Maintenance procedures are described in the ML Light Rail Communication System Maintenance Plan.

### 8.2 ROW Inspections & Maintenance

#### 8.2.1 Track Inspection and Maintenance

The Rail ROW Maintenance Department is responsible for the inspection and maintenance of Metro’s track components, consisting of: the roadbed, ballast, ties, rail, fasteners, and special track work, as well as various other components of the ML ROW. The frequency and scope of track inspections are detailed in the Track Maintenance Plan. A number of practices regarding the frequency of inspection and the content of tests have been adopted from APTA’s Manual of Standards and Recommended Practices for Rail Transit Systems. Such practices have been adopted as suitable for MetroLink due to the similarity of equipment in certain applications. This plan is reviewed annually to determine if updates to the plan are required. Table J lists the inspection frequency of some of the key track elements.

*Table J: Inspection Schedule-Key Track Elements*

Inspection Schedule - Key Track Elements	
<u>Inspection</u>	<u>Frequency</u>
Ultrasonic Testing Mainline	Semi-Annually
Ultrasonic Testing Special Track Work	Annually
Geometry Testing	Annually (wood tie segments) Triennially (concrete tie segments)
Track Inspection	Weekly
Mainline Switches	Monthly/Annually
Yard Track & Yard Switches	Monthly
Alignment Inspections	Quarterly
Highway Grade Crossing Site Lines	Bi-Monthly

Additionally, the first train each day is operated at reduced speed to permit observation of any irregularities on the alignment.

#### 8.2.2 Ventilation & Tunnel System Inspection and Maintenance

The Rail Facility Maintenance Department is responsible for the inspection and maintenance of Metro's Tunnel Ventilation Systems. Tunnel ventilation is tested quarterly and maintained per manufacturer specifications. Included are visual inspection, cleaning, lubrication, and voltage verification. Operation is verified by SCADA.

#### 8.3 Facility Inspections & Maintenance

The Facility Maintenance Department is responsible for the inspection and maintenance of Metro's facilities, consisting of MetroBus, Call-A-Ride, and the MLRFGS operations and maintenance facilities, stations, parking structures, parking lots, and various other elements along the service area. The frequency and scope of these inspections is covered in detail in the Facilities Maintenance Plan. The Plan is reviewed annually to determine if updates or modifications are required. Table M lists the inspection frequency for some of the key elements.

*Table K: Inspection Schedule – Key Rail Facilities Elements*

Inspection Schedule – Key Rail Facilities Elements	
Yard & Shops	
Air Drier	Monthly
Compressor	Monthly
Crane Hoist	Monthly
Emergency Generator	Monthly
Exhaust Fan	Quarterly
HVAC	Monthly
Mobile Lift	Monthly
Overhead Door	Semi-annually
Train Wash	Monthly
Unit Heater	Annually
Fire Protection	Monthly
Stations	
Site Conditions	Monthly
Walking Surfaces	Monthly
Communication Building/Room	Monthly
Lighting	Monthly
Emergency Generator	Monthly
Plumbing	Monthly
Irrigation	Monthly
Lift Station	Monthly
HVAC	Monthly

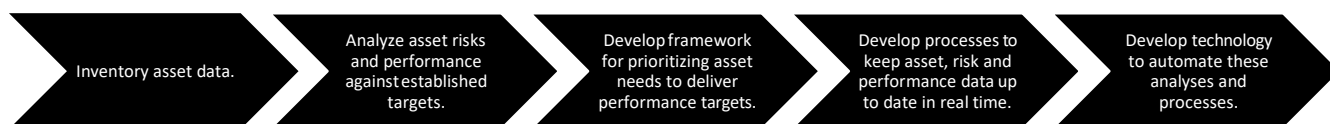
### 8.3.1 Elevator & Escalator Maintenance Audits

The Rail Facility Maintenance Department oversees a contract which provides all of the required inspections and preventative maintenance for the MLRFGS elevators and escalators. Generally, elevators and escalators are scheduled for inspection and service monthly and the elevators have a load test done every 5 years.

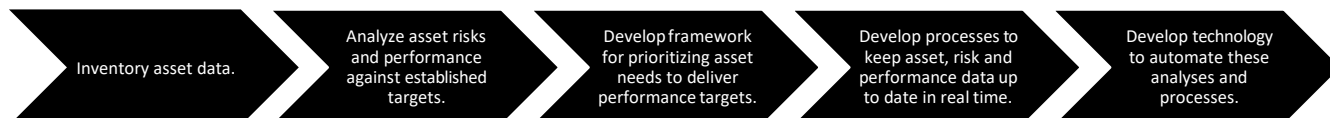
## 9 Transit Asset Management/State of Good Repair

Metro also addresses the requirements of 49 CFR Parts 625 and 630, Transit Asset Management (TAM) and State of Good Repair (SGR), through Metro *Transit Asset Management Plan*, which includes TAM and SGR performance measures. Previously stated in this Plan, both the SMS and the TAM are newer requirements for the transit agency and their continued nexus will evolve. Below depicts the Nexus between Safety Management and Transit Asset Management.

## Safety Management System



## Asset Management System



## 10 Hazardous Materials Program

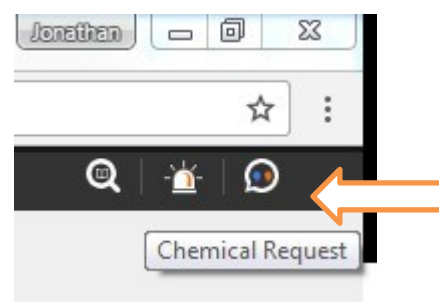
Metro has written Hazard Communication procedures for procuring chemicals to be used within the company facilities and properties. The specific Safety SOP that addresses this is SOP 10.4 - Hazard Communication. Metro adheres to OSHA's Hazard Communication Standard (29 CFR 1910.1200). This standard requires that chemical manufacturers, distributors, and importers develop material safety data sheets (SDSs) for each product in compliance with the United Nations Globally Harmonized Systems of Classification and Labeling of Chemicals (GHS). The standard requires employers make the SDS available to all employees who may work with a potentially hazardous chemical. Metro meets this requirement by providing an on-line, computer based SDS database. Metro is in the transition phase of establishing a new provider for the chemical management system. Currently, the master list of chemicals can still be found at the following web site:

<https://chemmanagement.ehs.com/9/ebinder>

Metro's procedures require that "Prior to the purchase of chemicals, products, compounds, or materials that may have potential of exposure to individuals handling it, Metro's procedures require that an SDS will be sent to the Safety Department of Metro for verification, review, and either approval or rejection." Approvals for new chemicals are obtained by submitting a request to Safety by using the online database system. Before any chemical can be allowed for use at Metro, the Department Superintendent or Supervisor will request approval through the Safety Department. This includes the use of test or sample chemicals. Any Superintendent or Supervisor can request an approval of a new chemical. The current process is described below:

Click on the link to be taken to the Metro Database: <https://cs.cloudsds.com/CampusView>.

- Select the icon in the top right corner, "Chemical Request."
- Select the blue text "Submit New Chemical Request".
- Fill in all blocks with as much information as possible. Incomplete requests will be returned to the requestor.
- Ensure a copy of the SDS is attached to the request. You will find a section at the top of the form where you will attach the SDS. If a GHS compliant SDS is not available please attach an older MSDS for the product to the request.
- For any questions concerning the chemical request process please reach out to a representative of the Safety Department.



Additional details can be found in Safety SOP 10.4 (Hazard Communication) available on Metro's intranet system on the Safety SOP page. Once all the information has been entered, select the blue text at the bottom of the page "Submit and Go to Main Menu". Once the Safety Department receives the request it will be reviewed and a response sent within three working days.

If the submitted materials are not already on the Approved Materials List, the Safety Department shall review the SDS against an Approvable Materials Criteria and either approve the product with the recommended methods of handling or disapprove with the reasons for rejection. The Safety Department shall maintain and continually update the Approved Materials List as new materials are added or obsolete products are removed and revise the Approvable Materials Criteria as needed.

All Metro Employees working with chemicals shall be required to complete the Office of Safety's computer based training for hazard communication. This training is accessible electronically here:

<https://elearning.easygenerator.com/a2e7f851-dfe7-487f-bd4f-28508c898ee2>

## 11 Federal, State, & Local Requirements

### 11.1 Federal Regulations

Although Metro is not specifically subject to OSHA<sup>18</sup> regulations, it does use OSHA guidelines in establishing a baseline for its safety programs. Additional federal regulations applicable to Metro and the MLRFGS are found in the Code of Federal Regulations; Title 49 – Transportation, as cited and included throughout this document. The MLRFGS 'safety sensitive' employees are subject to all of the DOT/FTA drug & alcohol requirements discussed further in Metro's Drug & Alcohol Plan.

### 11.2 State Regulations

Metro and the MLRFGS are subject to State Safety Oversight regulations promulgated by the State of Missouri and by the State of Illinois.

#### 11.2.1 MoDOT

Specific regulatory requirements are established in Missouri for:

- Signs (7 CSR 265-9.050) - Requires that all warning & directional signs along the MLRFGS ROW be made from a non-corrosive substance and be covered with reflectorized material.
- Hours of Service (7 CSR-9.070) - Requires a minimum of ten (10) hours off duty after each twelve (12) consecutive hours on duty and a minimum eight (8) hours off duty in each 24-hour period.
- Highway Grade Crossings (7 CSR 265-9.100) - Provides standards and requirements for the construction and maintenance of highway grade crossings.
- Highway Grade Crossing Warning Devices (7 CSR 265-9.110) - Prescribes minimum standards for warning devices; adopts and incorporates MUTCD, Part VIII<sup>19</sup>
- Visual Obstruction at Public Grade Crossings (7 CSR 265-9.130) – Standards for visual obstructions at public grade crossings.

#### 11.2.2 IDOT

IDOT became the SSOA for the State of Illinois on January 1, 2017. The Illinois Commerce Commission provides the regulations and oversight at rail grade crossings in Illinois.

In addition, both states have developed and implemented a Bi-State Safety Oversight Program Standards

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<sup>18</sup> Occupational Safety & Health Administration

<sup>19</sup> See Appendix F - Reference Documents & Citations

Manual for Oversight of MetroLink which provides standards, procedures, and technical direction to the MLRFGS. Metro and the MLRFGS are also required to conform to a variety of state (and federal) environmental regulations in Missouri and Illinois.

### 11.3 Local Regulations

There are a host of local regulations which impact the operation of the MLRFGS. These include environmental regulations such as:

- underground storage tanks
- water and air quality
- local fire protection and building codes, and
- elevator/escalator inspection requirements.

A summary of the more significant Federal, State, & Local regulations that may apply to the MLRFGS are listed in Table L. Metro ensures compliance for the Federal, State, and Local requirements through a variety of methods. Some of these methods include, but are not limited to: training records, inspections, field verifications, document checks, computer database records check, permit audit, and internal audits,

*Table L: Federal, State, & Local Regulations*

Federal, State & Local Regulations		
Topic or Area of Concern	Statutory Reference	Requirements
Elevator & Escalator Inspections	Missouri State & St. Louis County ASME A17.1, ANSI A90.1 Illinois conveyance Illinois State Act(225ILCS312/120)	Certified inspector reports, State Operating Certificates, Certificates of Inspection
Highway Grade Crossings	Title 92: Transportation, Chapter III: ICC, subchapter c: Rail Carriers, Part 1515 Report of Railroad Accidents/Incidents, Section 1515.10 Monthly Reports; Missouri Title7 CSR 265-9.100 & 265-9.110	Standards and requirements for the construction and maintenance of highway grade crossings
Driver license Recertification and Verification	49 CFR Parts 390 - 399,	Compliance with DOT driver Qualification; Federal Motor Carrier Safety Administration
Missouri Hazardous Waste Management Law and the Petroleum Storage Tank Law	The Resource Conservation and Recovery Act (1976); MO - Underground Storage Tanks – Technical Regulations – 10 CSR 20; 40 CFR Part 280; 41 Ill Admin Code 174, 175, 176, & 177	Report releases; cooperate in inspections; complete corrective actions; record keeping
Title 49 CFR Part 40 - Procedures for Transportation Workplace Drug & Alcohol Testing Programs	Board Policy Chapter 70.030; Title 49 CFR Part 655 - Prevention of Alcohol Misuse & Prohibited Drug Use in Transit Operations; Title 49 CFR Part 4 - Marine Casualties & Investigations; Title 49 CFR Part 16 - Chemical Testing (Coast Guard)	D & A Tests (Random, Post Acc, Pre-employment; etc.); Substance Abuse Program
Seismic Safety Requirements for New Building or Existing Building construction procurements	42 U.S.C. 7701 et seq.	Applies only to contracts for the construction of new buildings or additions to existing buildings.
ICC regulations required for New Construction /	20 ILCS 3405	



Rehabilitation / Improvement		
Projects affecting Metro transit services in Illinois		
MODOT Regulations required for New Construction / Rehabilitation / Improvement Projects affecting Metro transit services in Missouri	Missouri Title 7 Divisions 10, 60, and 265	
Americans with Disabilities Act Title III	Appendix A to Part 36 - Standards for Accessible Design Appendix A to Part 1191 - Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities	Federal Regulations required for New Construction / Rehabilitation / Improvement Projects
Metropolitan St Louis Sewer District (MSD)	Rules and Regulations and Engineering Design Requirements for Sanitary Sewer and Storm Water Drainage Facilities (Rev 1/1/2011)	Sanitary Sewer and Storm Water Drainage Facility Design Requirements
Office of the Illinois State Fire Marshal (OSFM)	Public Act 92-0873, cited as the Elevator Safety and Regulation Act; (430 ILCS 15/4) (from Ch. 127 1/2, par. 156) – Underground Storage Tank Management	Covers the construction, operation, inspection, testing, maintenance, alteration, and repair of Elevators & Escalators  Ill State Fire Marshal shall administer the Illinois Underground Storage Tank Program in accordance with this Section and Section 22.12 of the Environmental Protection Act
MO Div. of Fire Safety	Department of Public Safety Division 40—Division of Fire Safety Chapter 5—Elevators	Registration & Inspection of Elevators & Escalators
NTD Safety & Security Reporting	Title 49 CFR Part 630	<a href="http://www.ntdprogram.gov/ntdprogram/pubs/safetyRM/2011/html/2011_Safety_and_Security_Reporting_Manual_TOC.htm">http://www.ntdprogram.gov/ntdprogram/pubs/safetyRM/2011/html/2011_Safety_and_Security_Reporting_Manual_TOC.htm</a> .

## 12 Drug and Alcohol Program

Metro and Bi-State Development are committed to complying with the Drug Free Workplace Act and preserving the highest possible safety standards both in the quality of its services and the safety of its passengers, employees, the general public and property.. Metro employees and employees of a transit contractor who hold safety sensitive positions (covered employee) are subject to drug and alcohol testing in accordance with federal and state regulations<sup>20</sup>. The implementation of the Metro Drug and Alcohol Program Policy and Plan, as well as the requirements of federal and state regulations, is the responsibility of management.

The Drug & Alcohol Policy and Program Plan outlines the Agency's policy and outlines procedures training, testing, and reporting. Some topics include:

- Prohibited Substances
- Prohibited Conduct
- Test Classifications
  - Pre-employment
  - Post-Accident
  - Random
  - Reasonable Suspicion
  - Return to Duty
  - Follow Up
  - Probable Cause<sup>21</sup>
- Testing Protocols
- RX and Medication
- Consequences

Additionally, the Drug and Alcohol Program Policy and Plan provides managers and employees with additional material such as Drug and Alcohol contacts (Appendix A), Covered Positions (Appendix B) and Reportable Drugs (Appendix C).

In addition, MetroLink rule 2.04 - Operating Impairment requires employees to report any health or medical condition that may impair his or her ability to perform the assigned duties to Controller Supervisor, or Rail Dispatcher. This rule specifically includes the use of over-the-counter and prescription medication.

Employees are given written information about the Metro-sponsored Employee Assistance Program (EAP). This is a confidential counseling program from which all employees and their family members can obtain professional help in treating chemical dependency and substance abuse.

## 13 Procurement Process

The Safety Department performs safety reviews of procurement specifications, designs for facilities, equipment, or systems that may affect the safety of employees and passengers of ML. The review is performed to ensure the incorporation of safety requirements in contract documents, and to assess compliance with the safety requirements through the testing and/or inspection of the facility, equipment, or

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<sup>20</sup> Federal Register 49 CFR Part 40: Procedures for Transportation Workplace Drug and Alcohol Testing Programs. Federal Register 49 CFR Part 655: Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations

<sup>21</sup> Probable cause testing occurs under Metro authority and is used following serious rule violations or accidents & WC injuries that do not meet the FTA.

system. Safety aspects of bid documents and specifications include the following:

- Safety requirements for construction or installation;
- Tracking and verifying compliance with safety & security requirements in design reviews;
- Testing and certification for installations and interfaces;
- Maintaining configuration control;
- Periodic safety evaluations and audits;
- Incorporation of "fail-safe" principles where failure could cause a catastrophic event;
- Safety devices, parts and materials that eliminate or mitigate most identified safety hazards.

### 13.1 Pre-Procurement Reviews

For contracts that exceed \$100K, the Safety Department participates in pre-procurement review with Procurement and the project manager to identify any unusual or unique safety issues that might be associated with the procurement. A safety staff member is then assigned to monitor the project through conclusion. For major system construction or major upgrades, Metro's Safety and Security Certification procedures are incorporated throughout the procurement process.

### 13.2 Oracle Workflow

Metro's Oracle Requisition Approval Workflow sends notifications to the Safety Department when a requisition is submitted with factors that require their awareness. This notification is sent when a requisition is initially submitted. Discussions are then made off-line between the Safety Department, the requesting department and Procurement regarding Safety requirements prior to issuance of a solicitation or purchase order. A sample of the workflow is shown in Figure 3. The review and discussion prior to the purchase order ensures the following:

- All MSDS are pre-approved;
- All required Metro training is included in the contractual agreement;
- A contractor safety plan and contractor Job Hazard Analysis are included as part of the contract submissions when appropriate. These are reviewed, and approved by safety staff prior to the start of work.
- All safety-sensitive contractor employees are identified and applicable Metro Drug and Alcohol Policies are included in the contract
- Safety staff is able to participate in concept and design reviews as well as in the development of contract specifications

Figure 3: Oracle Workflow Approvals

Approval History for Requisition 91618

Sequence	Approver	Organization Name	Action	A
7	Nation, Vicki (Req Approval Insurance)	Bi-State Development Agency BG		
6	Beidleman, Tracy (Req Approval Grants)	Bi-State Development Agency BG		
5	Bakarich, Frederick J (Req Approval Project Manager)	Bi-State Development Agency BG	Pending	
4	Friem, Raymond A	Bi-State Development Agency BG	Approved	2
3	Poehler, Christopher C (Req Approval Project Manager)	Bi-State Development Agency BG	Delegated	2
2	Hoffmann, John L (Req Approval QC Manager)	Bi-State Development Agency BG	Approved	2
1	Taylor-Perkins, Jerusha Denene	Bi-State Development Agency BG	Reserved	2
0	Taylor-Perkins, Jerusha Denene	Bi-State Development Agency BG	Submitted	2

Examples of categories routed to Safety include construction, rail systems and ROW maintenance, hazardous materials, work on MLRFGS ROW and others. Safety staff can then request additional material or confer with others.

# Chapter 9 – Management of Change

## 1 Managing Safety in System Modifications

### 1.1 System Modification

Any safety-critical change or modification to Metro's Transportation equipment or system is controlled to assure hazards are appropriately identified and controlled in the plans and designs of the modified equipment or system. This chapter will discuss Metro's process for identifying and assessing changes that may introduce new hazards or that may have an impact on our agency's performance.

## 2 System Modification Review & Approval

Any safety-critical change or modification to Metro's Transportation equipment or system is controlled to assure that hazards are appropriately identified and controlled in the plans and designs of the modified equipment or system.

This section describes the processes to ensure safety concerns are addressed in modifications to existing systems, vehicles, equipment, and procedures that do not require formal safety certification but which may have an impact on safety. These processes and approvals support and ensure a high level of system safety for patrons, employees, and the general public.

The configuration items of the MLRFGS, MetroBus, and Call-A-Ride are those civil systems and subsystems that define the engineering and physical basis of the safety critical operating and maintenance practice. The initial baseline configuration for all modes of transportation consist of the design criteria. These documents establish the basis for the preparation of the design, construction, and operations and maintenance parameters. Various processes, as described in the following paragraphs, have been established to ensure safety review, analysis, and approval (where appropriate) of changes to the fleet and facilities which may have a safety impact.

Any proposed change described in this section with a safety impact is subject to the Safety Risk Management Process (SRM) described in Part II. Hazards discovered in the System Modification process will follow the SRM process with possible involvement of the Safety and Security Certification Review Committee and ESSC,

### 2.1 Metro Active Project System (MAPS)

In general, the Department of Engineering & New Systems Development (ENSD) is responsible for the development, implementation, and management of capital projects and operating service projects<sup>22</sup>. All projects are managed by a system referred to by ENSD as the Metro Active Project System (MAPS). The MAPS Manual<sup>23</sup> describes the policies, goals, objectives, and procedures which apply to MetroBus, Call-A-Ride, or MetroLink. Five specific types of projects, as listed below, are governed by the MAPS Manual.

### 2.2 MAPS Project Types

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<sup>22</sup> These are distinguished primarily on the basis of funding – i.e., capital projects are funded by the Capital Budget Funds and operating service projects are funded by the operating budget. Both types could include maintenance as well as new additions or enhancements to the system.

<sup>23</sup> ENSD Policies & Procedures (Rev. 1 10/09/2008) available on Metro Web

- 1) Design/Construction – longest in duration; recent MLRFGS example is the Cortex Station addition
- 2) Capital Maintenance – similar to Design/Construction projects but shorter in duration & lower in cost. Examples include the rail profile grinding project and the replacement of catenary strain insulators
- 3) Equipment – involve the procurement and installation of power driven, heavy equipment such as a 1 ton hoist or a bucket truck; also could involve vehicle procurement
- 4) Special Projects – Arts-In-Transit installation and engineering studies (i.e., environmental impact; feasibility; customer needs surveys)
- 5) Operating Services – These services could include elevator maintenance, installation of security cameras, upgrades to SCADA

Metro's Safety Department maintains an active role throughout the project life cycle of any MetroBus, Call-A-Ride project that might have a safety impact or introduce new hazards to the system. A project begins as a concept developed by one of many managers to meet one of the needs identified by the project types listed above. Once the concept has been approved by the appropriate personnel and funding has been identified, a Project Charter or Scope of Work as needed, is developed by the assigned project manager. The charter initially addresses many of the items discussed in the Safety Plan in that it contains an overview of the project scope and a summary of any potential hazards, risks, operating impacts, and configuration issues. The Charter is circulated electronically for review and approval. Metro uses Policy & Procedure Manager (PPM)™ software.<sup>24</sup> This review and approval process include automatic routing and email notification. This is required to approve all Charters that affect the transportation systems. The charter is also reviewed by the appropriate safety staff to determine the extent, if any, the safety of the system might be impacted. If so, the Safety Department will actively participate in all phases of the project life cycle including design, procurement, construction, testing, permitting and ultimately operations. The Safety role during design and construction is very similar to the safety certification review processes described later in this chapter with a few exceptions. The projects referenced here will typically not involve all of the safety critical elements certified for a new alignment. However, the safety staff, in conjunction with ENSD, MetroBus, Call-A-Ride, ML Operations, Rail Systems Maintenance, Right of Way Maintenance and LRV Maintenance, will identify those specific elements from the listing in the Safety Certification section of this chapter that will require certification on a project by project basis. The assigned Safety Auditor will attend design reviews and progress meetings throughout the life cycle of the project. Safety staff will visit the project jobsites to monitor progress and jobsite safety. Safety also audits to verify conformance to specifications. The Safety Auditor will sign the approvals on submittals, tests, QA/QC processes, and temporary permits on the safety critical elements for each project. The safety review process for MetroBus, Call-A-Ride, and MetroLink projects will also address system safety integration issues, where applicable.

### 2.3 Design Reviews

Design reviews are performed as needed for all major system procurements such as new vehicles, facility construction or modifications to established design criteria and standards. Reviews are performed to evaluate progress and technical adequacy of the design and to identify any necessary interface functional and physical compatibilities.

Design reviews include:

- Conceptual design reviews
- Preliminary design reviews
- Final design reviews

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<sup>24</sup> Developed by Policy Technologies International Inc. at [www.policytech.com](http://www.policytech.com). Now owned by NAVEX Global Corporation.

- Prototype reviews
- First article or initial product conformance reviews

A design review might, for example, consider compatibility with existing safety features, design and procedures of existing Metro equipment. The reviews address such factors and interfaces as:

- Human factors
- Environmental parameters
- Emergency responses
- Fire sources and protection
- Equipment layout and maintainability
- Operations and maintenance requirements

### 3 Configuration Management & the Configuration Change Board (CCB)

This section describes the requirements and methods used to ensure configuration management control. It includes the following:

- The authority to make changes;
- The process for making changes; and
- The notification and assurances to all affected departments regarding control of the rail transit agency's design baseline.

The purpose of this section is to ensure that modification to individual subsystems or fleet and inventory-wide changes are recorded on as-built drawings and addressed in training courses, maintenance manuals, and procedures.

The configuration items of the transit system are those civil systems/subsystems which define the engineering and physical basis of the system, and safety critical operating and maintenance practice. The initial baseline configuration consists of the System Design (design criteria, standard drawings, and standard specifications) and the project documents associated with the original transit system project as well as those documents for each subsequent new alignment.

This section of the Safety Plan addresses those aspects of these items that are safety critical. A listing of many of the transit system safety critical systems and sub-systems is shown in Table P. The 'baseline' consists of those items whose changes may affect the System Safety Profile of the transportation system. Included in this category are the physical components of the fixed plant, Safety Critical Software, transit vehicles, and operational documents such as the Operating Rules and SOPs for operations and maintenance. The controlling documents include specifications, drawings, and/or associated lists, selected or designated as belonging to a particular technical baseline.

Any proposed change described in this section with a safety impact is subject to being presented, discussed, and approved or disapproved at the Configuration Change Board (CCB). Here, the Safety Risk Management Process (SRM) described in Part II will be followed. Hazards discovered in the Configuration Management process will follow the SRM process with possible involvement of the Safety and Security Certification Review Working Group and ESSC.

#### 3.1 Baseline Configuration

##### 3.1.1 Design Criteria, Standard Drawings, and Standard Specifications

Metro's Design Criteria and Standard Specifications define the principal design requirements for the transit

system in sufficient detail to permit the definition and allocation of requirements to the systems and assemblies that comprise the system. The project documentation includes any exceptions allowed from the design criteria and 'As-Built' drawings that reflect field changes made to the standard specification drawings issued with the project. Changes that have an impact on a safety critical system, sub-system, or operating practice will require review by the Configuration Change Board (CCB) as established through the Metro Configuration Management Program. Therefore; it is important that this information be included on the Configuration Change Request (CCR) form (See Appendix B of the 2012 Configuration Management Plan). If it is unclear whether or not the change impacts safety critical system, it shall be noted on the form for determination by the CCB. For the purpose of determining impacts to safety critical systems, cost or schedule implications are not considered.

*Table M: Safety Critical Systems & Sub-Systems*

Safety Critical Systems & Sub-Systems <sup>25</sup>		
Systems & Facilities		
01 Signals	05 Right of Way	09 Structures
<ul style="list-style-type: none"> <li>• Interlockings</li> <li>• Train Separation</li> <li>• Wayside Equipment</li> <li>• Cab Signaling</li> <li>• Grade Crossings</li> <li>• Track Circuits</li> </ul>	<ul style="list-style-type: none"> <li>• Fencing</li> <li>• Drainage</li> <li>• Misc. Buildings</li> <li>• Line of Sight</li> <li>• Clearances</li> </ul>	<ul style="list-style-type: none"> <li>• Bridges</li> <li>• Tunnels</li> <li>• Retaining Walls</li> <li>• Culverts</li> <li>• Station Slabs</li> </ul>
02 Communications	06 Rolling Stock	10 Yard & Shops
<ul style="list-style-type: none"> <li>• PAT</li> <li>• Radio</li> <li>• SCADA</li> <li>• Intrusion Detection</li> <li>• CCTVs</li> </ul>	<ul style="list-style-type: none"> <li>• Light Rail Vehicles</li> <li>• Non-Revenue vehicles</li> <li>• Hi Rail Equip</li> <li>• Bus</li> <li>• Van</li> </ul>	<ul style="list-style-type: none"> <li>• Access/ Security</li> <li>• Storage Building</li> <li>• LRV Paint Facility</li> <li>• Electrical</li> <li>• Mechanical/HVAC</li> <li>• Special Equipment</li> </ul>
03 Electrification	07 Fare Vending Equipment	11 Stations & Parking Lots
<ul style="list-style-type: none"> <li>• Substations &amp; Power</li> <li>• Overhead Catenary</li> <li>• Catenary Poles</li> <li>• Strain Insulators</li> </ul>	<ul style="list-style-type: none"> <li>• TVMs</li> <li>• Validator</li> <li>• Software</li> </ul>	<ul style="list-style-type: none"> <li>• Platforms</li> <li>• Parking Lots</li> <li>• Garages</li> <li>• Buildings</li> </ul>
04 Track	08 Emergency Response Equipment	23 Integrated Tests and Procedures
<ul style="list-style-type: none"> <li>• Ballasted Track</li> <li>• Direct Fixation</li> <li>• Embedded Track</li> <li>• Special Track work</li> </ul>	<ul style="list-style-type: none"> <li>• Track Carts</li> <li>• Emergency Egress &amp; Ingress</li> </ul>	<ul style="list-style-type: none"> <li>• Tunnel Ventilation</li> <li>• Fire Suppression</li> <li>• Alarms</li> <li>• Ops Control Center</li> </ul>
Policies, Procedures, & Training		
12 System Safety & Security	15 Configuration Mgmt. Plan	19 MetroLink Rulebook
<ul style="list-style-type: none"> <li>• PTASP</li> <li>• SSP</li> <li>• EOP</li> </ul>	16 Quality Assurance Plan	20 Operations & Maintenance SOPs
13 Emergency Familiarization	17 Safety SOPs	21 Training & Certification
14 Fire Life Safety	18 Security SOPs	22 Public Awareness
Integrated Testing		

<sup>25</sup> These are derived from the listing of elements that are included in the Safety Certification Process of this Safety Plan.



23. Integrated Test Plan		
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### 3.1.2 Engineering Drawings and Associated Specifications

Engineering drawings and specifications were developed during the Design phase(s) of the program and consist of the following types:

- Civil Systems (facility architect-engineer drawings and specifications): These documents are the drawings and specifications required to define, develop, procure, construct, fabricate, and install the basic facilities.
- Rail Systems, Equipment Drawings and Specifications: These documents are the drawings and specifications required to define, develop, procure, construct, fabricate, install, and test the specific configuration items or elements that, when integrated, make up the systems installed.

### 3.1.3 Operation and Maintenance Requirements

Operation and maintenance requirements and specifications consist of the Safety Critical operating practices at the time that a segment of transportation system is certified as revenue ready. This is primarily expressed in the Operating & Maintenance Plan. Safety Critical operating practices include unusual dispatching patterns (e.g. temporary speed restrictions, single tracking, etc.), operational rules pertaining to signal aspects and requirements for training/certification of train operators and signal technicians. Non-safety critical operational items such as train schedules are excluded from this documentation.

## 3.2 Configuration Changes – Approval & Control

### 3.2.1 Engineering

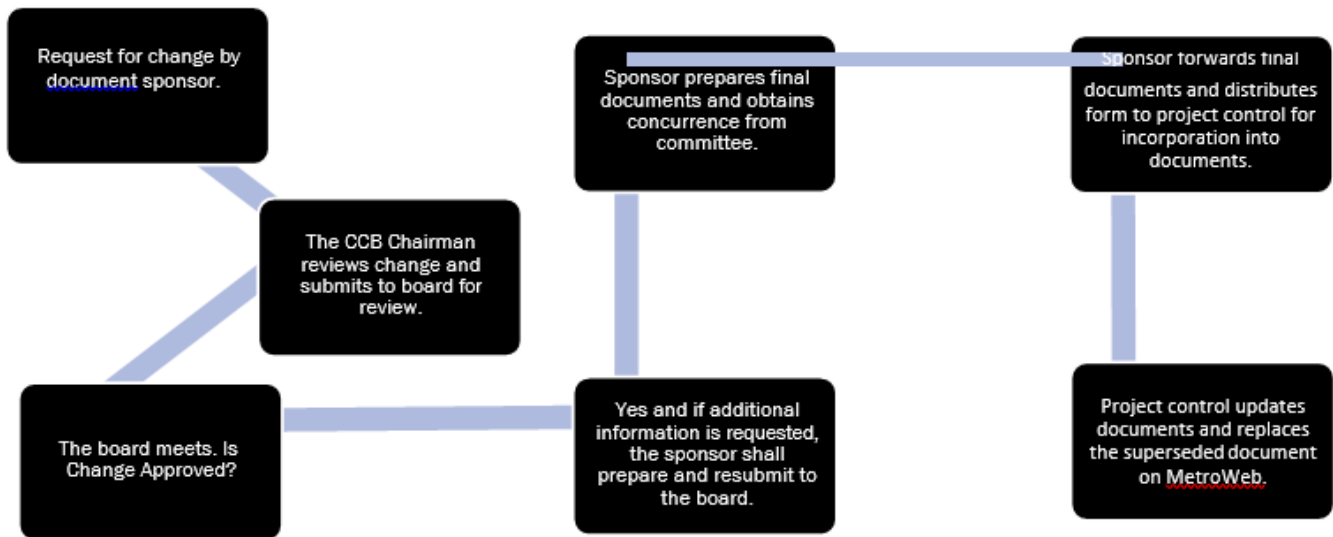
This process is managed by ENSD and is described in detail in the Metro ENSD Configuration Management Plan (Nov. 2012) also available on Metro's intranet system. That plan describes the procedures for the submittal, approval, and implementation of all baseline document changes as well as the process for the notification and distribution of those changes. Moreover, the Plan (pg. 3) stipulates the review by System Safety of any changes to the baseline documents that have an impact to safety critical systems, procedures or documentation.

### 3.2.2 Vehicle Maintenance

The configuration control process for Vehicle Maintenance is stipulated in the Vehicle Maintenance Department SOP 1.1, which applies to LRVs, MetroBus, Call-A-Ride, maintenance shop equipment, and non-revenue vehicles.

The configuration change process is illustrated in Figure 4 below:

Figure 4: Configuration Change Process



### 3.2.3 Roles & Responsibilities

#### Safety:

- Review and identify potential safety hazards with any proposed change.
- Identify hazard severity and system risk resulting from single point and common cause failures.
- Participate in the Configuration Management Meetings to review progress and address any relative safety issues.

#### Engineering:

- Control the Configuration Management baseline
- Design Criteria
- Standard Specs & Drawings
- Document Control

#### Rail Systems:

- Controls all system integration issues

#### MetroLink, MetroBus, Call-A-Ride Operations:

- Update changes to rules, procedures and any other item relating to safety and security.
- Update changes which could impact system and infrastructure changes on operations.

## 4 Safety & Security Certification<sup>26</sup>

### 4.1 Safety & Security Certification Program

Safety & Security Certification is the process of monitoring and documenting satisfactory compliance with a formal list of safety and security requirements. The requirements are defined in design criteria, contract documents, the Safety Plan, and applicable codes and industry standards. These safety requirements are adhered to for all construction stages where revenue service will be maintained. For large projects, a specific Safety Certification Plan is developed.<sup>27</sup> For smaller projects – which primarily involve enhancements or additions to the existing system, this process is handled during the reviews conducted for system changes.<sup>28</sup> Metro self-certified all three major phases of the current system and the results of that process, in fact, provide the baseline for the configuration management process discussed in Section 8.

Metro's safety certification process is consistent with FTA's 'Handbook for Transit Safety and Security Certification' (FTA- MA-90-5006-02-01; November 2002). The goal of the safety certification process is to verify that identified safety and security requirements have been met and to provide evidence the new operating segments/phases are safe and secure for use in revenue service. Accordingly, the objectives of the safety and security certification program are to document that:

- Facilities and equipment have been constructed, manufactured, inspected, installed, and tested, in accordance with safety and security requirements in the design criteria and contract specifications;
- Operations and maintenance procedures and rules have been developed and implemented to ensure safe and secure operations;
- Safety and security procedures have been reviewed and updated if appropriate;
- Training documents have been developed for the training of operating personnel and emergency response personnel;
- Operations and maintenance personnel have been trained and qualified or certified;
- Emergency response agency personnel have been prepared to respond to emergency situations in or around Metro property; and
- Safety and security-related system integration tests have been conducted.

Metro maintains documentation to verify compliance with the safety certification process. The documentation may include test reports, quality assurance audits, submittals, visual inspection reports, and warranties. The Safety Certification Process is used formally for major rehabilitation projects<sup>29</sup> and system extensions. In these instances, Metro issues Certificates of Compliance for all applicable elements.

The Implementation and monitoring of the Safety Certification process is accomplished through the General Manager Safety. Final authority to approve the certification of Metro's extensions and expansions for revenue service rests with the President & CEO.

### 4.2 Certifiable Elements

Metro has established and maintains a master list of the 23 system elements that must be reviewed for safety compliance during major construction projects as well as for system enhancements and modifications. All twenty-three (23)-system elements may not be relevant to a particular project; however, the

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<sup>26</sup> Note that the security aspects of the certification process are discussed separately in the System Security Plan

<sup>27</sup> For example, for the Cross County Extension, see *The Cross County Safety & Certification Plan* (January 2005)

<sup>28</sup> See Chapter 7 – System Modification & Review.

<sup>29</sup> An FTA requirement for projects in excess of \$100,000,000 and for new system or extensions.

master list is always used as the baseline. Metro’s list of Certifiable elements is displayed in Table N below.

*Table N: MLRFGS Certifiable Elements List*

MLRFGS Certifiable Elements List		
Number	Element	Comments or annotations
1	Signals	
2	Communication	
3	Traction Power & Electrification	
4	Track	
5	Right of Way	
6	Rolling Stock	
7	Fare Vending Equipment	
8	Emergency Response Equipment	
9	Structures (Bridges & Tunnels)	
10	Yard & Shops	
11	Stations & Parking Lots	
12	System Safety & Security Documents	Primary documents include the PTASP, the SSP, & the Safety Certification Plan on large projects
13	Emergency Familiarization	
14	Fire Life Safety Plan	Includes charter with local first responders
15	Configuration Management	Discussed in earlier in Chapter 8
16	Quality Assurance Plan	
17	Safety SOPs <sup>30</sup>	
18	Security SOPs	
19	Operations Rule Book	Incorporates interim operations bulletins
20	Operations & Maintenance SOPs	
21	Training & Certification	Categories include operators, maintainers, emergency responders, security, and employee safety
22	Public Awareness	
23	Integrated Tests & Procedures	

<sup>30</sup> Standard Operating Procedures

### 4.3 Safety & Security Requirements

The appropriate safety and security requirements will need to be identified for the applicable elements involved in a major construction project or in a system enhancement. The following documents are utilized in this identification process:

- Bid documents that may have been modified to meet new alignments and/or configurations;
- Metro Design Criteria for Systems & Facilities;
- Metro standard specifications and drawings
- Lessons learned and experience gained from operating and maintaining the existing ML alignment.
- Recommendations from fire and law enforcement jurisdictions;
- Results of Metro's hazard identification & analysis process;<sup>31</sup>
- Threat & vulnerability analyses;<sup>32</sup>
- Rail Transit Industry practices;
- APTA<sup>33</sup> rail standard practices;
- Reports from and experience of other transit agencies on safety and security;
- Internal safety reviews & audits;
- Federal, State, local and industry codes, regulations, guidelines and standards such as NFPA; and
- State Safety Oversight Triennial Review Reports

### 4.4 Safety and Security Certification Working Group (SSCWG)

The SSCWG acts as the safety and security body during normal operations. This group will also decide what projects receive formal safety and security efforts and to what extent. For large rail projects<sup>34</sup> a separate SSCWG is convened. The SSCWG is responsible for safety review, compliance assessment, making recommendations to Metro and Metro Management regarding safety and security certification process and certifying that system extensions and other system enhancements are safe and secure for revenue service.

The Safety and Security Certification Working Group (SSCWG) is chaired by the following:

- Assistant Executive Director of Engineering Systems, Chair
- General Manager Safety, Co-Chair
- Director of Safety, Co-Chair

The SSCWG is comprised of representatives from:

- Safety
- Security
- Engineering
- Capital Projects
- Transit Assets

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<sup>31</sup> As described in Chapter 5

<sup>32</sup> Applicable to security review; discussed in the SSP.

<sup>33</sup> American Public Transportation Association

<sup>34</sup> Generally greater than \$100,000,000

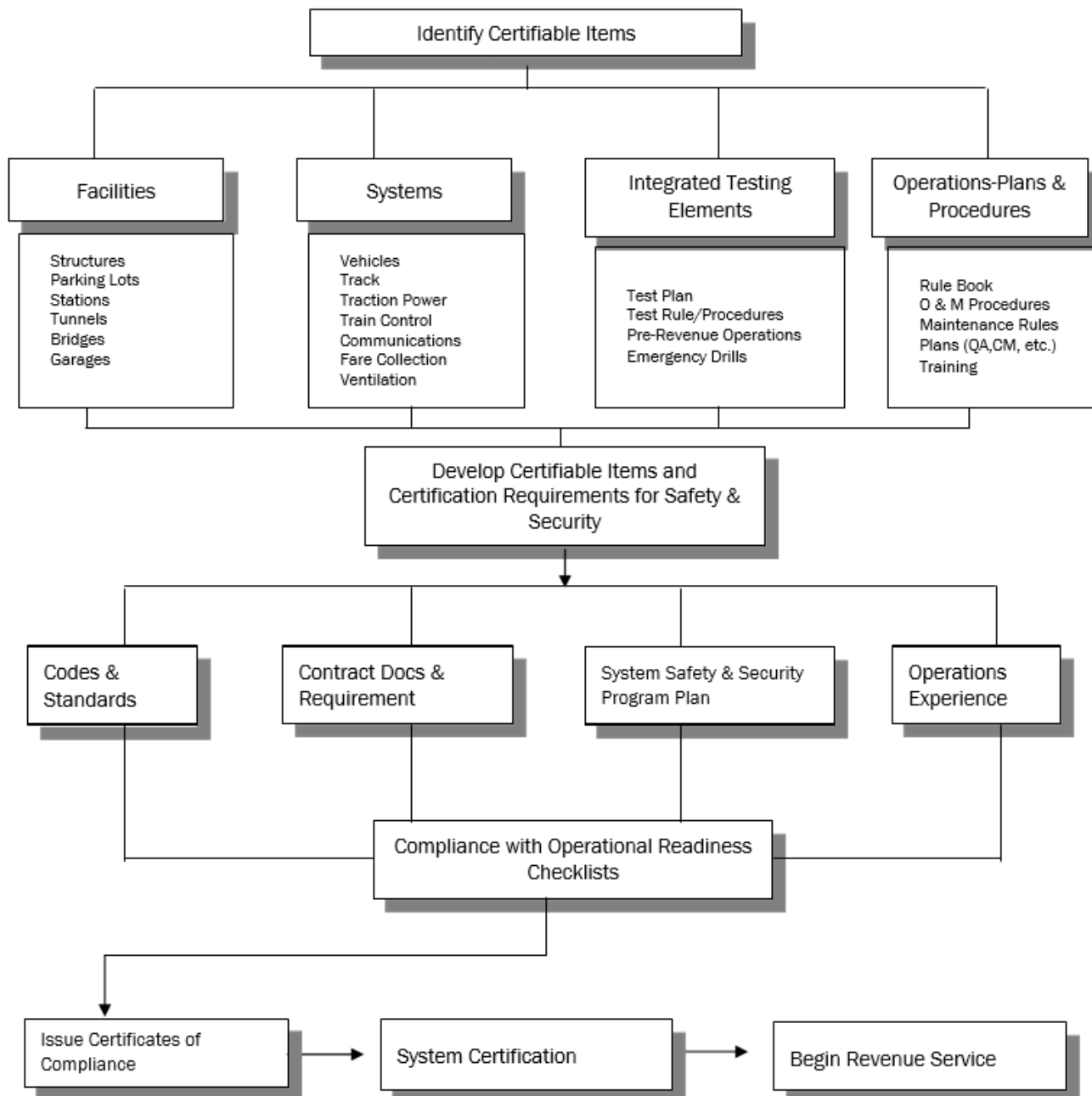
- Maintenance of Way (MOW)
- MetroLink Operations
- MetroBus Operations
- Call-A-Ride Operations

The SSCWG responsibilities include:

- Review and approve documentation as evidence of conformance to safety and security requirements;
- Identify potential hazards/open issues;
- Require hazard analyses to be performed to determine initial and residual risks;
- Assign responsibilities for open issues and track to closure;
- Conduct site visits and define additional safety-related tests and analysis, as required;
- Subsequent to site installation and commencement of formal testing, review test plans and procedures, and issue test permits with applicable restrictions;
- Determine if a project will follow formal safety certification efforts.
- Determine whether to accept specific conditions or require corrective actions, including the specific method to mitigate the conditions or potential hazard;
- Provide recommendations to the President & CEO regarding certification and noncompliance of system elements;
- Issue Certificates of Compliance for certifiable elements
- Issue Temporary Use Permits; and
- Issue System Safety and Security Certificate, certifying that system extensions or system enhancements are safe and secure for revenue service operations.

More detail about the safety and security process used by Metro is available in the Cross County Safety & Security Certification Plan (January 31, 2005). A graphic, displaying the entire process, is shown in Figure 5.

Figure 5: The Safety and Security Certification Process



# Chapter 10 – Continuous Improvement

Metro defines continuous improvement as: a process by which a transit agency examines safety performance to identify safety deficiencies and carry out a plan to address the identified safety deficiencies. Many areas of this Safety Plan have already addressed the components of this section.

## 1 Safety Department Activities Required to Implement Safety Management Program

To achieve continuous improvement in safety as outlined in this document, Metro performs the following safety risk management, safety assurance and safety promotion activities through the Safety Department to support other departments in meeting their obligations under the SMS:

- Conducts FTA- and BSSO-mandated internal safety audits;
- Conducts inspections at all facility locations;
- Performs investigations of major accidents involving employees/equipment
- Conducts investigations of safety complaints, concerns and reports
- Prepares reports on significant events;
- Participates on safety committees and working groups, including the ESSC and performs follow-up to safety committee/working group issues;
- Trains maintenance employees in industrial/occupational safety requirements;
- Liaisons local, state, and federal responders and agencies concerning emergency response to events involving mass transit;
- Supports the development, review and revision of safety-related Standard Operating Procedures (SOPs) in conjunction with Operations and Maintenance Departments; and develops, reviews and revises SOPs for the Safety Department functions;
- Participates on all committees/working groups for construction projects;
- Conducts safety inspections during construction projects;
- Assists Metro management with safety issues;
- Participates in Safety and Security Certification process for all capital projects;
- Reviews and comments on any changes to safety elements within MetroLink, Paratransit and Bus system;
- Reviews trended safety data provided by departments and provides feedback to ensure departmental compliance with SMS data requirements;
- Participates in development and implementation of system emergency drills;
- Facilitates monthly MetroBus and Paratransit Safety Meetings;
- Participates in formal meetings with the President & CEO, as appropriate, on safety issues;
- Provides full support and coordination on SMS implementation agency-wide;
- Ensures continuous safety improvement through support activities for all departments; and
- Provides oversight activities for internal SMS assessments by each department.



## 2 Corrective Action Plans (CAPS) / Internal Safety Audit Process (ISAP)

### 2.1 Scope and Authority

All Metro departments, Metro contractors, and supporting Metro departments are subject to annual audits by Bi-State Safety Oversight (BSSO) and the Internal Audit Department (IAD). Other Metro Departments, such as Corporate Compliance & Ethics may assist and provide support for these audits, as determined and approved by the BSSO.

The Internal Audit Department has the authority and responsibility to conduct or oversee regular internal audits and shall provide a formal report of Findings/Observations to the BSSO annually to ensure effective corrective action is taken to resolve deficiencies. Auditors shall be independent from the first line of supervision responsible for the activity being audited. The Internal Safety and Security Management Audit SOP provides guidance for internal safety and security audits. This SOP also covers guidance for the CAP dispute process and resolution.

### 2.2.4 Threat and Vulnerability Assessment (TVA)

Within a three year cycle, Metro is required to perform a new or review past Threat and Vulnerability Assessment (TVA) for any necessary updates. The BSSO will approve Metro's process for threat and vulnerability efforts through the annual review and approval of the SSP. The BSSO will monitor ongoing Metro activities as a part of the internal audit program oversight activities. Metro is expected to document its methodology for performing TVAs, including how it identifies, manages and assesses vulnerabilities system wide utilizing an all hazards approach.

### 2.7 CAP Process Outside of IAD Process

#### 2.7.1 CAP Process

CAPs can be developed resulting from a variety of situations or hazards. Some of examples which could result in a formal CAP following Program Standard guidelines include: Unacceptable/Undesirable hazard rated items; as directed by the President & CEO, Executive Safety & Security Committee, Safety Department, BSSO, FTA, or other ad hoc meetings involving the monitoring of deficiencies. Outside of a directive from the BSSO or FTA, the Safety Department will facilitate the development of the CAP with the respective department. Ultimately the CAP is the responsibility of the assigned Department. Once a CAP has been generated, the CAP will be submitted to the BSSO in accordance with the Program Standard. Any internal disputes on CAP development/content will be brought to the President & CEO and/or the ESSC for resolution.

All CAPs following the Program Standard process will be documented and maintained in the BSSO CAP Tracker Log. The individual departments will maintain their own documentation and communicate updates to the BSSO in accordance with the program standard. Internal meetings to discuss CAP progress or the effectiveness of the mitigations are generally done at the Department level with the Safety Department assistance when needed. Ad hoc CAP meetings do occur when needed and the progress of all CAPs can be discussed at the ESSC.

All immediate or emergency CAP actions will be implemented in concurrence with the Program Standard section on *Immediate or Emergency CAPs*. An example of a situation that would involve immediate action could involve an Unacceptable Hazard or other situations that could involve immediate harm or danger to the system or agency if quick corrective action is not taken. If such a case were to arise the General Manager Safety, or the President & CEO would make the decision for emergency action. The would then ensure the Program Standard procedures are followed in this area to include a notification to the BSSO in writing by 5:00 pm on the business day following its decision to take corrective action.

# Part IV Safety Promotion

## Chapter 11 – Safety Communication

*Metro communicates safety and safety performance information throughout the Agency conveying information on hazards and safety risks relevant to employees' roles and responsibilities and informs employees of safety actions taken in response to reports submitted through an employee safety reporting program, among other information.*

Metro understands SMS is dependent upon ongoing management commitment to communication. One of management's most important responsibilities under SMS is to encourage and motivate others to want to communicate openly, authentically and without concern for reprisal.

### 1 Employee Safety Reporting Systems<sup>35</sup>

All employees have the responsibility to report any adverse safety conditions, events or acts; any observed or foreseeable hazards; and any safety concerns.

Employees may report via the following methods:

- Reporting directly (in person) to the immediate supervisor
- Reporting directly to the facility superintendent
- Reporting directly to a Safety staff member
- Reporting directly to the CSO
- Email [Safety@metroslouis.org](mailto:Safety@metroslouis.org)
- Report to the Safety Hotline number: 314-982-1638

Employees have the option of reporting anonymously at any time. Employees who request a follow-up and leaves contact information, will receive feedback from Safety or Supervisor in their area as to the disposition of the report.

All hazards/safety concerns will be documented and investigated in a timely fashion.

### 2 The Hub – Safety & Security Page

The Hub – Safety & Security Page is used to accomplish Safety Communication throughout BSD. Below is an outline of some of the resources on included on the page:

- Drug & Alcohol testing forms
- Links for computer-based training
- Performance metrics
- QR Code for Employee Hazard Reporting

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<sup>35</sup> Employee Reporting Program discussed in Part 1

- Safety Campaigns
- Safety & Security Program Plans
- Safety & Security Updates
- Standard Operation Procedures
- Working Group Meeting Minutes

## 2.1 Safety Performance

The Dashboard will display safety performance indicators Metro establishes. These indicators will include the four (4) required Safety Performance Indicators as set forth by the National Public Transportation Safety Plan. These categories will measure by mode (MetroLink, MetroBus, and Call-A-Ride): Fatalities per one hundred thousand miles, Injuries per one hundred thousand miles, Safety Events per one hundred thousand miles, and System Reliability. More information can be found on Safety Performance Indicators in Part 1. In addition, any additional safety performance indicators established by Metro will also be communicated through the Dashboard.

## 2.2 Hazards

The Hazard Log will be posted and regularly updated on the Dashboard. In addition, any other relevant hazards or trends will be posted on the Dashboard for employee/contractor access. Hazards reported through the Employee Reporting Program will be posted on the website and any safety actions taken as the result of investigations. The Employee Safety Reporting Program contact points will be listed in the Dashboard as well.

## 2.3 Safety Initiatives

Any current or future safety initiatives will be posted on The Hub. Safety initiative examples include: rail safety week, radar speed checks, emergency exercises, etc.

# 3 Safety Posters

Safety posters will be used in common areas at Metro facilities to communicate many of the safety items the Dashboard covers. Posters will allow Metro to communicate safety to employees and contractors who do not have access to an electronic means to access the Dashboard. Posters will also assist in communicating the Employee Safety Reporting Program.

# Chapter 12 – Competencies and Training

*Metro has established a comprehensive safety training program for all agency employees and contractors directly responsible for the management of safety in Metro's system. The training program includes refresher training, as necessary*

## 1 Training Program

In accordance with Metro Transit's Standard Operating Procedures and Rule Books, Metro provides thorough, relevant, and ongoing education and training for all employees to ensure that assigned duties are completed safely and effectively. Metro requires all employees to be properly trained to perform their jobs safely; to this end, Metro employs operations and maintenance training with integral safety components to inform employees about job hazards and the appropriate methods for controlling these hazards.

Training mechanisms include classroom, written and video communications, field exercises, and drills. There are formal training programs for operators and employees involved in maintenance activities. These include training classes, training manuals, and lesson plans. Testing is conducted as necessary to ensure training effectiveness and all safety training is documented. Tests are given to all new operators to ensure knowledge. Refresher and In-Service training of operators can occur as a result of accident investigations, long-term absences, and observations. General refresher training for all operators is scheduled on annual cycle, triggered by a Learning Management System (LMS). Lesson plans that include policy, rules, and procedures are utilized in this effort. The frequency and amount of training conducted by the various departments depends upon regulatory requirements and the level of hazard associated with the operation. The Directors of Safety, Security, Maintenance Training, Operations Training, and the ESSC work together to ensure that safety elements are included in the curricula and that safety information is disseminated to affected employees.

More specifically, this effort includes:

- Identifying requirements for all Metro training as it impacts safety. This encompasses New Employee and Refresher training related to procedures and equipment including manufacturers training and retraining requirements identified as a result of accident investigations.
- Reviewing all training programs for safety adequacy.
- Assessing the effectiveness of training courses and on-the-job experience.
- Providing specific training with specialized curricula to operators, mechanics, and emergency response personnel with the introduction of new vehicle technologies.

Activities or functions judged to be safety-critical may require special training and/or certification. Employees, whose duties directly impact the daily safe operation of the system, must be formally trained and certified by successfully completing specialized training courses, typically provided by ML Operations, LRV Maintenance, or Maintenance of Way.

The basic training programs for these positions include the ML Operating Rules and ML Operations Standard Operating Procedures, special instructions pertaining to the specific craft and on-the-job training under supervision. Training and certification are provided for new employees and those promoted to positions of increased responsibility. Upon successful completion of training and testing, ML issues a certification to the employee.

The testing programs include performance and/or written examinations designed to determine the employee's knowledge and understanding of job functions as well as the ability to perform job functions. Any employee who does not complete the training and testing program or who fails to qualify for subsequent

recertification is not granted certification and is not permitted to perform in the specific craft until certification is acquired. Permanent records of personnel training are maintained by the training organization responsible for providing certification/recertification for the employee.

## 2 Training and Education Policy

It is Metro's policy to provide thorough, relevant, and ongoing training for all employees to ensure that assigned duties are completed safely and effectively.

Policy 1 – Employees must actively participate in new employee training relevant to the specific job being performed.

- Training curriculum must be based on federal, state, local, company and contract requirements, incorporating national standards when applicable.
- Training curriculum must be comprehensive and sufficient in length to enable employees to safely and confidently operate in their work environment.
- Employees must be trained for all assigned tasks and equipment used on the job.
- Employees must complete all required hours of each training program.
- Employee performance must be evaluated and documented upon completion of each training program.
- Employees must complete a final written exam upon completion of applicable training programs.
- Training curriculum must be linked to the performance objectives for which employees will be evaluated while on the job.
- Supervisors and Managers will not authorize or instruct any employee to perform work for which employee has not been trained.

Policy 2 – New Operators must complete all required hours of New Operator Training, including both classroom and Behind-The-Wheel (BTW) hours.

- New Operator curriculum must be based on national training standards, incorporating all federal, state, local, company, and contract requirements.
- New Operators must be evaluated after completion of each Classroom and Behind-The-Wheel (BTW) training module.
- BTW hours are defined as actual driving hours behind the wheel, or "hands on the wheel time."
- Make-up driving or classroom sessions must be provided for employees who are absent or short on hour requirements.
- Operators must complete a final written exam upon completion of New Operator Training.
- Training progress and verification of program completion must be documented and kept in the employee's file.
- Supervisors or Managers will not authorize or instruct any Operator to operate vehicles for which the Operator has not received proper training.

Policy 3 – Metro's New Operator Training programs must be implemented in a standardized format across all locations.

- Supervisors must ensure that training curriculum meets all required hours as mandated by specific client, state, local or contractual requirements.
- Supervisors must ensure that all Instructors have access to standardized training materials in order to

teach key subject areas appropriately.

- Training curriculum must be reviewed and evaluated annually to ensure that training content is relevant, appropriate, and up-to-date.

Policy 4 – Operators must successfully pass on-board evaluations at the end of the training process and before being released to revenue service.

- Supervisors or other qualified personnel must board the bus and observe the Operator while operating the vehicle.
- Operator Evaluation forms must be completed and kept in the Operator's file.
- Supervisors or other qualified personnel must conduct an additional evaluation within 30 days after release into the field for all new Operators.

Policy 5 – Employees must actively participate in refresher training or in-service education programs when new requirement, duties, tasks, systems or processes are added or introduced as part of job requirements.

- New requirements include but are not limited to:
  - Vehicles, equipment, machinery, tools
  - Chemicals or materials
  - Laws, regulations, standards, policies or procedures
  - Transfer to a new job
  - Leave of absence
  - Special circumstances or conditions requiring additional training
- Supervisors must coordinate refresher training for employees based on current operating trends. Refresher training should be used for accident prevention and trend reversal.
- Supervisors must ensure that refresher training is provided annually for each employee based on state and contract requirements.
- Supervisors must inform employees when in-service training is required, and provide information regarding the date and time of training.
- Employees who refuse to comply with refresher or in-service training requirements will be subject to disciplinary action.

Policy 6 – Employees must attend and participate in mandatory, regularly scheduled safety meetings.

- Supervisors must inform employees of the date and time of safety meetings.
- Supervisors must arrange for make-up meetings in the event that an employee is absent from a safety meeting.
- Supervisors must ensure that employees have access to and check bulletin boards, orders, and safety notices on a daily basis.

Policy 7 – Employees responsible for operating a vehicle must actively participate in post-accident training following a preventable accident.

- Post-accident training content will be based on the root cause of the accident.

- Operators must complete post-accident training prior to returning to driving duties.
- Operator performance must be documented and kept on file, showing that the Operator re-mastered the learning points/driving skills associated with the accident.

### 3 MetroLink Operations Training & Certification

#### 3.1 Supervisors

The training program for Rail Supervisors and Controllers is focused on the MetroLink Rulebook and SOPs as well as specific administrative and technical responsibilities of these roles. Rail Supervisors who were not previously train operators also must complete LRV operator training. Biennial recertification of an eight hour class is required for both Rail Supervisors and Controllers.

#### 3.2 LRV Operators

ML has implemented and maintains a training program for all new LRV operators. This program consists of classroom instruction and supervised yard and line operation of an LRV. Successful completion of the course required. Refresher training is provided as follows:

- Annual recertification requires completion of an additional eight hours of training;
- Additional refresher training is required following a 30-day (eight hours) and a 60-day or longer (eight hours combined with a TSM observation) absence from duty;
- Other training for special events, new configurations, and new procedures are provided on an as needed basis.

### 4 MOW (Rail Systems and Right of Way Maintenance)

MOW electricians, track maintainers, maintenance mechanics, and truck drivers must possess a valid CDL license and medical card in accordance with Safety SOP 3.3. All MOW employees are required to be qualified annually on the MetroLink Operating rules through Track Access Training and Qualification. This training is described below under the Section “Track Access Training.”

Additionally, MOW personnel are trained on the safe and efficient operation of various types of specialized work equipment as required for their respective job responsibilities; e.g. Forklift Truck, Boom Trucks, Bucket Truck, Hi-Rail Vehicles, and Other Specialized Work Equipment.

Signal and Traction Power Electricians are given job specific training that includes classroom training, on the job training, knowledge and ability tests, and a field review. Coursework covers all electrical components, specialized work equipment, first aid, and maintenance and emergency procedures.

The training for all job classes consists of some classroom training, but the majority of training consists of the job training. All job classifications have a qualification period wherein newly hired employees must demonstrate proficiency in their job responsibilities.

### 5 Traction Power & Substation Maintenance Employees

In 2010, 2011, and 2012, Metro contracted with an outside vendor to provide Substation Maintenance training to Traction Power Electricians and Management. The topics for these five-day courses (Substation Maintenance I and II) are described below. Metro provides Overhead Catenary System maintenance training

and schedules this 5 day course as appropriate. These courses were completed for newer employees in 2015.

Substation Maintenance I	<ul style="list-style-type: none"> <li>• Identify substation types, applications, configurations, components and safety procedures;</li> <li>• Understand circuit breaker fundamentals, maintenance and testing methods;</li> <li>• Perform insulation resistance, contact resistance, over potential, vacuum integrity, power factor testing and tank-loss index for air, oil and vacuum medium voltage circuit breakers;</li> <li>• Identify switchgear arrangement, torque requirements, insulation systems and maintenance intervals;</li> <li>• Perform AC/DC switchgear inspection and maintenance;</li> <li>• Identify battery types, applications, systems and components and perform battery maintenance and testing;</li> <li>• Basic over current and voltage protective relay maintenance and testing methods; and</li> <li>• Interpretation of all test results;</li> </ul>
Substation Maintenance II	<ul style="list-style-type: none"> <li>• Theory, construction and operation of three-phase power transformers;</li> <li>• How to interpret ratings and nameplate data;</li> <li>• Required testing and maintenance of dry-type and liquid – insulated power transformers in accordance with ANSI/NETA MTS-2007;</li> <li>• Testing of Power Transformers including electrical testing;</li> <li>• Theory and operation of AC and DC protective relays, including over current, over/under voltage and differential;</li> <li>• Test and maintain AC and DC protective relays;</li> <li>• Calibration of protective relays; and</li> <li>• Interpret and analyze all test results.</li> </ul>

## 6 Signal Maintenance Employees

In 2012, Metro began a training program for Signal Electricians that includes training on the following components and maintenance procedures:

- Switches: Power, Solar, Electric Lock, Rigid, Circuit Controller and Track Geometry
- Track Circuits: PF, AF and Cab Signals
- Drawings/Print reading, Equations and VHLC
- Crossings, Control Lines, SBD and Civil Restrictions
- Power Distribution, Generators, Auto Transfer Switch and Review

The signal course modules consist of 40 hours of training which also include classroom instruction, maintenance activities, and tests.



## 7 Maintenance Electrician High Voltage Training

Employees who are exposed to an electrical circuit that has not been de-energized must be trained every two years. The level of electrical safety training required is dependent on whether the employee is classified as a “qualified person” or “unqualified person”.<sup>36</sup>

All electrician and LRT Communications staff were initially trained on Arc Flash Protection and will receive refresher training every two years thereafter as described in Safety SOP 10.20.

## 8 Track Inspection Training Program

During 2009, Metro contracted with an outside vendor to conduct a two (2) day class on track inspections. The objectives of the program are as follows:

- Interpret and apply applicable FRA standards to a track inspection;
- Record defects appropriately;
- Take remedial action on defects;
- Determine priority levels as per Metro standards;
- Review standard practices and apply them to track inspection; and
- Define various track/train concepts

The program incorporates a blend of classroom instruction, hands-on training, and appropriate tests. The first classes were completed in June 2009. An updated refresher class conducted by an FTA authorized provider was held in 2013.

## 9 LRV Maintenance Employees

An LRV Electromechanic receives training in a twelve-week course that includes seven written tests and three application tests. The class work covers electrical, electronic, mechanical, pneumatic, logic, and HVAC disciplines. Siemens has certified the training program and applicants for the program must first pass a basic aptitude test. They are also trained and certified to operate LRVs in the yard upon hire into the position and are recertified every two years.

## 10 Track Access Training

All contractor employees and Metro employees performing work along the MLRFGS ROW are required to complete one or more of the following training programs:

### TIER 1 (MetroLink System Safety)

This is a basic system safety awareness class for persons who work on or next to the alignment but are not doing any actual flagging duties or for those persons who may access the alignment for inspections, investigations, or observations. Generally, all of these individuals will be accompanied by at least one person who has Tier 2 training (Flagging and Radio) and can make radio contact with OCC.

### TIER 2 (MetroLink Flagging & Radio Use)

This class provides additional knowledge for individuals who will actually be flagging trains and

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<sup>36</sup> A “qualified person” shall be trained and knowledgeable in specific topics outlined in Safety SOP 10.20. An “unqualified person” shall be trained in the inherent hazards of electricity and any related work practices that are necessary for their safety.

for those who will use the MLRFGS radio communication system.

#### TIER 3 (MetroLink Operating Rules)

This class is for Metro employees who spend considerable time on the MLRFGS ROW (i.e., Rail Systems, Engineering & Construction, Track Car Operators, and Safety & Claims) who will be using non-revenue vehicles along the ROW or who will be protecting work crews along the alignment. The class provides a basic understanding of ML operating rules including those applicable to the operation of a track car. This class also provides a basic understanding of construction & maintenance operations on the ROW. The class does not provide competency training in the actual operation of rail vehicles.

All employees who successfully pass Tier I, II, & III System Safety Training receive a track access card noting the applicable permissions. Recertification is required annually for Metro employees<sup>37</sup> and for contractor employees. Metro's safety staff provides the training.

A modified track access training is given to first responders.

## 11 Record Keeping

Permanent records of personnel training are maintained by the organization responsible for providing certification/recertification for that specific employee or by the department providing the training. The Internal Audit Department reviews training and recertification records during the ISAP.

## 12 Employee Safety & Loss Control Program

The Safety Department provides specific safety training in a variety of disciplines. Some examples include: fire extinguisher, bus accident preventability, van accident preventability, occupational safety, first aid, SMS awareness, CPR training, first responder, safety onboarding, terrorist recognition, van evacuation, fork trucks, spill control, hazard communication, fatigue awareness, emergency management on boarding, confined space, bus evacuation, blood borne pathogen, accident level determination, and accident investigation. As noted above, this department also provides the Tier I-II-III training.

## 13 Occupational Safety

Safety Department SOPs 10.1 through 10.25 specifically address most of the safety issues related to employee safety. Table O provides a detailed list. All SOPs are available on the Safety SOP page on the Hub. The Office of Safety requires Metro Employees to complete the Occupational Safety Course prior to the start of their assignment. The computer based training is accessible electronically here:

<https://elearning.easygenerator.com/3e605884-3ff5-44a1-880a-fc5cba5549c1>

*Table O: Metro Occupational Safety SOPs*

10-Employee Safety	
10.4	Hazard Communication
10.8	Blood Borne Pathogens
10.9	Confined Space
10.10	Footwear Protection

<sup>37</sup> Metro employees are permitted to "test out" (classroom attendance waived) on alternate years

10.11	Powered Industrial Trucks
10.15	Portable Ladder Safety
10.20	Arch Flash and Electrical Safety
10.21	Fall Protection
10.23	Personal Protective Equipment (PPE)
10.24	Lockout & Tag out

## 14 Health Safety

Health Safety addresses the chemical, physical or biological factors in the working environment that can have negative impacts on the short or long-term health of Metro employees and the general public. All employees are required to complete two in house trainings that address health safety: Hazard Communication Training and Blood Borne Pathogen Training.

### Hazard Communication Training

The curriculum for the Hazard Communication Training meets the OSHA standards set under 29 CFR 1910.1200(h). This consists of familiarization to potential physical and health hazards from chemical exposure, understanding the Globally Harmonized System of chemical classification, and how to access the database of Metro's chemical inventory.

<https://elearning.easygenerator.com/a2e7f851-dfe7-487f-bd4f-28508c898ee2/>

### Blood Borne Pathogen Training

The curriculum for the Blood Borne Pathogen training follows the guidelines set by the Center for Disease Control and Prevention for exposure to infectious diseases. This consists of awareness to the most common blood borne and respiratory viruses and mitigation practices to prevent exposure and infection.

<https://elearning.easygenerator.com/e82c2d39-262f-463a-9715-38adae6cec6b>

## 15 MetroBus & Call-A-Ride Safety Training

On an annual basis, Bus and Call-A-Ride hold Bus Operator Recertification Training (BORT) and Van Operator Recertification Training (VORT). During these periods, Safety will be giving a training refresher on defensive driving and any other relevant training materials based on trends.

The Safety Department will also conduct operator training for new operators of Bus and Call-A-Ride. During the first week of Operator training, the Safety Department will conduct an Accident Preventability training with all new Operators. The Safety Department will then follow up and conduct another Accident Preventability class during the Operators last week of training.

## 16 System-wide Safety Management System (SMS) Training

All employees are required to complete an in-house SMS Training. Employees will also be required to pass a test and download a copy of the current PTASP. The curriculum for this training is based on the PTASP / SMS requirements. SMS Training will be evaluated each year for any changes or updates. This in-house SMS training will suffice the Public Transportation Safety Certification Training Program (PTSCP) per 49 CFR Part

672.

## 17 Public Transportation Safety Certification Training Program (PTSCP)

Currently, BSD requires the following to successfully complete and retain the PTSCP certification for rail:

- General Manager Safety
- Director of Safety
- Safety Auditors

## 18 Core Safety Training

The following classes are required of all BSD employees within ninety (90) of new employment:

- Safety and Security Culture Training-CBT
- Safety Management System Awareness-CBT
- Blood Borne Pathogen Training-CBT
- Emergency Preparedness Training-CBT
- Occupational Safety-CBT
- System Security Awareness-CBT
- Drug and Alcohol Awareness Training-CBT
- Human Trafficking Awareness-CBT
- Hazard Communication Training-CBT
- De-Escalation Training –Instructor Led
- Being Trauma Informed-Instructor Led

All required safety and security training is job role-based and was tailored and approved by the BSD Executive Leadership Team. The identified training courses are instructional pieces of training aligned to our current enterprise safety and security procedures. It will be at the manager's discretion to determine the most effective means to complete the training. For instance, the assigned manager may elect to conduct the training in scheduled team member meetings or other team forums and roster for completion.

# Appendices

# Appendix A – National Public Transportation Safety Plan Safety Performance Measures

The following Safety Performance measures have been established jointly by Metro in coordination with East-West Gateway Council of Governments for calendar year 2022:

- 1) Fatalities (total number of reportable fatalities and rate per total vehicle revenue miles by mode)
  - a) MetroLink – 0 (0 per 100K miles)
  - b) MetroBus – 0 (0 per 100K miles)
  - c) Call-A-Ride – 0 (0 per 100K miles)
- 2) Injuries (total number of reportable<sup>38</sup> injuries and rate per total vehicle miles by mode)
  - a) MetroLink – 17 (0.599 per 100K miles)
  - b) MetroBus – 110 (0.688 per 100K miles)
  - c) Call-A-Ride – 8 (0.197 per 100K miles)
- 3) Safety Events (total number of reportable events and rate per total vehicle miles by mode)
  - a) MetroLink – 15 (0.512 per 100K miles)
  - b) MetroBus – 65 (0.407 per 100K miles)
  - c) Call-A-Ride – 6 (0.153 per 100K miles)
- 4) System Reliability<sup>39</sup> (mean distance between major mechanical failure by mode)<sup>40</sup>
  - a) MetroLink – 24,776 miles
  - b) MetroBus – 22,085 miles
  - c) Call-A-Ride – 17,094 miles

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<sup>38</sup> The thresholds for “reportable” fatalities, injuries, and events are defined in the NTD Safety and Security Reporting Manual.

<sup>39</sup> System reliability is calculated by fiscal year, the goal shows is for fiscal year 2022.

<sup>40</sup> 44 Major Mechanical System Failures: Major mechanical system failures prevent a vehicle from completing or starting a scheduled revenue trip because actual movement is limited or because of safety concerns. Examples of major bus failure include breakdowns of brakes, doors, engine cooling systems, steering, axles, and suspension.

# Appendix B – Performance Measures

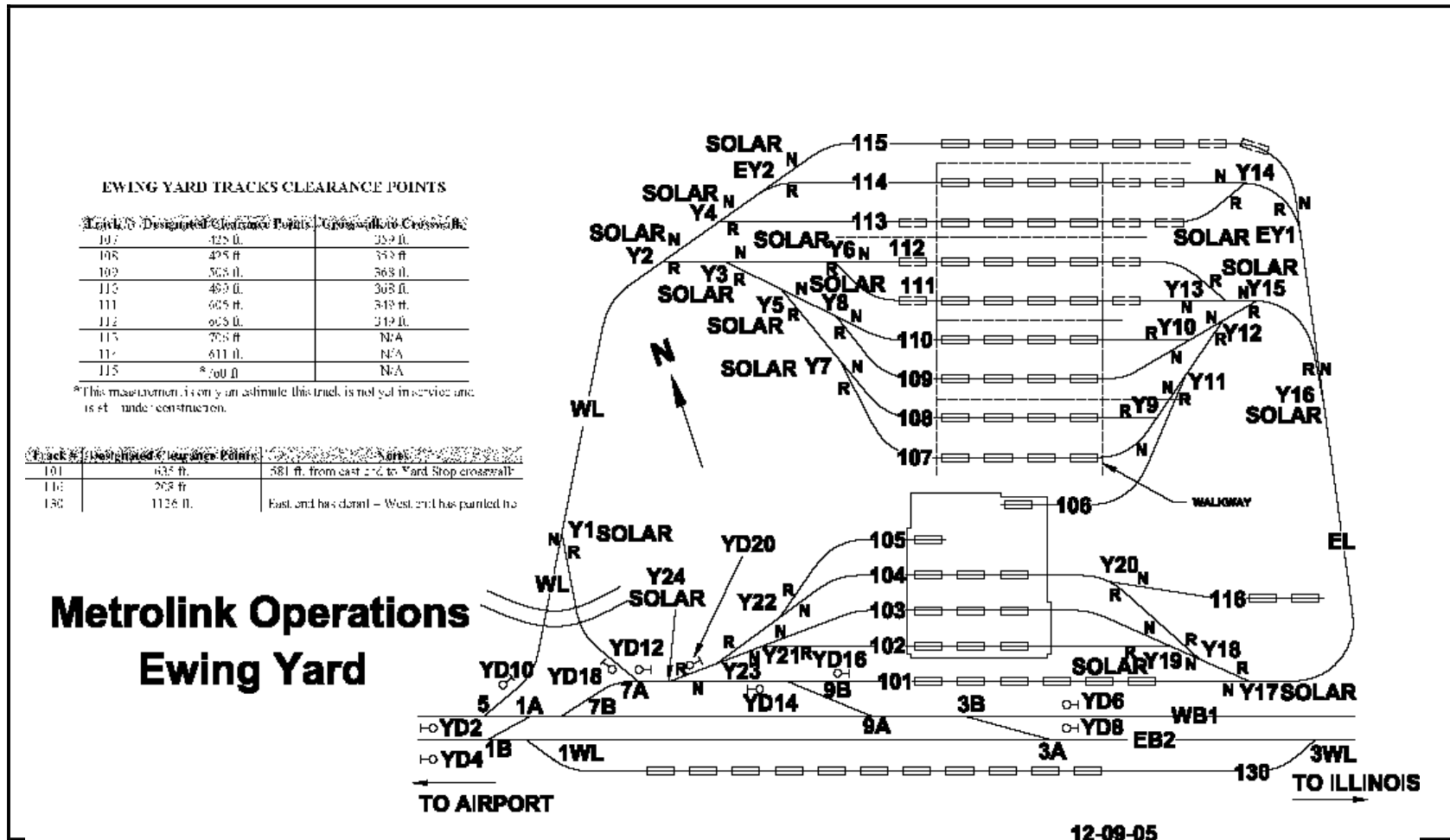
Metro Safety Performance Measures
Bus: Preventable Accidents per 100k Revenue Miles
Bus: Hours of Service Violations
Bus: Non-Preventable Accidents per 100k Revenue Miles
Van: Preventable Accidents per 100k Revenue Miles
Van: Non-Preventable Accidents per 100k Revenue Miles
Van: Hours of Service Violations
Rail: Reportable Accidents
Rail: Red Signal Overruns
Rail: Trained Switches
Rail: Platform Overruns
Rail: Wrong Side Doors
Rail: Work Zone Violations
Rail: Trespassers-locations and frequency
Rail: Near Miss Events-locations and frequency
Rail: Hours of Service Violations
Vehicle Maintenance: Vehicle & Facility Inspections
Training: Safety Training
Safety: Active Safety Campaigns
Safety: Non Vehicular Employee Injuries
Safety: Vehicular Employee Injuries

## Appendix C – MLRFGS Alignment

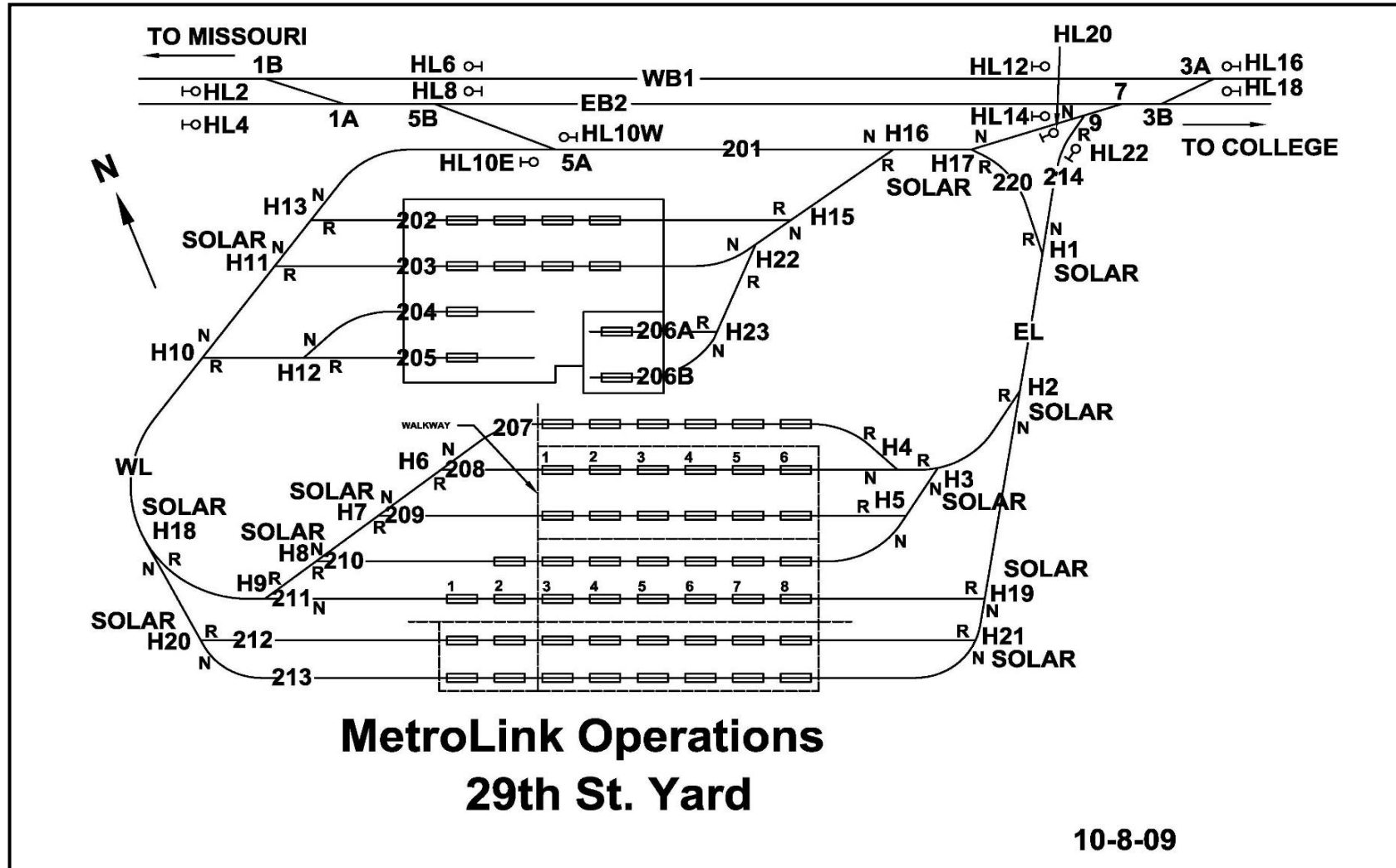




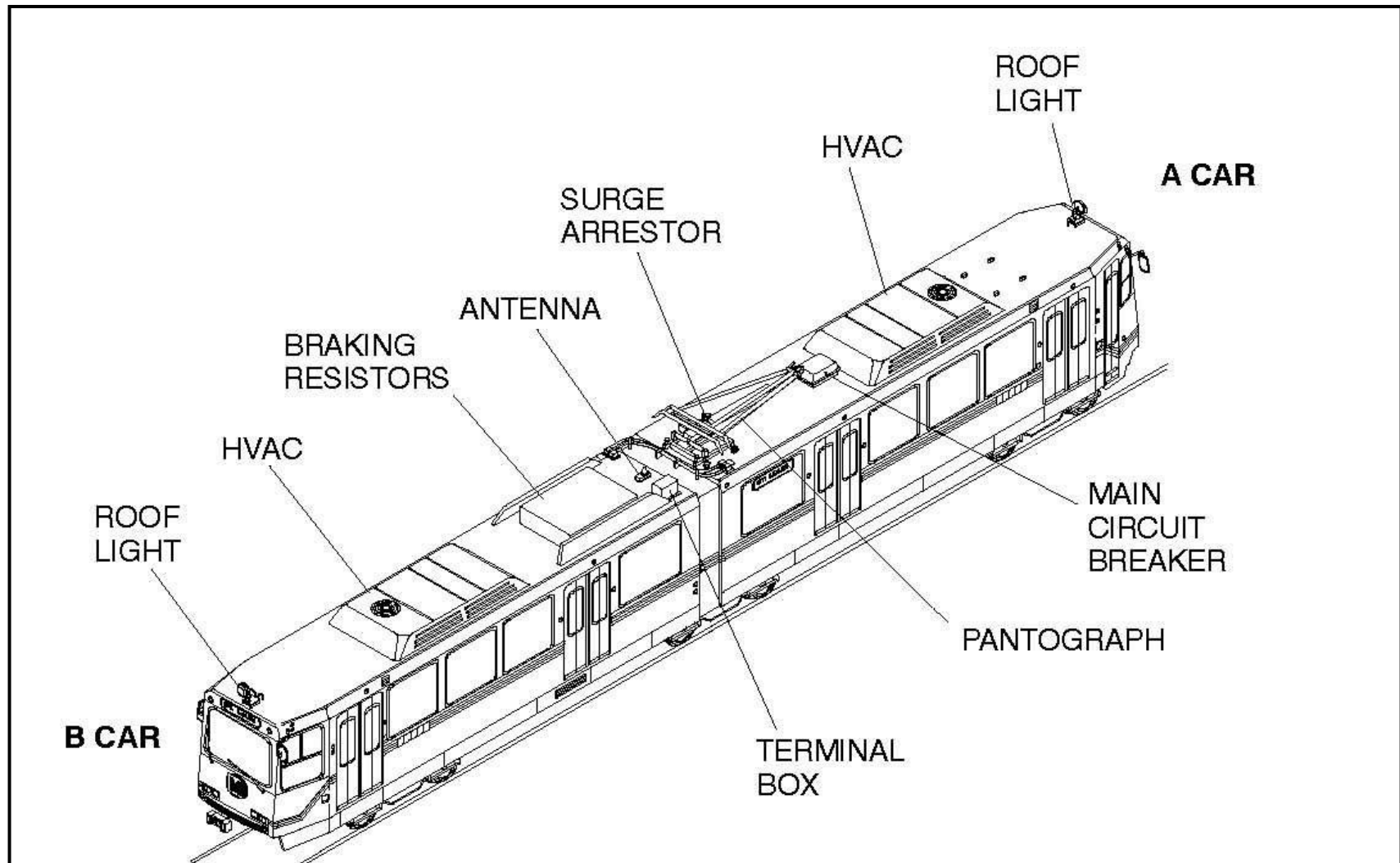
## Appendix D – Ewing Yard Operating Model



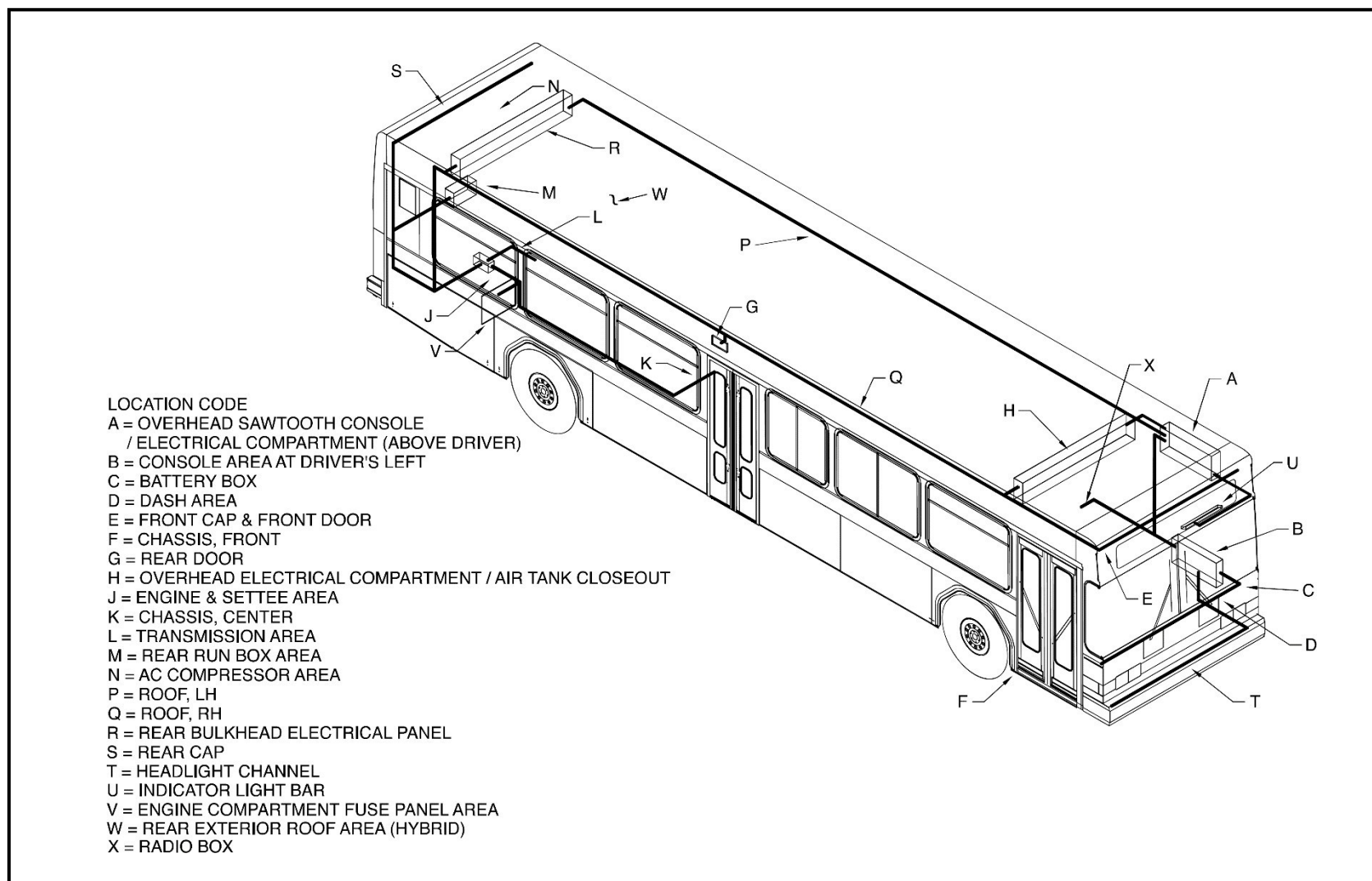
## Appendix E – 29<sup>th</sup> Street Yard Operating Model



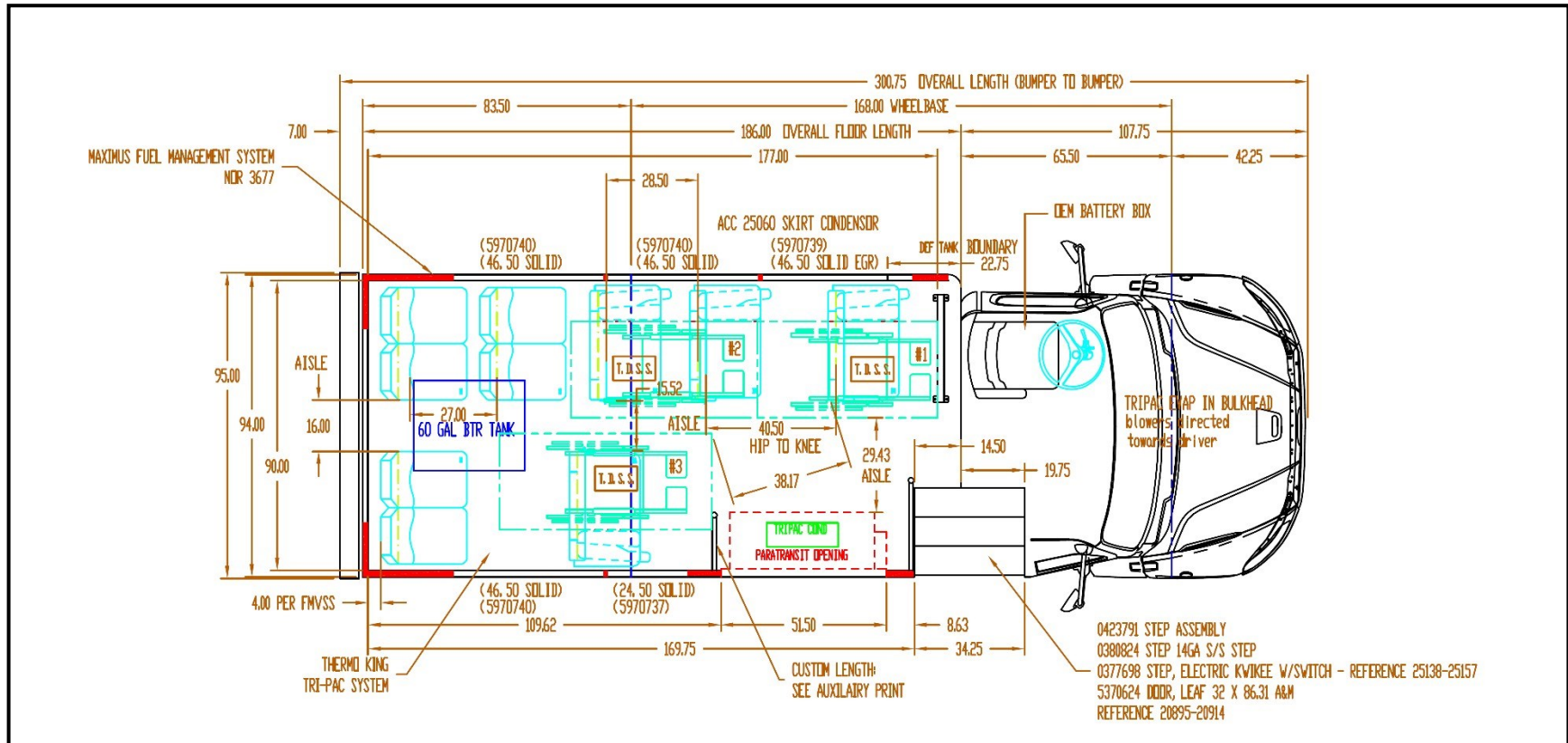
## Appendix F – Generic Siemens LRV Schematic



## Appendix G – Generic Gillig Bus Schematic



# Appendix H – Generic Paratransit Vehicle Schematic



# Appendix I–MLRFGS System Elements-Station Configurations

	Station Name	Street Addresses	City	State	Zip Code	Park & Ride Lot	# Of Parking Spaces	Station Configuration				Comments & unique characteristics	Elevators	
								At Grade	Below Grade	Elevated	Subsurface		Track # 2	Track # 1
MISSOURI (PHASE I)	East Riverfront	100 South Front	E. St. Louis	IL	62201	Y	295			X		East end of Eads Bridge	Y	Y
	5th & Missouri	150 North 5th St	E. St. Louis	IL	62201	Y	410	X						
	Arch-Laclede's Landing	200 Washington Ave	St. Louis	MO	63102	N				X		West end of the Eads Bridge	Y-2	
	Convention Center	600 North 6th St	St. Louis	MO	63102	N					X	In Downtown Tunnel	Y	Y
	8th & Pine	323 8th St	St. Louis	MO	63102	N					X	In Downtown Tunnel	Y	Y
	Stadium	400 South 8th St	St. Louis	MO	63102	N			X			West end of Downtown Tunnel		
	Civic Center	1414 Spruce St	St. Louis	MO	63103	N			X			Bus Transfer Station		
	Union Station	300 South 18th St	St. Louis	MO	63103	N			X				Y	
	Grand	3560 Scott Ave	St. Louis	MO	63110	Y	60	X				Bus Transfer Station	Y	
	Cortex	402 South Boyle Avenue	St. Louis	MO	63110	N		X						

Station Name	Street Addresses	City	State	Zip Code	Park & Ride Lot	# Of Parking Spaces	Station Configuration				Comments & unique characteristics	Elevators	
							At Grade	Below Grade	Elevated	Subsurface		Track # 2	Track # 1
Central West End	Central West End	410 South Euclid St	St. Louis	MO	63110	N		X			Bus Transfer Station	Y	
	Forest Park DeBaliviere	250 DeBaliviere Ave	St. Louis	MO	63112	Y	100		X		Junction	Y - 2	
	Delmar	731 Hodiamont Ave	St. Louis	MO	63112	Y	150	X			Bus Transfer Station		
	Wellston	6402 Plymouth Ave	St. Louis	MO	63133	Y	250	X			Hwy Grade Crossing between platforms		
	Rock Road	7001 St. Charles Rock Rd	St. Louis	MO	63133	Y	190	X					
	UMSL-South	7804 East Campus Dr	St. Louis	MO	63121	Y	130	X					
	UMSL-North	1500 Mark Twain Dr	St. Louis	MO	63121	Y	100	X					
	North Hanley	4401 North Hanley Rd	St. Louis	MO	63134	Y	1571	X			Garage adjacent		
	Lambert Airport, Terminal Two	10201 Lambert Intl Airport Blvd.	St. Louis	MO	63145	N				X		Y	
	Lambert Airport, Terminal One	10701 Lambert Intl Airport Blvd.	St. Louis	MO	63145	N				X		Y	

	Station Name	Street Addresses	City	State	Zip Code	Park & Ride Lo t	# Of Parking Spaces	Station Configuration				Comments & unique characteristics	Elevators	
								At Grade	Below Grade	Elevated	Subsurface		Track # 2	Track # 1
ILLINOIS	Emerson Park	929 North 15th St	E. St. Louis	IL	62203	Y	816	X				Commercial Tower		
	Jackie Joyner-Kersee	1003 North 25th St	E. St. Louis	IL	62205	N	-	X						
	Washington Park	867 North 54th St	E. St. Louis	IL	62203	Y	681	X						
	Fairview Heights	9290 Highway 161	Fairview Hts.	IL	62208	Y	853	X						
	Memorial Hospital	1502 Flanagan Rd	Belleville	IL	62223	Y	275		X			Comm. Tower		
	Swansea	2222 North Illinois St	Swansea	IL	62226	Y	328	X						
	Belleville	924 North Charles St	Belleville	IL	62220	Y	287	X						
	College	2622 Carlyle Ave	Belleville	IL	62221	Y	537	X						
	Shiloh-Scott	880 Metro Plaza Ln	Belleville	IL	62221	Y	700	X				Comm. Tower; adjacent to Scott Air Force Base		
CROSS COUNTY (PHASE III)	Skinker	260 North Skinker Blvd	St. Louis	MO	63112	N					X	Center of Skinker Tunnel	Y	
	University City-Big Bend	7000 Forest Park Pkwy	St. Louis	MO	63130	N					X	Eastern 1/3 of Big Bend Tunnel	Y	
	Forsyth	7411 Forsyth Blvd.	St. Louis	MO	63105	N			X			West end of Big Bend Tunnel		
	Clayton	275 S. Central Ave	St. Louis	MO	63105	N		X				Pedestrian Overpass to St. Louis Co. Garage	Y	



Station Name	Street Addresses	City	State	Zip Code	Park & Ride Lot	# Of Parking Spaces	Station Configuration				Comments & unique characteristics	Elevators	
							At Grade	Below Grade	Elevated	Subsurface		Track # 2	Track # 1
	Richmond Heights	8001 Galleria Pkwy	St. Louis	MO	63144	Y	57	X			Park-n-Ride		
	Brentwood-I-64	8398 Eager Rd	St. Louis	MO	63144	Y	926		X		Meridian Garage		
	Maplewood Manchester	7911 Manchester Rd	St. Louis	MO	63143	N			X		Bus Transfer Station	Y	
	Sunnen	21 Sunnen Dr	St. Louis	MO	63143	Y		X			Ped. Crossing protected by gates at Sunnen Dr; Park-n-Ride		
	Shrewsbury Lansdowne I-44	7201 Lansdowne Ave	St. Louis	MO	63119	Y	800		X		Bus Transfer Station	Y	

## Appendix J–MLRFGS System Elements- Tunnel Configurations

Name or Description	East or North portal	West or South portal	Length in Feet	Ventilation System	Stand Pipes	Emergency Exits	Stations
	Mile Post	Mile Post					
Downtown Tunnel	15.34	14.60	446 0	N	Y	N	Arch-Laclede's Landing; Convention Ctr; 8th & Pine; Stadium
Union Station Tunnel	13.60	13.38	105 5	N	N	N	Union Station (at east end)
Kingshighway Tunnel (non-Metro-owned structure)	10.35	10.11	110 0	N	Y	N	CWE (at east end)
UMSL Campus Tunnel	3.74	3.62	664	N	Y	N	
DeBaliviere Tunnel (Cross County Tunnel #1)	CC 0.03	CC 0.12	483	N	Y	N	
Skinker Tunnel (Cross County Tunnel #2)	CC 0.72	CC 0.91	100 0	Y	Y	Y (At station)	Skinker
Big Bend Tunnel (Cross County Tunnel #3)	CC 1.46	CC 2.51	550 0	Y	Y	Y	Big Bend; Forsyth
Eager Road Tunnel (Cross County Tunnel #4)	CC 4.60	CC 4.69	450	N	Y	N	Brentwood I-64 (at south end)

# Appendix K–MLRFGS System Elements- Bridge Locations

	Milepost	Name/Description
MISSOURI BRIDGES - PHASE I	0.42	Airport Bridge
	1.31	McDonnell Blvd. Bridge
	1.84	WB I-70 Bridge
	2.00	SB I-170 & EB I-70 Bridge
	2.17	NB I-170 & Ramp 24 Bridge
	2.31	I-70 Ramp No. 26 Bridge
	2.59	Springdale Bridge
	3.09	North Hanley Road Bridge
	3.59	Geiger Road Bridge
	3.87	UMSL Garage Bridge
	4.00	East Campus Drive Bridge
	7.62	Skinker Bridge
	8.73	DeBaliviere Pedestrian Walkway (West)
	8.75	DeBaliviere Pedestrian Walkway (East)
	11.49	Vandeventer Bridge
	13.60	18th Street Bridge
	13.73	16th Street Bridge
	14.50	Spruce Street Bridge
	15.40 - 15.90	Eads Bridge (Main Spans)
ILLINOIS BRIDGES- PHASE II	18.01	St. Clair Ave. Bridge
	18.06	I-64 & Baugh Ave. Bridge
	18.77	Southern RR Bridge
	18.90	Terminal RR Bridge
	19.20	25th Street Bridge
	20.18	Alton &Southern RR Bridge
	20.90	Washington Park Pedestrian Bridge
	21.86	Harding Ditch Bridge
	22.66	79th Street Bridge
	24.61	Negro Hollow Creek Bridge
	26.06	Schoenberger Creek Bridge
	26.27	Dutch Hollow Rd. Bridge
	26.38	Llewelyn Rd. Bridge
	26.91	Schoenberger Creek Bridge
	28.96	Fullerton Rd. Bridge
	29.47	Swansea Creek Bridge
	29.65	Swansea Creek II Bridge
	29.85	IL Rte 159 Bridge
	30.17	Norfolk & Southern RR Bridge
	31.01	"B" Street Bridge
	31.25	Main Street Bridge

# Appendix L–MLRFGS System Elements- Power Substations

	Substation Number	Mile post	Street Address	City	State	Zip code	Supply Voltage (KV)
MISSOURI	MO-01	15.4	610 North 2nd Street	St. Louis	MO	63102	13.8
	MO-02	14.4	949 Poplar Street	St. Louis	MO	63102	34.5
	MO-03	13.3	326 South 21st Plaza Dr.	St. Louis	MO	63103	34.5
	MO-04	12.6	540 South Ewing Avenue	St. Louis	MO	63103	34.5
	MO-05	12.0	3500 Scott Avenue	St. Louis	MO	63103	34.5
	MO-06	10.4	411 South Taylor Avenue	St. Louis	MO	63122	34.5
	MO-07	9.0	274 DeBaliviere Avenue	St. Louis	MO	63112	34.5
	MO-08	7.2	6410 Plymouth Avenue	St. Louis	MO	63133	34.5
	MO-09	5.6	7131 North Market Street	St. Louis	MO	63133	34.5
	MO-10	4.8	7750 Florissant Road	St. Louis	MO	63121	34.5
	MO-11	2.5	4500 Springdale Avenue	St. Louis	MO	63134	34.5
	MO-12	0.8	9852 Air Cargo Road	St. Louis	MO	63134	34.5
	MO-21	CC 1.8	7055 Forest Park Blvd.	St. Louis	MO	63112	34.5
	MO-22	CC 3.3	405 Corporate Drive	St. Louis	MO	63105	34.5
	MO-23	CC 4.8	8396 Eager Road	St. Louis	MO	63144	34.5
	MO-24	CC 6.1	7820 Flora Avenue	St. Louis	MO	63143	34.5
	MO-25	CC 7.5	7201 Lindenwood Avenue	St. Louis	MO	63119	34.5
ILLINOIS	IL-01	16.0	Front Street & Broadway	East St. Louis	IL	62201	34.5
	IL-02	17.0	219 North 5th Street	East St. Louis	IL	62201	34.5
	IL-03	18.5	1601 Parsons Avenue	East St. Louis	IL	62205	34.5
	IL-04	19.6	950 North 31st Street	East St. Louis	IL	62205	34.5
	IL-05	21.4	6456 St. Clair Avenue	East St. Louis	IL	62203	34.5
	IL-06	23.3	8831 St. Clair Avenue	East St. Louis	IL	62203	34.5
	IL-07	25.2	2209 Dutch Hollow Road	Belleville	IL	62223	12.47
	IL-08	27.1	1550 Flanagan Road	Belleville	IL	62223	12.47
	IL-09	28.7	2808 Old Caseyville Road	Belleville	IL	62226	12.47
	IL-10	30.6	920 North Charles Street	Belleville	IL	62220	12.47
	IL-11	32.5	700 South McKinley Drive	Belleville	IL	62220	12.47
	IL-12	32.4	2626 Carlyle Avenue	Belleville	IL	62221	12.47
	IL-13	36.2	1090 Shiloh Station Road	Belleville	IL	62221	12.47
	IL-14	37.8	872 Section Line Road	Belleville	IL	62221	12.47

# Appendix M–MLRFGS System Elements- Highway Grade Crossings

Street	City	State	Mile Post	Stationing	DOT#
<b>MISSOURI</b>					
North Market Street	Pagedale	MO	5.7	1526+85	480278B
Plymouth Avenue	Wellston	MO	7.0	1457+20	480275F
Etzel Avenue	Wellston	MO	7.2	1446+95	480274Y
Bartmer Avenue	Wellston	MO	7.4	1439+32	480273S
Taylor Avenue	St. Louis	MO	10.5	1273+32	480261X
Newstead Avenue	St. Louis	MO	10.7	1263+38	480260R
Boyle Avenue	St. Louis	MO	10.9	1253+55	480259W
Sarah Street	St. Louis	MO	11.2	1240+25	480257H
Ewing Avenue	St. Louis	MO	12.6	1164+25	914400U
Sunnen	St. Louis	MO	CC6.28	3702+34	925075F
<b>ILLINOIS</b>					
Main Street	East St. Louis	IL	16.5	952+80	914401B
4th Street	East St. Louis	IL	16.7	949+00	914402H
Broadway	East St. Louis	IL	16.8	942+60	914403P
Missouri Avenue	East St. Louis	IL	16.97	896+01	917318R
St. Louis Avenue	East St. Louis	IL	17.10	902+71	917319S
Martin Luther King	East St. Louis	IL	17.22	909+42	917320L
9th Street	East St. Louis	IL	17.85	942+74	917321T
15th Street	East St. Louis	IL	18.40	971+46	917326C
18th Street	East St. Louis	IL	18.58	981+26	91874LK
37th Street	East St. Louis	IL	19.93	1052+03	917330S
St. Clair Avenue	East St. Louis	IL	20.62	1088+97	917331Y
Kingshighway (IL Rte 111)	East St. Louis	IL	20.99	1108+50	917334U
Lebanon Avenue	Belleville	IL	24.52	1294+46	917339D
Old Caseyville Road	Belleville	IL	28.50	1505+04	917347V
Shiloh Station Road	Belleville	IL	36.10	1910+00	920997E

# Appendix N–MLRFGS System Elements- Signal Locations

	Milepost	Name/Description	Type
PHASE I LOCATIONS (MO)	0.04	Airport Interlocking	Signal House
	0.44	Airport East	Relay Case
	1.68	I70	Audio House
	2.98	North Hanley Interlocking	Signal House
	4.61	UM St. Louis South	Cable Junction (Retired Audio House)
	4.62	UMSL Interlocking	Signal House
	5.73	North Market Grade Crossing	Relay Case
	5.95	St. Charles Rock Road	Audio House
	7.03	Plymouth Grade Crossing	Relay Case
	7.12	Page Interlocking	Signal House
	7.26	Etzel Grade Crossing	Signal Case
	7.43	Bartmer Grade Crossing	Signal Case
	8.47	Waterman Interlocking	Signal House
	8.70	DeBaliviere Junction Interlocking	Signal House
	8.87	Forest park Interlocking “A”	Signal House
	9.02	Forest Park Interlocking “B”	Signal House
	10.53	Taylor Grade Crossing	Relay Case
	10.62	Central West End Interlocking	Signal House
	10.90	Boyle Grade Crossing	Relay Case
	11.16	Sarah Grade Crossing	Relay Case
	11.85	Grand Freight Diamond Interlocking	Signal House
	12.60	Ewing Grade Crossing	Relay Case
	12.67	Yard Interlocking	Signal House
	13.67	Union	Audio House
	14.18	Tucker Interlocking	Signal House
	15.56	Tucker Interlocking	Relay Case
	15.54	Laclede Landing Interlocking	Signal House
	15.9	Riverfront Interlocking	Signal House
	16.61	Main Street Grade Crossing	Relay Case
	16.65	4 <sup>th</sup> Street Grade Crossing	Relay Case
	16.77	Fifth & Missouri Interlocking	Signal House

	Milepost	Name/Description	Type
PHASE II LOCATIONS (St. Clair Co.)	16.98	Missouri Avenue Crossing	Relay Case
	17.09	St. Louis Avenue Grade Crossing	Relay Case
	17.22	Martin Luther King Grade	Crossing Case
	17.54	RH1	Audio House
	17.85	9 <sup>th</sup> Street Grade	Crossing Case
	18.41	Emerson Park Interlocking "A"	Signal House
	18.60	Emerson Park Interlocking "B"	Signal House
	19.49	Hall Interlocking "A"	Signal House
	19.82	Hall Interlocking "B"	Signal House
	19.93	37 <sup>th</sup> Street Grade Crossing	Relay Case
	20.63	St. Clair Avenue Grade Crossing	Relay Case
	20.99	Kingshighway Grade Crossing	Relay Case
	21.43	RH2	Audio House
	22.94	RH3	Audio House
	23.98	Fairview Pocket Track	Signal House
	24.51	Lebanon Road Grade Crossing	Relay Case
	25.88	RH4	Audio House
	27.71	Royal Interlocking	Signal House
	28.51	Old Caseyville Road Grade Crossing	Relay Case
	29.23	RH5	Audio House
	30.74	Belleville Interlocking	Signal House
	32.47	RH6	Audio House
	34.15	College Interlocking	Signal House
	35.82	RH7	Audio House
	36.18	Shiloh Station Road Grade Crossing	Relay Case
	37.62	Scott Interlocking	Signal House
PHASE III LOCATIONS (Cross Co.)	CC0.2	Parkway Interlocking	Relay Case
	CC1.6	Big Bend Interlocking	Signal Room
	CC1.8	Big Bend Interlocking	Relay Case
	CC3.5	Enterprise Interlocking	Signal House
	CC3.7	Enterprise Interlocking	Relay Case
	CC4.0	Clayton Road Hand throw Crossover	Relay Case
	CC5.2	Brentwood Interlocking	Signal House
	CC6.3	Sunnen Grade Crossing and Audio House	Audio House
	CC7.6	Shrewsbury Interlocking	Signal House

## Appendix O– Metro Policies & Procedures Applicable to the MLRFGS and the PTASP/SSP<sup>41</sup>

- Safety & Security Certification Plan
- LRV Maintenance Program
- Emergency Preparedness Program Plan (EPPP)
- Metro Emergency Reference System Guide
- MetroLink Operations Standard Operating Procedures
- MetroLink Operating Rules
- MetroLink Signal & Train Control Maintenance Plan
- MetroLink Communication System Maintenance Plan
- MetroLink Facilities Maintenance Plan
- MetroLink Track Construction & Maintenance Manual
- MetroLink Traction Power System Preventative Maintenance Program
- MetroLink Structures Inspection & Maintenance Manual
- Safety Standard Operating Procedures
- MetroLink Alignment Schematics

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<sup>41</sup> 45 Some documents are purposely listed without reference to edition date or revision number. This is an intentional omission since many documents change dates and revisions on different frequency cycles and at different times than this Plan.



# Appendix P– Abbreviations and Acronyms

List of Abbreviations & Acronyms	
AAR	Association of American Railroads
AASHTO	American Association of State Highway & Transportation Officials
AC	Alternating Current
APTA	American Public Transportation Association
AREMA	American Railway & Maintenance Engineering Association
ATP	Automatic Train Protection
CAP	Corrective Action Plan
CBRNE	Chemical, Biological, Radiological, Nuclear, & Explosive
CCTV	Closed Circuit Television
CEO	Chief Executive Officer
CFR	Code of Federal Regulations
CMP	Configuration Management Plan
CON	Contractors
CRT	Cathode Ray Tube
DC	Direct Current
DNR	Department of Natural Resources
DOT	Department of Transportation
EAP	Employee Assistance Program
ENSD	Engineering & New Systems Development
EOPs	Emergency Operating Procedures
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FLSC	Fire / Life Safety Committee
FRA	Federal Railroad Administration
FROWM	Facility & ROW Maintenance
FTA	Federal Transit Administration, agency in the U.S. Dept. Transportation
HR	Human Resources & Benefits
HSEEP	Homeland Security Exercise & Evaluation
HSPD	Homeland Security Presidential Directive
HVAC	Heating Ventilation and Cooling
ICC	Illinois Commerce Commission



List of Abbreviations & Acronyms	
ICS	Incident Command System
IDOT	Illinois Department of Transportation
IED	Improvised Explosive Device
IHA	Interface Hazard Analysis
ISAP	Internal Safety Audit Process
List of Abbreviations & Acronyms - continued	
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
KV	Kilo-Volt
LRV	Light Rail Vehicle
LRVM	LRV Maintenance
ML	MetroLink
MLO	MetroLink Operations
MLRFGS	MetroLink Rail Fixed Guideway System
MoDOT	Missouri Department of Transportation
MOW	Maintenance of Way
MP	Milepost
MPH	Miles Per Hour. Used to describe the speed of the train
MPHPS	Miles Per Hour Per Second (describe the rate of acceleration/deceleration of an LRV)
MSDS	Material Safety Data Sheet
NEC	National Electrical Code
NFPA	National Fire Protection Coding
NIMS	National Incident Management System
NIPP	National Infrastructure Protection Plan
NRP	National Response Plan
NTD	National Transit Database
NTSB	National Transportation Safety Board
OCC	Operations Control Center
OCS	Overhead Catenary System
ODP	Office of Domestic Preparedness
OHA	Operating Hazard Analysis
OPS	MetroLink Operations
PA	Public Address or Public Announcement
PAT	Passenger Assistance/Emergency Telephone
PHA	Preliminary Hazard Analysis

List of Abbreviations & Acronyms	
PPE	Personal Protective Equipment
PROC	Procurement
RAMP	Rail Activation Management Plan
ROW	Right of Way
RS	Rail Systems
RS	Rail Supervisor
RTSS	Regional Transit Security Strategy
RTSWG	Regional Transit Security Working Group
SAF	Risk Management & Safety
SAP	Substance Abuse Program
SBD	Safe Breaking Distance
SCADA	Supervisory Control and Data Acquisition
SCCTD	St. Clair County Transit District
SCIL	Safety Critical Items List
SSCWG	Safety & Security Certification Working Group
SEC	Security
SHA	System (interface) Hazard Analysis
SOPs	Standard Operating Procedures
SSO	State Safety Oversight
SSP	System Security Plan
SSPP	System Safety Program Plan
T/O	Train Operator
TSGP	Transit Security Grant Program
TSM	Transit Service Manager
TVM	Ticket Vending Machine
UASI	Urban Area Strategic Initiative
UPRR	Union Pacific Rail Road
VDC	Volt Directional Current

## Appendix Q– Glossary

Term	Definition
Accident	An unforeseen event or occurrence which causes death, injury, or damage to property
ADA Americans with Disabilities Act of 1990	Civil rights law passed by Congress in 1990 that makes it illegal to discriminate against people with disabilities in employment, public accommodations, & telecommunications
Alignment	The horizontal and vertical location or roadway as described by curves and tangents defining its position with respect to the surrounding area.
Anomaly	Deviation from nominal performance that does not cause a significant effect on system performance but does warrant investigation and / or repair.
Articulation	The flexible center portion of the car body connecting the two halves of the vehicle. Facilitates turning on curves.
Aspect	The combination of color a deposition of a fixed signal, light or lights which provides an indication to the Train Operator
At Grade	At neutral ground level, when describing transit ways or streets; the intersecting transit ways and streets are at the same elevation and may intersect (see also surface level station)
Audit	Formal or official review of procedures & and verification of compliance
Authority Having Jurisdiction (AHJ)	The organization, office, or individual responsible for approving equipment, an installation, or a procedure. NOTE: Organizations included are building and fire officials, State Safety Oversight officers, and other departments as applicable.
Authorized Speed	The maximum allowed speed for a section of track
Automatic	A term applied to a system, subsystem, or device which has the inherent capability to function without direct manual participation
Below Grade	A station constructed below the level of the nearest road but not underground (i.e., Memorial Hospital; Forsyth)
Block	A section of track of defined limits
Brake, Emergency	An irreversible slowing and subsequent stopping of the LRV activated by a depression of the Emergency Brake button in any cab of an LRV. Emergency braking provides the highest brake rate that is available from using ONLY friction and track braking systems. Dynamic braking and Slip/Slide braking systems are not utilized during an emergency brake.
Bumping Post	A structure at the end of track(s) placed to prevent rail vehicles from running off the track
Cab Signal	An aspect displayed on the Aspect Display Unit located in the Operator's cab indicating the maximum authorized train speed for that section of track in which the train is operating. Cab signals are used in conjunction with interlocking signals.

Term	Definition
Catenary	An overhead wire system that supplies power for propulsion and auxiliary use from a central power source to an LRV
Checked Redundancy	A characteristic of a system that ensures that the probability of any malfunction is controlled to produce a risk comparable to fail-safe.
Closed Loop	The principle of feedback control in which the response of a system is continuously compared with the controlling signal to generate an error signal.
Code	A document containing mandatory (shall) requirements on "where or when" an action or feature should be implemented. It may be adopted as law (see "standard")
Consist	The number and specific identity of cars that make up a train.
Controller	The designated employee on duty in the OCC having authority over all movements on or affecting MetroLink tracks and ROW
Corrective Action Plan	A plan that describes the actions to take to minimize, control, correct, or eliminate hazards, and the schedule for implementing those actions
Coupler	A device for making electrical, mechanical, and pneumatic connections between LRV's and/or other rail equipment.
Criteria	A document or drawing constraining actions or features that are recommended and should be implemented but maybe modified or waived with rationale. Criteria may be adopted as a standard or code.
Critical	A hazard severity category defined as "Category II" failure conditions that could result in severe injury to one or more persons, and / or significant system damage
Critical Defect	A defect that judgment and experience indicate could result in hazardous or unsafe conditions for individuals using or maintaining the product or could result in failure in accomplishment of the ultimate objective.
Critical Function List	A listing of those functions whose failure would cause system degradation below an acceptable level.
Criticality	Assignment of relative importance to hardware or systems.
Crossing Gates	Crossing gate arms located at grade crossings and activated by the approach of trains, which restrict vehicle and pedestrian traffic. Crossing gates also include an arrangement of warning bells and lights.
Crossover	A track structure allowing a train to move from one track to another
Dead man Braking	A retrievable, full-service brake application that occurs upon the release of the deadpan foot-pedal or hand button, or upon depression of the deadpan foot-pedal past the second detent.
Deductive Analysis	Analysis of a specific undesired event to determine possible causes of that event (Top down approach "What can cause a specific event to occur?") See Fault Tree Analysis.
Derailment	A condition that exists when the wheels of a piece of rail equipment leave the rail
Design Deficiency	Any design characteristic which does not meet specified criteria

Term	Definition
Design Safety	Safety achieved by the integration of system design characteristics to prevent or minimize the probability to operate in an unsafe manner.
Diverge	A change in train movement from one track to another over switches set in a reverse position.
Double Track	Two Main tracks - one of which operates trains in the normal westbound direction, identified as westbound track #1; the other in the normal eastbound direction, identified as eastbound track #2.
Dwell Time	The time a train in revenue service spends alighting and discharging passengers at a stop, including opening & closing doors
Elevated Station	A station where the platform is above ground level requiring access by stairs, elevator or escalator
Emergency	A situation that is life threatening to passengers, employees, or other interested citizens; or that causes damage to any transit vehicle or facility; or results in the significant loss of services & reduces the ability of the system to fulfill its mission; A condition, situation or occurrence of serious nature, developing suddenly and unexpectedly and requiring immediate action.
Emergency Stop	The stopping of a train by an emergency application (mushroom) that, after initiated, cannot be released until the train is stopped.
Employee	Anyone employed by Metro or a Metro contractor, or personnel of another railroad while on ML ROW.
Equipment Failure	The state in which equipment no longer meets the minimum acceptable specified performance and cannot be restored through operator adjustment of controls.
Extra Train	A train not authorized by a timetable schedule. Trains used for passenger transport may be designated as "extras".
Facing Movement	The movement of a train over a switch with points facing toward the oncoming movement.
Fail Safe Design	a design principle in which each of the elements which make up a system is analyzed to determine the potential consequence of failure of the element, alone or in combination with any or all other elements of the system, to ensure that a failure or a combination of failures will not result in an unsafe condition.
Fail Safe Safety	A characteristic of a system and its elements, the object of which is to ensure that any fault or malfunction will not result in an unsafe condition
Failure	An inability to perform an intended function
Failure Analysis	The logical and systematic examination of a system to identify and analyze the probability, causes, & consequences of potential and real failure.
Failure Management	Decisions, policies, & planning that identify and eliminate or control potential failures and implement corrective or control procedures following real failures.
Failure Mechanism	The process which results in a part or equipment failure

Term	Definition
Failure Mode	The description of the manner in which a failure occurs, and the operating condition of the equipment at the time of the failure
False Occupancy	Indication of track occupancy when no train or track car is present
Fans	Mechanical device to induce airflow.
Fault Tree Analysis	A deductive analysis procedure which graphically presents undesired events to determine possible causes of that event
Fire-Life Safety Committee	Designated personnel from the local authorities, and representatives from the transit agency, who are assigned to resolve issues related to Fire-Life Safety, and others as necessary to handle technical and complex design and /or operational issues.
Fixed Guideway Transit System (The System).	An electrified transportation system, utilizing a fixed Guideway, operating on right-of-way for the mass movement of passengers along the MetroLink alignment and consisting of its fixed Guideways, transit vehicles and other rolling stock, power system, buildings, maintenance facilities, stations, transit vehicle yard, and other stationary and movable apparatus, equipment, appurtenances, and structures
Fixed Signal	A signal at a fixed location that affects the movement of a train.
Flag	A device used for relaying hand signals or to indicate conditions on the mainline, ROW or in the yard. Flags may be made of cloth or lights.
Flagging Protection	A procedure used to protect work crews, personnel and equipment from train and vehicular movements and any other obstructing activities.
Flag person	A Qualified Employee assigned to protect work crews, personnel and equipment working on or near the tracks to ensure the safe passage of trains.
Following Train	A train whose movement is in the same direction as the preceding train on the same track.
Frog	A track structure used at the intersection of two running rails to provide support for wheels and passageways for flanges, thus permitting wheels on either rail to cross the other.
General Notice	Written instruction to employees from the Chief of MetroLink Operations and / or his designee that does not directly affect the movements of trains.
General Order	An order issued in writing by the Chief of MetroLink Operations that affects the movement of trains. A General Order may supplement the Rule Book and has the force of a Rule governing train operations.
Grade Crossing	A vehicular or pedestrian crossing over the track at the top-of-rail level.
Guideway	That portion of the transit line included with right-of-way fences, outside lines of curbs or shoulders, underground tunnels, cut or fill slopes, ditches, and other elements
Hand Signal	A signal given by the motion or position of a person's hand, arm, flag, or light.

Term	Definition
Hazard	Any real or potential condition that can cause injury, illness, or death; damage to or loss of a system, property; or damage to the environment
Hazard Matrix	A quantitative measure, combining the numerical probability of occurrence with a hazard severity
Hazard resolution	The analysis and subsequent actions taken to reduce, to the lowest level practical, the risk associated with an identified hazard.
Hazardous condition	An immediate condition that could cause an accident involving personal injuries or death
Hazardous material	Any commodity or product identified or regulated by the United States Department of Transportation in Title 49 CFR parts 171 through and including part 179, and which may be transported under restriction conditions
Headway	The time interval between vehicles moving in the same direction on a particular route
High Level Platform	The area from which passengers can enter and exit an LRV through the high level doors.
Hi-rail	Maintenance of Way highway-rail equipment
Incident	An unforeseen event or occurrence which does not necessarily result in injury of property damage
Incident Command Post	The location during an emergency, selected by the person in command, for controlling and coordinating the emergency operation
Incident Commander	The person who is responsible for managing and coordinating all facets of the fire and emergency responses during a fire incident. The Incident Commander can be a designated authority staff person or a responsible fire or police representative at the scene.
Individual	A passenger, employee, contractor, or other rail transit facility worker, pedestrian, trespasser, or any person on rail transit-controlled property
Injury	Injury to a person requiring medical attention necessitating transport to a medical facility by ambulance or police vehicle for medical treatment
Interlocking	An arrangement of signals and track switches interconnected so that their functions succeed each other in proper sequence to provide a route and prevent conflicting train movements, and for which interlocking Rules are in effect.
Interlocking Signals	A fixed wayside signal governing movement through an interlocking.
Investigation	The process used to determine the causal and contributing factors to an accident or hazard, so that actions can be identified to prevent recurrence
Island Circuit	A track circuit which spans the street portion of a grade crossing warning system and which, when occupied, will activate the grade crossing gates, bells and lights.
Life cycle	The phases of development of a system, typically including the concept, design, development, production and deployment efforts.



Term	Definition
Light rail	A rail transportation system in which one or more rail vehicles are propelled electrically by overhead catenary wire upon tracks located substantially within an urban area and that are operated exclusively in the transportation of passengers and their baggage, and including all bridges, tunnels, equipment, switches, spurs, tracks, stations, used in connecting with the operation of light rail (MoDOT definition)
Light Rail Vehicle (LRV)	The passenger rail vehicle used to transport passengers on a light rail transit property.
Lock-Out/Tag-Out	A safety warning method, described by an SOP, used to indicate the traction power substations or other electrical equipment have been de-energized (turned off) for maintenance, repair, or other reasons. Locked out equipment (marked with a lock-out tag) must not be re-energized or turned on, unless properly authorized as defined in the applicable SOP.
LRV Cab	The compartment of an LRV from which manual control is achieved; the Operator's compartment.
LRV Door -High Level	An inward opening, bi-folding door. There are four on each of an LRV located approximately 39 inches above the top-of-rail. Allows for ingress/egress of an LRV at high-level platforms.
LRV Door -Low Level	An inward opening, bi-folding door located at the right front of the LRV, near the Operator Cab. Allows egress from the LRV to the ground level, or ingress from the ground level
Mainline	Tracks designated for revenue service extending from yard interlocking) to terminal station's) and governed by the authority of the Controller, signal indication or a combination thereof.
Maintenance	All actions necessary for retaining an item in or restoring it to an operable condition
Maintenance of Way (MOW)	Metro maintenance division responsible for the maintenance of the MetroLink Rail System (including: Communication, Signal, and Traction Power), and Metro Right of Way (ROW) (including: Stations, Structures, Track and Rail Facilities).
Malfunction	Any anomaly or failure wherein the system, subsystem, or component fails to function as intended
Management Loss Control	An element of the system safety and security management function that evaluates the effects of potential hazards / threats considering acceptance, control, or elimination with respect to the expenditure of available resources.
Manual Block Operation	A method of operation in which train movements must be made without cab signal protection. The only employee permitted to authorize use of the Manual Block system is the Controller.
Marginal	A hazard severity category defined as "Category III" failure conditions that could result in minor injury, minor occupational illness, or minor system damage
Mean Distance Between Failures (MDBF)	The average distance in miles that a transit vehicle travels before failure of a vital component force removal of the vehicle from service.

Term	Definition
Metro	Brand name of the Bi-State Development Agency's transit operations
Negligible	A hazard severity category defined as "Category IV" failure conditions that cause less than minor injuries, illness, or system damage
Normal Current of Traffic	On double track, the normal operation of trains will be westbound on Track #1 and eastbound on Track #2.
OCC Facility	The nerve and communications center for all MetroLink operations and maintenance. Located at the Ewing Shop facility. Generally referred to as OCC.
Off-Peak Period	The period between the morning and evening peak periods when travel activity is generally lower and less transit service is scheduled
Operating Clearance	A clearance issued daily to each Train Operator providing permission to operate on the mainline, subject to the instructions of the Controller and signal indication. A current Operating Clearance must be in the possession of all trains or track cars operating on the mainline or anyone assigned flag person duties.
Operating Right-of-Way	The area within twenty (20) feet of the centerline of any track on the mainline or yard.
Operating Time	The time period between turn-on and turn-off of a system, subsystem, component or part during which time operation is as specified. Total operating time is the summation of all operating time periods.
Operation Control Center (OCC)	The designated location from which all MetroLink operations are authorized and directed.
Operational Hazard Analysis (OHA)	Identifies and evaluates hazards resulting from the implementation of operations or tasks performed by persons, considering: operation, test, maintenance, repair, transportation, handling, emplacement or removal of the system
Operational Phase	The post constructing phase where designed project function is achieved and maintenance requirements begin; aka "revenue service"
Operator	That person having direct and immediate control of the movement of a train
Opposing Train	An oncoming train on the same track occupied by a rail vehicle, and operating in the opposite direction.
Oversight Agency	The entity, other than Metro, designated by the state to implement 49 CFR Part 659 and 49 CFR Part 674 once mandated (MoDOT in MO; IDOT in IL)
Pantograph	A collection arm located on the top of the vehicle which collects DC power from the overhead catenary system, the pantograph is a spring-tension mechanical assembly that can be raised and lowered electrically or mechanically from the inside of an LRV
Pantograph ice cutter	An electrically heated device affixed over the "A" end of selected LRV(s), used to clear ice from the contact wire of the catenary.
Park and Ride Lot	Designated parking areas for automobile drivers who then board transit vehicles from these locations

Term	Definition
Passenger	A person who is on board, boarding, or alighting from a rail transit vehicle for the purpose of travel
Passenger Operations	The period of time when any aspect of Metro's operations is initiated to with the intent to carry passengers
Passenger Station	A location where passengers board/alight LRV's.
Pedestrian Grade Crossing	An at-grade location where one (1) or more transit system tracks cross a public sidewalk or pathway used by pedestrians
Penalty Stop	An irretrievable full service brake application that occurs during activation of the emergency door release, or the Operator's failure to acknowledge a cab signal over speed warning in sufficient time.
Permissive Block	A block for which the Controller provides authority to allow the operation of more than one train or track car within the block.
Pilot	A qualified employee assigned to a train or other on track equipment when the Operator of the equipment is not qualified on MetroLink Operating Rules and Procedures.
Pocket Track	A track located between the main tracks used to store or facilitate turn-back of trains.
Preliminary Hazard Analysis (PHA)	An analysis performed to obtain an initial risk assessment of a concept or system
Program Standard	A written document developed and adopted by the oversight agencies (MoDOT & IDOT) that describes the policies, objectives, responsibilities, and procedures used to provide rail transit agency safety and security oversight
Proof of Payment	A barrier-free system of fare collection in which the customer is responsible for having valid fare media in his/her possession when on a light rail vehicle or in station areas where valid fare media is required
Public Transit System	An organization that provides transportation services owned, operated, or subsidized by any municipality, county, regional authority, state, or other governmental agency, including those operated or managed by a private management firm under contract to the government agency owner
Qualified Employee	An employee who is properly trained and certified, and possesses the necessary licenses on his/her person required for his/her duties.
Qualitative	Those inductive or deductive analytical approaches which are oriented toward relative, non-measurable and subjective values
Quality Assurance	The planned and systematic pattern of all actions necessary to provide adequate confidence that the end items will perform satisfactorily in actual operations
Quality Control	The discipline which ensures the manufactures of a uniform product when specified defect limits in accordance with design requirements
Quantitative	Those inductive or deductive analytical approaches which are oriented toward the sue of numbers or symbols used to express a measurable quantity

Term	Definition
Rail Dispatcher	A designated employee on duty at either the Ewing or 29th Street Yard and Shops having authority over movements within the yard limits.
Rail Fixed Guideway System	Any light, heavy, or rapid rail system; monorail; or automated Guideway that:
Rail Transit Agency	(1) Is not regulated by the Federal Railroad Administration
	(2) Is included in FTA's calculation of fixed Guideway route miles or receives funding under FTA's formula for urbanized areas; or
	(3) Has submitted documentation to FTA indicating its intent to be included in FTA's calculation of fixed Guideway route miles to receive funding FTA's formula for urbanized areas
	Any entity (i.e., Metro) that operates a rail fixed Guideway system
Rail Transit-controlled Property	Property that is used by the rail transit agency and may be owned, leased, or maintained by the rail transit agency
Rail Vehicle	A track car or LRV.
Redundancy	The existence in a system of more than one means of accomplishing a given function
Regular Train	A revenue train designated by timetable
Reliability	The probability that the system or sub system will perform satisfactorily for a given period of time when used under stated conditions.
Relief	The release from duty of one operator by another by virtue of schedule or special instructions
Repair	The maintenance activity which restores a failed item to operable state
Restraining Rail	Rails mounted to the inside of the running rails to keep wheels in-line with the track in curves.
Restricted Speed	A speed that will permit the stopping of a train within half the range of vision, short of other trains, obstructions, improperly aligned switches, and broken rails, not exceeding 15 MPH.
Reverse Current of Traffic	On double track when the operation of trains will be opposite the normal flow of traffic; eastbound on Track #1, and westbound on Track #2.
Right-of-Way (ROW)	Land, property, and interests therein, acquired by the agency.
Rigid Switch	A track switch that must be aligned for both facing and trailing moves.
Root Cause	The underlying reason for the occurrence of a problem; The real cause or origin of an accident or injury
Root Cause Analysis	A technique used to identify the conditions that initiate the occurrence of an undesired activity or state; to find the "root cause"; the process of evaluating, assigning, and measuring root causes.
Running Rails	The rails upon which a train operates.
Safety	A reasonable degree of freedom from those conditions that can cause injury or death to personnel; damage to or loss of equipment or property and freedom from danger Also, in 49 CFR Part 659; <i>Freedom from harm resulting from unintentional acts or circumstances</i>

Term	Definition
Safety Certification	An element of the System Safety Program that documents the functional working of the System Safety Program, and provides a documented database from which to validate the active processes necessary to produce a safe system, ready for revenue service. Used on new systems, facilities and extensions to operational properties.
Safety Check List	A list for examining the safety aspects of equipment, procedures and personnel
Safety Critical	A designation placed on a system, subsystem, element, component, device, or function denoting that satisfactory operation of such is mandatory to assurance of patron, personnel, equipment or facility safety. Such a designation dictates incorporation of special safety design features
Safety Devices	Protective devices which do not alter the fundamental nature of a hazard but which do control the extent of the hazard in some manner
Safety Stop	A brake test that must be made within 10 feet after a change in consist has been made, before operating an LRV or train that has been idle for more than one hour and prior to departing the yard, to ensure the brakes are operating properly.
Safety Verification	An activity of safety certification that assures a specific procedure has been followed or that specifications have been met
Scheduled Maintenance	Programmed preventive maintenance
Security	Freedom from harm resulting from intentional acts or circumstances
Siding Track	A track located parallel to the mainline, used for storing, passing, or reversing the direction of trains.
Sign	A reflectorized device displaying visual information that affects the movement of trains and does not change.
Signal	A method or device capable of changing in aspect and conveying visual and /or audible information affecting the movement of a train, track car, or other, on-track equipment.
Signal Aspect	An illuminated train signal display
Signal Indication	The operating information conveyed by the aspect of a signal.
Single Track Operation	The operation of trains in both directions on a single track within specified limits.
Spot	Placing a rail vehicle or track equipment in a designated position or specific location.
Spur Track	An auxiliary track connected to the mainline or yard track, which ends at an industry or other destination away from the mainline.
Standard	A document or drawing containing mandatory (shall) requirements on "how" an action or feature should be implemented. It may be adopted as law (see code)

Term	Definition
Station - Center Platform	A 200-foot station platform located between two tracks and that allows for the loading and unloading of passengers for trains on either track.
Station - Side Platform	A 200-foot station platform positioned to the outside of one track and that allows for the loading and unloading of passengers for trains on that track only.
Substation	A power supply station along the right-of-way that converts high voltage AC to the 860 VDC supplied to the overhead catenary for vehicle propulsion.
Subsurface	A station constructed below ground at a level below the closest roadways (below grade).
Subsystem Hazard Analysis (SSHA)	An analysis applied to some element of the system to identify hazards associated with component failures
Supervisory Control & Data Acquisition (SCADA)	A system that monitors train movements, substations, signals, switches, fire and intrusion alarms. The system is also capable of transmitting commands to interlocking and traction power substations.
Switch Indicator	A device on the switch stand or spindle indicating alignment of a hand-throw switch.
Switch Lock	A lock used to secure a switch handle, electric switch lock, route selector box, etc.
Switch Position	The switch alignment allowing for straight or diverging moves.
Switch Stand	A device by which a switch is thrown and locked in position.
Switch, Dual Control	A power-operated track switch remotely controlled by OCC that can also be operated by hand when authorized.
System	A composite of people (employees, passengers, others) property (facilities and equipment), environment (physical, social, institutional), and procedures (standard operating, emergency operating, and training) which are integrated to perform a specific operational function in a specific environment
System Hazard Analysis	Inductive and deductive procedures in which hazards are identified and analyzed
System Safety	The application of management, engineering principles and techniques to achieve the optimum degree of safety within the constraints of operational effectiveness, time and cost, throughout all phases of the transit system life cycles, by identifying hazards and reducing associated risks
System Safety Analysis	Inductive and deductive procedures in which hazards are identified and analyzed
System Safety Engineering	The application of scientific and engineering principles, criteria, and techniques to identify, eliminate or control system hazards
System Safety Management	An element of management that establishes system safety program requirements and ensures the planning, implementation and accomplishment of tasks and activities to achieve system safety

Term	Definition
System Safety Program Plan	A document developed by the rail transit agency (i.e., Metro) describing its safety policies, objectives, responsibilities, & procedures
System Security	The application of operating, technical, and management techniques and principles to the security aspects of a system throughout its life to reduce threats and vulnerabilities to the most practical level through the most effective use of available resources
System Security Plan	A document developed by the rail transit agency (i.e., Metro) describing its security policies, objectives, responsibilities, & procedures
Tail Track	A track designated for train storage at the end of the line.
Temporary Speed Restriction	A section of track within defined limits through which rail vehicles must operate at a speed indicated on the Operating Clearance, speed sign, or instructions from OCC. This restriction may include work crews operating under SOP 103.04 (Flag Protection).
Temporary Speed Restriction Sign	A sign placed adjacent to the track to indicate the entrance to or exit from a temporary speed restriction.
Test Limits	A section of track designated by the authority of the Controller that allows for system or LRV testing.
Threat	Any real or potential condition that can cause injury or death to passengers or employees or damage to or loss of transit equipment, property, and/or facilities.
Time Delay Activation	A method of crossing gate activation which is based on a time delay mechanism in conjunction with a cab signal speed reduction, used at crossing gates located where passenger stations are in close proximity to grade crossings.
Timetable	The schedule for the movement of revenue trains subject to the Rules and instructions of the Controller.
Track	The parallel rails of a light rail system
Track Ballast	Selected material placed on the roadbed for the purpose of holding the track in proper alignment and providing proper drainage.
Track Car or Hi-Rail Vehicle	Rail vehicles other than LRV's, which operate on the track for the purposes of inspection and maintenance that may or may not shunt the track.
Track Shunt	The condition or indication that results from the presence of a LRV, train, rail mounted equipment or other device causing occupancy of a track circuit.
Traction Power Contact Wire	An overhead electrical conductor that provides power to the LRV through direct contact with the pantograph.
Traction Power Off	To turn off electrical power (de-energize) to the catenary, messenger wire, and supporting catenary equipment. This process must be field verified and ground applied by a qualified employee.



Term	Definition
Traction Power On	To turn on electrical power (energize) to the catenary, messenger wire, and supporting catenary equipment at which time all devices connected to it must be considered energized and live.
Traction Power System	The substations, feeder cable, contact, messenger, dropper and hanger wires, switch gear, and other equipment interfacing with public utilities or other power sources to provide power for the movement of LRV's and operation of their auxiliary systems.
Traction Power/Catenary	A system of electrified overhead wires in which the contact wire is supported from one or more longitudinal messengers either directly by hangers or by hangers in combination with auxiliary conductors or clamps.
Trailing Movement	The movement of a train over a switch whose points face in the direction the train is moving.
Train	One or more LRV's coupled together operating on the mainline and displaying headlights to the front and taillights to the rear.
Train Berth	The space designated for a train of given length to occupy when it is stopped at a station platform, in a terminal, or at some other designated location.
Train Length	The number of LRV's in a train; its overall length.
Train Operator	A qualified employee that operates LRV's in revenue or non-revenue service.
Train Line	Wire and piping routed between LRV's through couplers so that electrical signals and air may be transmitted to all LRV's. Train Lining enables all LRV's in a train consist to work as a single unit.
Transit Service Manager - LR Controller	The designated employee on duty in the OCC having authority over all movements on or affecting MetroLink tracks and ROW.
Transit Service Manager - Rail Supervisor	A qualified employee who has direct control over assigned staff or equipment and is responsible for the safe and efficient performance of the rail transit system.
Tunnel	That portion of the Guideway in which the Guideway is covered
Turn back	The changing of the direction of a train.
Unacceptable Hazardous Conditions	A hazardous condition determined to be an unacceptable hazardous condition using the Hazard Resolution Matrix
Unsafe Condition or Act	Any condition which if not corrected, will endanger human life or property
Validator	A machine that stamps the ticket as to the time and date of entry
Ventilation	Air movement
Vital Function	A system subsystem, equipment, or component that provides a function critical to safety
Vulnerability	Characteristics of passengers, employees, vehicles, and or facilities, that increase the probability of a security breach.



Term	Definition
Warning Devices	Sensors that monitor or detect conditions and provide visible and / or audible alerting signals as desired for selected events.
Wash Mode	A speed that is achieved by depressing the wash speed button on the operating console, which does not exceed 1.5 MPH.
Wayside	The items that are on or about the track area including tracks, ballast, signals, catenary poles, and other structures or equipment immediately adjacent to the right-of-way
Wayside Signal	A device conveying a visual indication to the Operator concerning condition affecting the train.
Wheel Stop	A device affixed to the rail at the end of track(s) to prevent rail vehicles from running off the track.
Yard	A system of tracks within defined limits for making up trains and storing cars
Yard Lead	Track sections connecting other sections of track. It may also connect to the mainline.
Yard Limits	Yard limits are defined as all yard and shop tracks adjacent to mainline westbound Track #1 and mainline eastbound Track #2. Both yard(s) have interlocking signals protecting movement in and out of the storage facilities.
Yard Mode	A mode of operation bypassing the protective cab signal system, achieved by depressing the Yard button on the LRV cab signal display, limiting the train to a maximum speed of 15 MPH.
Yard Stop	A specific location where trains are permitted to stop and pick up or drop off personnel. Yard stops are authorized by OCC.
Yard Tracks	Tracks at the Maintenance Facility used to store, repair, and test LRV(s) or rail mounted equipment. Yard tracks are signalized at the interlocking.

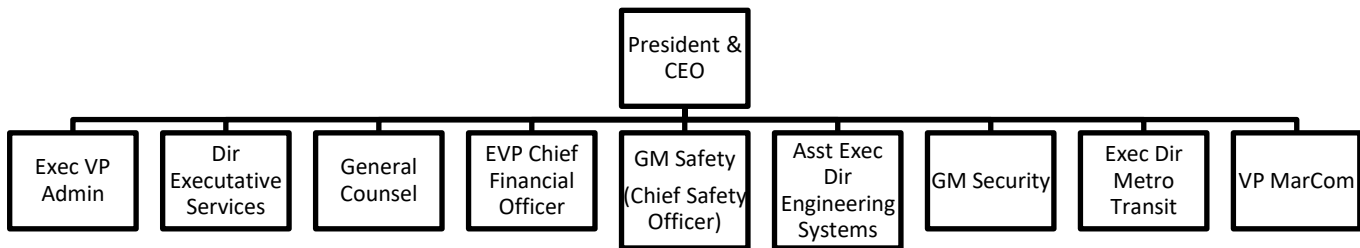
# Appendix R– Reference Documents and Citations

- 49 CFR Part 40 - Procedures for Transportation Workplace Drug and Alcohol Testing Programs
- 49 CFR Part 655 - Prevention of alcohol misuse and prohibited drug use in transit operations
- 49 CFR Part 659 - Rail fixed Guideway systems; State safety oversight
- 49 CFR Part 674 - State Safety Oversight
- The Drug Testing Workplace Act of 1988 (Public Law 100-690; Title 41, Chapter 10)
- U.S. Department of Transportation, Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), Millennium Edition
- The Public Transportation System Security and Emergency Preparedness Planning Guide (January 2003); Report Number DOT-FTA-MA-26-5019-03-01; Federal Transportation Administration; Washington DC
- Metro System Security Plan
- Cross County MetroLink Extension Safety & Security Certification Plan (Jan. 31, 2005)
- Bi-State Transit Safety Act; 45 ILCS 111/ (P.A. 90-273, eff. 7-30-97; re-enacted by 92-788, eff. 8-6-02; amended by P.A. 95-822, eff. 1-1-09.
- Title 7 -DEPARTMENT OF TRANSPORTATION Division 265 - Multimodal Division Chapter 9 - Rail Fixed Guideway Systems
- State Safety & Security Oversight Program Standards Manual; MO Department of Transportation, Division of Multi-Modal Operations (Railroad Section) and St. Clair County Transit District; (July 2007)
- MIL – STD-882E; 11 March 2012; Dept. of Defense; (Standard Practice for System Safety)
- Hazard Management Program Requirements Clarification Letter; Sept. 6, 2007; Office of Safety and Security; Federal Transit Administration
- Collision Hazard Analysis Guide: Commuter and Intercity Passenger Rail Service; October 2007; Office of Safety; Federal Railroad Administration; Washington D.C.

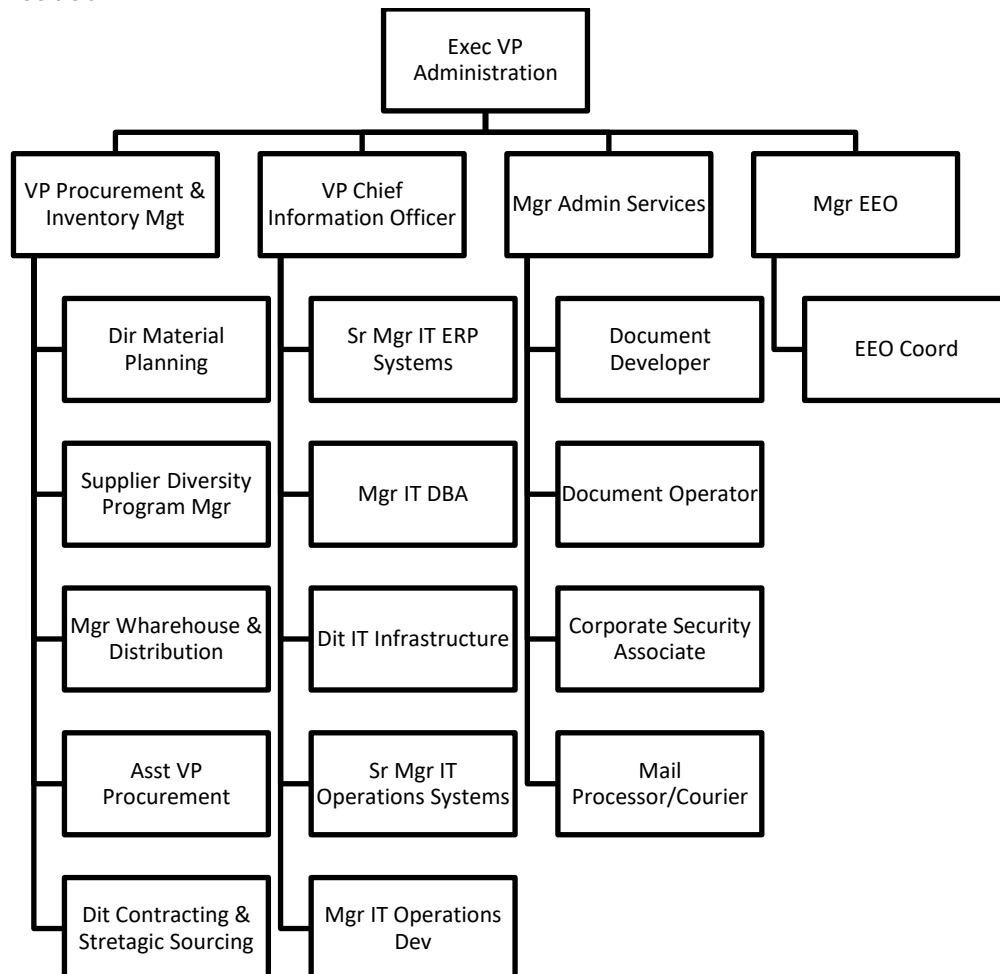
## Appendix S– Organizational Charts

[Note: In the interest of brevity, Metro has included here those departments and functions that directly or indirectly support transit operations and whose activities impact and contribute to the responsibilities outlined in this agency safety plan. We recognize that many of the departments have other functions and responsibilities within the broader Metro organization that may not be reflected on the abbreviated organizational tables included here]

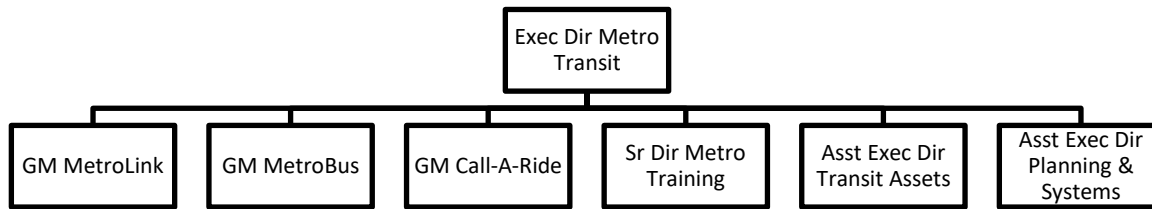
### Executive Office



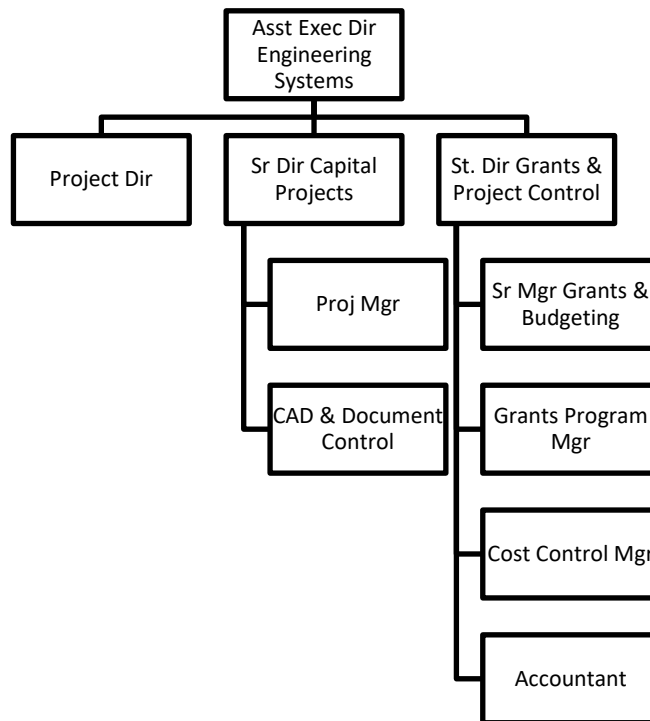
### Administration



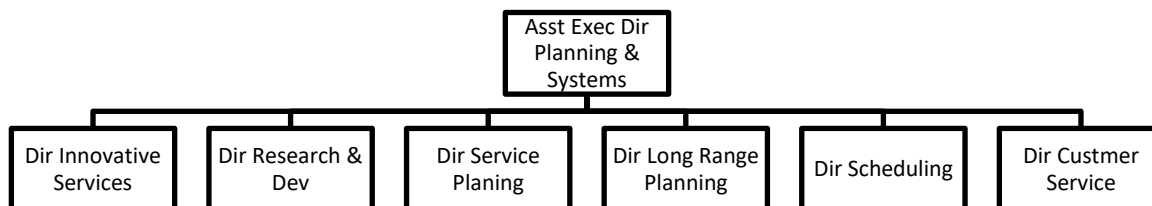
Metro Transit Executive Office

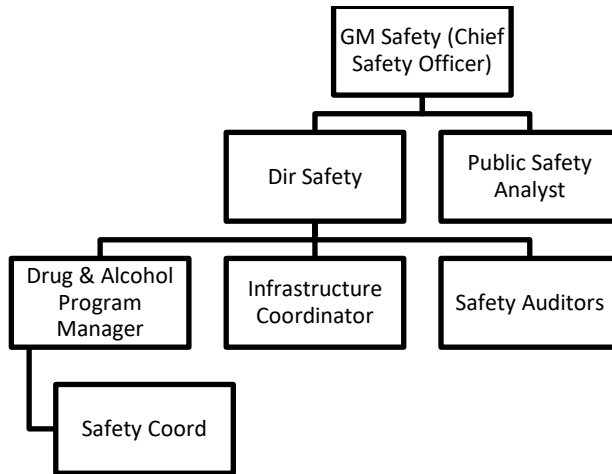


Engineering & New Systems Development

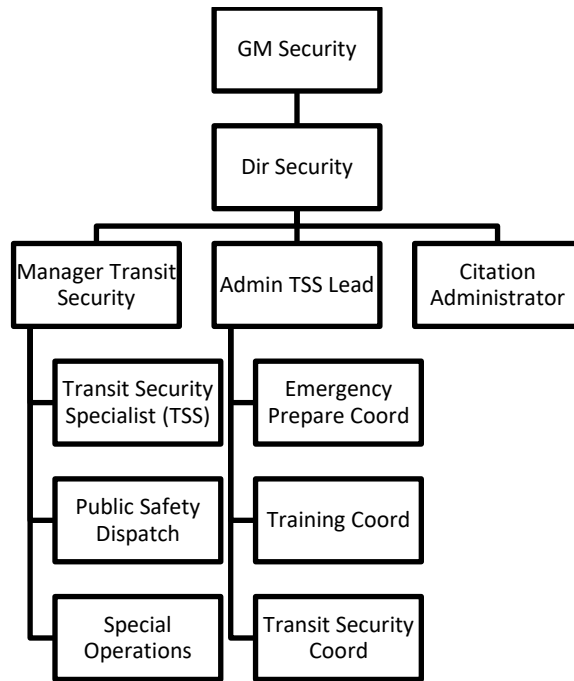


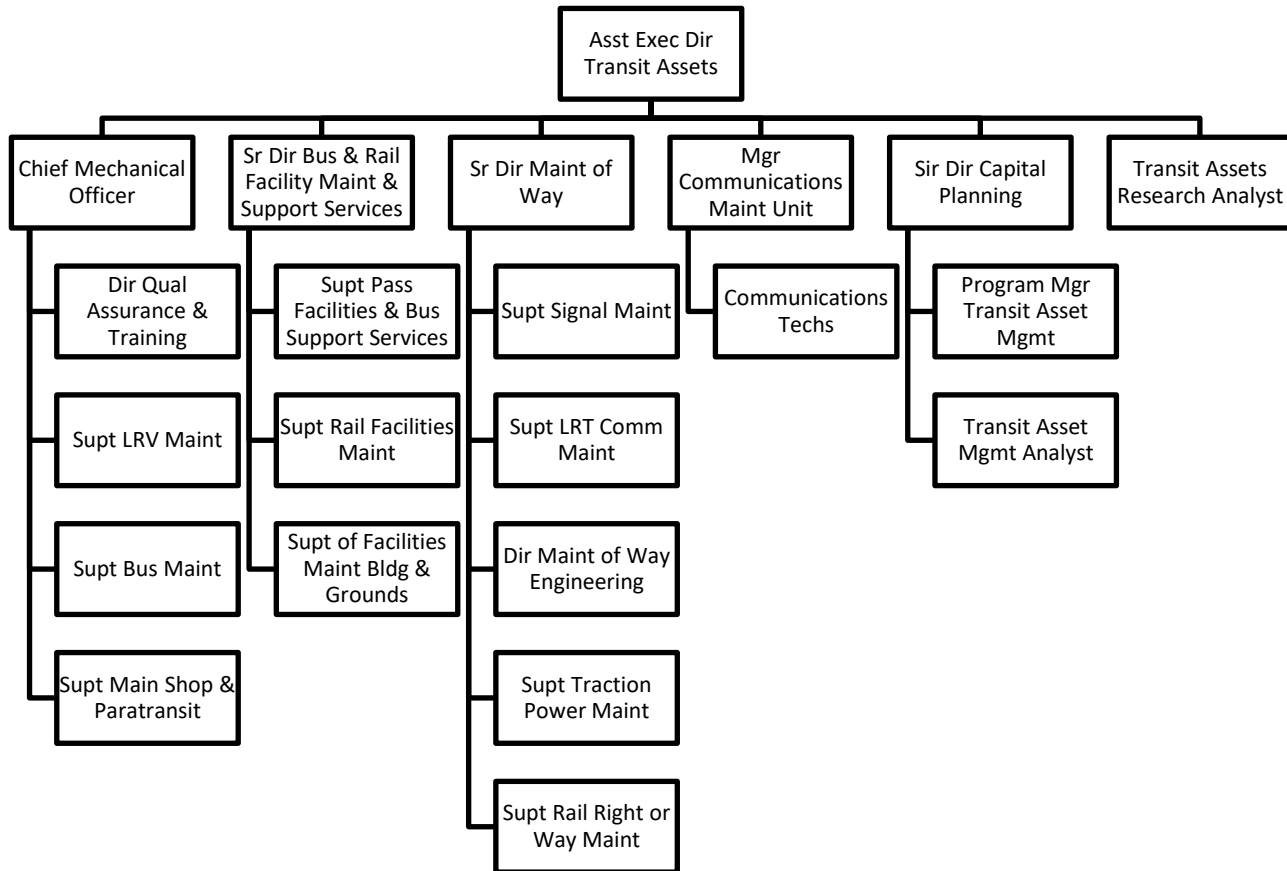
Planning & Systems

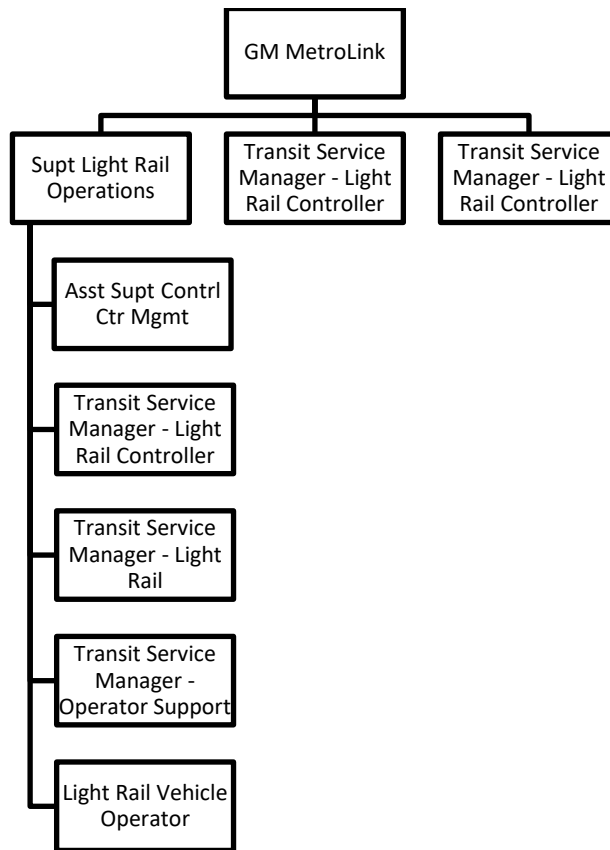




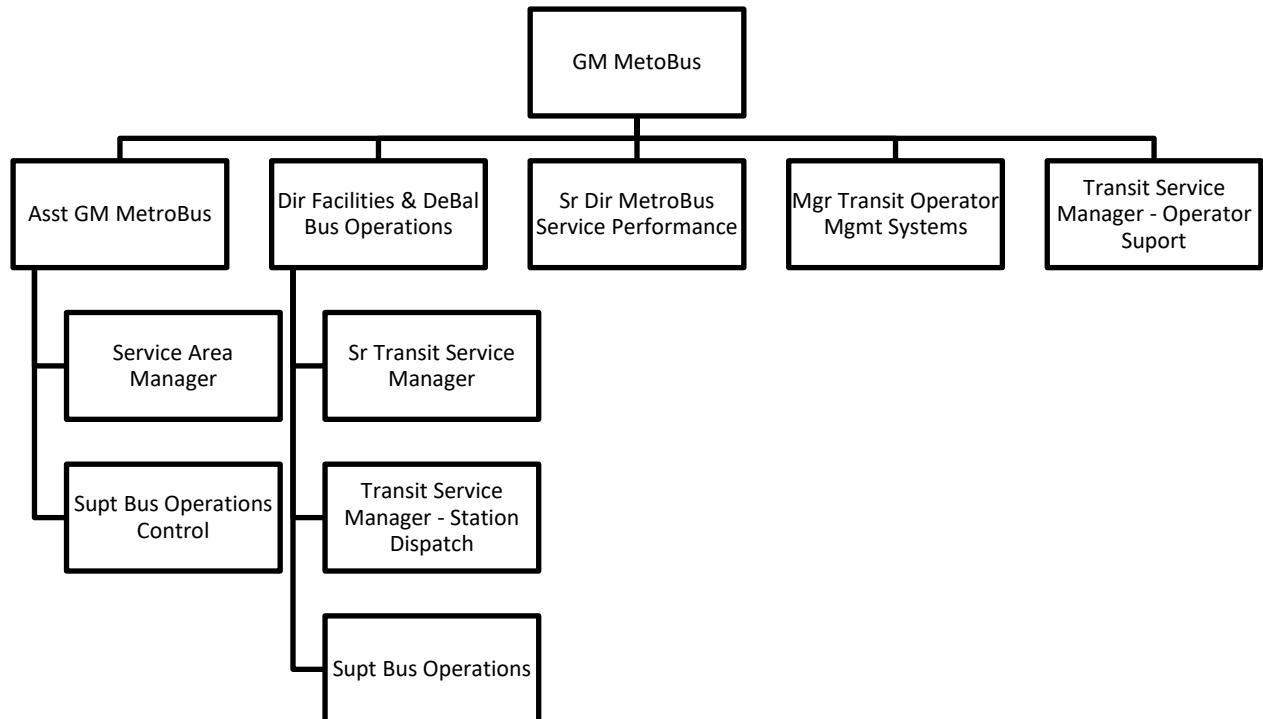
## Security





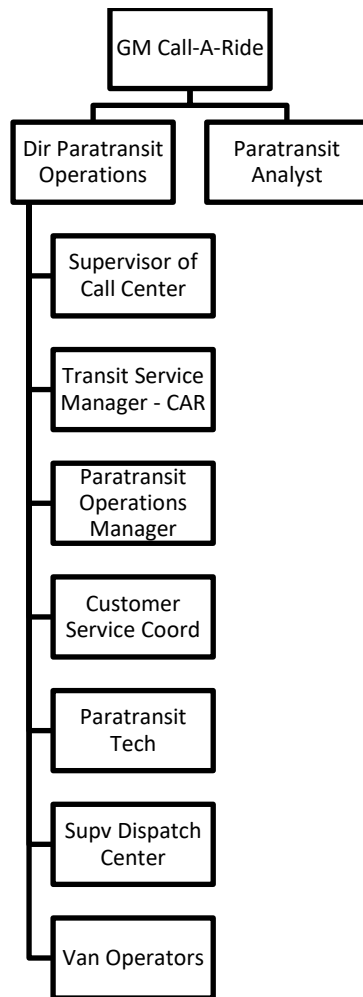


## MetroBus





Call-A-Ride





**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT APPROVING  
THE BI-STATE DEVELOPMENT PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

**PREAMBLES**

*Whereas*, The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the “Agency”) is a body corporate and politic, created by an interstate compact between the States of Missouri and Illinois, acting by and through its Board of Commissioners (the “Board”); and

*Whereas*, 49 U.S.C. 5329 was changed by MAP-21 (Pub. L. 112-141 (2012)) to require a Public Transportation Agency Safety Plan that is approved by the agency’s board of directors or equivalent; and

*Whereas*, Metro Transit was required to certify that it has a safety plan, meeting the requirements of the rule by July 20, 2020, and the Board of Commissioners approved that plan on June 26, 2020; and

*Whereas*, an annual update of the Metro Transit’s Agency Safety Plan is needed; and

*Whereas*, the Bi-State Development Public Transportation Agency Safety Plan regulates the health and safety of our Team Members, Transportation Systems, and customers, and the plan includes the following elements:

1. The processes and methods for developing a Safety Management System, which consists of four major components: (1) Safety Management Policy, (2) Safety Risk Management, (3) Safety Assurance, and (4) Safety Promotion.
2. Targets for safety performance based on the National Public Transportation Safety Plan (49 CFR 673.11(a)(3)).
3. Complies with all applicable regulations and standards stated in the FTA’s Public Transportation Safety Program and the National Public Transportation Safety Plan (49 CFR 673.11(a)(4)).
4. Establishes a method and schedule for performing an annual assessment and update of the Public Transportation Agency Safety Plan (49 CFR 673.11(a)(5)).; and

*Whereas*, the following sections of the PTASP have been updated for the 2022 plan: Organizational charts; Emergency Management; Hazard Management; Bi-Partisan Infrastructure Law Requirements; committees and working groups; and

*Whereas*, it is feasible, necessary and in the public interest for the Agency to approve the annual updates to the Bi-State Development Public Transportation Agency Safety Plan, in accordance with the terms and conditions described herein.

**NOW THEREFORE, THE BOARD OF COMMISSIONERS OF THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1.        Findings: The Board of Commissioners hereby finds and determines those matters set forth in the preambles hereof as fully and completely as if set out in full in this Section.

Section 2.        Approval of the Updates to the Bi-State Development Public Transportation Agency Safety Plan: The Board of Commissioners hereby approves the annual updates to the Bi-State Development Public Transportation Agency Safety Plan, (as provided in the Attachment to the Briefing Paper and

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Resolution #1225

Bi-State Development Board of Commissioners

September 23, 2022

Approval of Updates to Bi-State Development Public Transportation Agency Safety Plan

Page 1

made a part hereof), under and pursuant to this Resolution and the Compact for the authorized Agency purposes set forth in the preambles hereof and subject to the conditions hereinafter provided.

Section 3. Actions of Officers Authorized: The officers of the Agency, including, without limitation, the President and CEO, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and the Metro Transit Agency Safety Plan and the execution of such documents or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Severability: It is hereby declared to be the intention of the Board of Commissioners that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Commissioners intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the intent of this Resolution.

Section 5. Rights Under Resolution Limited: No rights shall be conferred by this Resolution upon any person or entity other than the Agency officers and employees.

Section 6. Governing Law: The laws of the State of Missouri shall govern this Resolution.

Section 7. No Personal Liability: No member of the Board of Commissioners, officer, employee or agent of the Agency shall have any personal liability for acts taken in accordance with this Resolution.

Section 8. Effective Date: This Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED**, by the Board of Commissioners of the Bi-State Development Agency this 23<sup>rd</sup> day of September, 2022.

*In Witness Whereof*, the undersigned has hereto subscribed his signature and caused the Seal of the Agency to be affixed.

**THE BI-STATE DEVELOPMENT AGENCY OF THE  
MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

By: \_\_\_\_\_

Title: \_\_\_\_\_

(SEAL)

ATTEST:

By \_\_\_\_\_  
Deputy Secretary to the Board of Commissioners

\_\_\_\_\_  
Resolution #1225  
Bi-State Development Board of Commissioners  
September 23, 2022  
Approval of Updates to Bi-State Development Public Transportation Agency Safety Plan  
Page 2

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

---

**From:** Taulby Roach, President & Chief Executive Officer  
**Subject:** **Fare Discount - Daily Pass, Weekly Pass, and Monthly Pass**  
**Disposition:** Approval  
**Presentation:** Tammy Fulbright, Executive Vice President & Chief Financial Officer

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**Objective:**

To present to the Board of Commissioners, a request to approve a temporary discount for the weekly pass and the monthly pass, and a permanent discount to the daily pass. These fare discounts are designed to provide financial ease to customers and allow staff the ability to determine the impact price has on ridership.

**Background:**

A pilot program has been in place offering the daily pass at \$5.00. Prior to this pilot, the daily pass was \$7.50. The pilot program offers a simple fare option that does not require coins/change and is less expensive than paying cash for roundtrips. When comparing the results for fiscal year 2022, with the cost at \$5.00 to fiscal year 2019 with the cost at \$7.50 in a year prior to COVID, the effect of that reduction more than doubled sales of the daily pass and increased revenue by 45% to a total annual revenue of \$430,730.

A weekly pass currently sells for \$27.00. Our projected sales for total weekly passes in November and December are 5,961, resulting in a total sales projection of \$160,947. If we discounted the weekly pass to \$15.00, the total projected reduction in revenue is \$71,532 if projected sales remain constant.

A monthly pass currently sells for \$78.00. Projected sales of monthly passes in November and December are 2,178 with a total sales projection of \$169,884. If we discount the pass to \$50.00, the total projected reduction to revenue is \$60,984 if projected sales remain constant.

The projected decrease in revenue for the weekly and monthly pass assumes that the discounts will not produce additional sales. Based on the results from the daily pass, we anticipate an increase in sales. Offering these discounts provides financial ease to our customers and an opportunity to determine if a price reduction increases ridership.

**Committee Disposition:**

This Agenda Item has not been presented to a Committee; however, due to time constraints, President and CEO, Taulby Roach, has granted permission for this item to be placed on the Agenda for the September 23, 2022 Board of Commissioners Meeting.

**Board Action Requested:**

Approval of a permanent discount for the \$5.00 daily pass and approval of a pilot program for November through December 2022 that reduces the fare of a weekly pass currently offered at \$27.00 to \$15.00 and a monthly pass that is currently offered at \$78.00 to \$50.00.

**A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT  
PERMANENTLY IMPLEMENTING A DAILY PASS FARE AND  
IMPLEMENTING A PILOT PROGRAM FOR DISCOUNTED WEEKLY  
AND MONTHLY PASS FARES**

**PREAMBLES:**

*Whereas*, The Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the “Agency”/ “BSD”) is a body corporate and politic, created by an interstate compact between the States of Missouri and Illinois, acting by and through its Board of Commissioners (the “Board of Commissioners”); and

*Whereas*, the Agency is authorized by Mo. Rev. Stat. §§ 70.370 et seq. and 45 Ill. Comp. Stat. 100/1 et seq. (jointly referred to herein as the “Compact”) to plan, construct, maintain, own and operate passenger transportation facilities, and to perform all other necessary and incidental functions, and to disburse funds for its lawful activities, to adopt rules and regulations for the proper operation of its passenger transportation facilities and conveyances, to contract and to be contracted with; and

*Whereas*, Board Policy, Chapter 90 Transit Operations, Section 90.010 Transit System Fares, B. Evaluation states that Metro’s transit fare structure shall seek to meet the needs of transit-dependent customers, and Board Policy, Chapter 90 Transit Operations, Section 90.010 Transit System Fares, E. Free Transit Services states that, the Agency shall provide free bus and light rail transit services only in those situations that result in benefits to the Agency; and

*Whereas*, a Pilot program has been in place offering the daily pass at \$5.00, and when comparing the results for fiscal year 2022 with the cost at \$5.00, to fiscal year 2019 with the cost at \$7.50, in a year prior to COVID, the effect of that reduction more than doubled sales of the daily pass and increased revenue by 45%; and

*Whereas*, a weekly pass currently sells for \$27.00, and management is recommending that the Agency discount the weekly pass to \$15.00, under a proposed Pilot Program for November through December 2022; and

*Whereas*, a monthly pass currently sells for \$78.00, and management is recommending that the Agency discount the weekly pass to \$50.00, under a proposed Pilot Program for November through December 2022; and

*Whereas*, the Agency projects a potential decrease in revenue for the weekly and monthly pass, if the discounts will not produce additional sales; however, based on the results from the daily pass, the Agency anticipates an increase in sales; and

*Whereas*, offering these discounts provides financial ease to customers and provides an opportunity to determine if a price reduction increases ridership; and

*Whereas*, it is feasible, necessary and in the public interest for the Board of Commissioners to authorize approval of a permanent discount for the daily pass to \$5.00, and approval of a pilot program for November through December 2022 that reduces the fare of a weekly pass currently offered at \$27.00 to \$15.00 and a monthly pass that is currently offered at \$78.00 to \$50.00, in accordance with the terms and conditions described herein.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1.        Findings. The Board of Commissioners hereby finds and determines those matters set forth in the preambles hereof as fully and completely as if set out in full in this Section 1.

Section 2. Approval of Permanent Discount for Daily Pass and Approval of Pilot Program for Reduced Fare Weekly and Monthly Passes. The Board of Commissioners hereby authorizes approval of a permanent discount for the daily pass to \$5.00, and approval of a pilot program for November through December 2022 that reduces the fare of a weekly pass currently offered at \$27.00 to \$15.00 and a monthly pass that is currently offered at \$78.00 to \$50.00, as outlined in the briefing paper and made a part hereof, under and pursuant to this Resolution and the Compact for the authorized Agency purposes set forth in the preambles hereof and subject to the conditions hereinafter provided.

Section 3. Actions of Officers Authorized. The officers of the Agency, including, without limitation, the President and CEO, and Executive Director Metro Transit are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and the execution of such documents or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Severability. It is hereby declared to be the intention of the Board of Commissioners that each and every part, section and subsection of this Resolution shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Commissioners intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Resolution shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the intent of this Resolution.

Section 5. Rights under Resolution Limited. No rights shall be conferred by this Resolution upon any person or entity other than the Agency, its officers and its employees.

Section 6. Governing Law. The laws of the State of Missouri shall govern this Resolution.

Section 7. No Personal Liability. No member of the Board of Commissioners, officer, employee or agent of the Agency shall have any personal liability for acts taken in accordance with this Resolution.

Section 8. Payment of Expenses. The Executive Vice President and CFO is hereby authorized and directed to pay or cause to be paid all costs, expenses and fees incurred in connection with or incidental to this Resolution.

Section 9. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

**ADOPTED** by the Board of Commissioners of The Bi-State Development Agency of the Missouri-Illinois Metropolitan District this 23<sup>rd</sup> day of September, 2022.

*In Witness Whereof*, the undersigned has hereto subscribed his signature and caused the Seal of the Agency to be affixed.

**THE BI-STATE DEVELOPMENT AGENCY OF THE  
MISSOURI-ILLINOIS METROPOLITAN DISTRICT**

By \_\_\_\_\_  
Title \_\_\_\_\_

[SEAL]

ATTEST:

By \_\_\_\_\_  
Deputy Secretary to the Board of Commissioners

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

---

**From:** Thomas Curran, Executive Vice President, Administration  
**Subject:** **Emergency Sole Source Contracts – Replacement of MetroLink DeBaliviere Signal House, Uninterruptible Power Source, and Automatic Transfer Switch at the Forest Park MetroLink Station**  
**Disposition:** Information  
**Presentation:** Taulby Roach, President & Chief Executive Officer  
Thomas Curran, Executive Vice President, Administration  
Darren Curry, Assistant Executive Director for Transit Assets

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**Objective:**

To present information to the Board of Commissioners regarding emergency sole source contracts with 1) Alstom, to replace Bi-State Development's (BSD) DeBaliviere Signal House, and with 2) Daikin TMI, to replace the Uninterruptible Power Source (UPS) and Automatic Transfer Switch (ATS) at the Forest Park MetroLink Station.

**Background:**

Bi-State Development experienced a catastrophic flood event on July 26, 2022, damaging beyond repair the Signal & Train Control Interlocking House at the DeBaliviere Junction. This signal house is responsible for the control of the DeBaliviere Junction switches that facilitate safe operation of Blue and Red Line trains through the junction. This house also communicates with the adjacent signal houses at the Big Bend, Forest Park, and Waterman interlockings. Because the DeBaliviere Signal House is currently inoperable, MetroLink Operations' only safe alternative is to operate under Manual Block Rules at a restricted speed of fifteen (15) miles per hour from the Forest Park interlocking to the Waterman interlocking for the Red Line, and the Forest Park interlocking to the Big Bend interlocking for the Blue Line. This operating scenario will need to remain in place, until such time that the DeBaliviere Signal House can be replaced and made operational.

In addition, the July 26<sup>th</sup> flood destroyed the UPS and integrated ATS at the DeBaliviere Junction (Forest Park Station area). The UPS supplies electricity for the signal house and lighting systems in the rail tunnel. In the event of a loss of the Ameren primary feed, the ATS will transfer to the secondary feed, allowing for proper train movement through the junction. These are critical fire/life safety components of the MetroLink light rail system. The UPS provides power for both general lighting in the tunnel and the blue tunnel lights that lead to emergency phone locations and evacuation routes.

**Analysis:**

The Rail Systems Department is working to immediately replace the signal house structure, UPS and ATS, all of which were damaged beyond repair.

Rail Systems has reached out to Alstom, the original equipment manufacturer of the DeBaliviere Interlocking House, for delivery of a factory-wired/factory-tested signal house. As the original manufacturer of the MetroLink Signal and Train Control System, Alstom understands the BSD system design and operating environment. To award the replacement of the DeBaliviere Signal House to a contractor other than Alstom, would produce multiple issues involving duplication of costs and significant delays in returning to normal revenue operations.

Bi-State staff also contacted potential sources that could provide a new UPS power source, but only one vendor, Daikin TMi, was able to verify that their UPS could be integrated with a new ATS switch that fits the current footprint and performance needs.

Regulations in FTA Circular 4220.1F allow for the award of a sole source contract if certain conditions are present, including: 1) unique or innovative concepts involving confidential details; 2) patents or restricted data rights; 3) substantial duplication of costs that are not expected to be recovered through competition; and 4) unacceptable delay if another contractor would be hired to produce highly specialized equipment. Team members from our Transit Assets, MOW Engineering, and Procurement staff have discussed and agree that the proposed utilization of Alstom for replacement of the DeBaliviere Signal House and Daikin TMi for replacement of the UPS and ATS equipment is appropriate for all of these reasons.

Due to the emergency need for restoring full MetroLink light rail service, the President & CEO waived the normal procurement procedure for replacing these critical components of the MetroLink system. *Board Policy 50.010, Procurement and Contract Administration, (M)(1)* states that the President & CEO may waive this policy under emergency conditions that jeopardize health and safety or that risk the interruption of service. In accordance with the policy exception, the Board Chair was notified of the emergency waiver.

**Funding:**

The cost of the DeBaliviere Signal House replacement, based on an estimate provided by Alstom, is projected to be \$2,600,000.00, which includes an approximate 10% contingency. The cost of providing a new UPS and ATS from Daikin TMi is \$308,000, which also includes an approximate 10% contingency. Funding for these projects will be provided through insurance and FEMA.

**Board Action Requested:**

None. For informational purposes only.

September 12, 2022

### **Signal House Emergency Need**

Bi-State Development experienced a catastrophic flood July 26, 2022 event damaging the Signal & Train Control Interlocking House (the Signal House) at the DeBaliviere Junction, where the MetroLink Red and Blue lines converge.

**The Rail Systems Department seeks immediate replacement of the signal house structure and appurtenances, which were damaged beyond repair, and reached out to the original manufacturer of the DeBaliviere Interlocking House – Alstom - for delivery of a factory-wired/factory-tested signal house.**

Bi-State seeks to purchase one custom fabricated signal control house from Alstom to match all technical specifications of the original build, to meet all MetroLink Standards, and to have it delivered to the site.

Metro believes Alstom can deliver the replacement factory-wired/factory tested Interlocking House meeting Metro's requirements.

Metro's most recent Independent Cost Estimate (ICE) amount for a new signal house was \$2.6M, and we received a **cost proposal from Alstom in the amount \$2.33M.** Metro considers the price Fair and Reasonable.

The Alstom Corporation is located in San Antonio, Texas.

Alstom Corporation  
28350 Willis Ranch  
San Antonio, Texas 78260

### **Switchgear and Uninterruptible Power Supply (UPS) Emergency Need**

Due to damage from the July 26<sup>th</sup> flood, the Automatic Transfer Switch (ATS) system switchgear and uninterruptible power supply (UPS) for the DeBaliviere junction also need to be replaced. The UPS has two utility feeds for redundancy, and the power from this source feeds the signal houses. It is a critical fire/life safety item due to the fact that the UPS also supplies power to general lighting in the tunnel and the blue tunnel lights that lead to emergency phone locations and evacuation routes. The UPS also has to be integrated with the Automatic Transfer Switch system. Daikin TMi can supply the UPS and switch system together for a cost of \$279,945. Other companies were unsure if the ATS, which they could not provide and which would need to be

One Metropolitan Square  
211 North Broadway, Suite 700  
St. Louis, MO 63102-2595  
[BiStateDev.org](http://BiStateDev.org)



ordered separately, could be integrated with UPS after the fact. Daikin TMI is located in Chesterfield at 715 Goddard Avenue.

Staff is requesting approval for sole source acquisition of the signal house, ATS switchgear and UPS due to the emergency nature of the flood damage.

MEMORANDUM

TO: Taulby Roach  
President & CEO

FROM: Tom Curran  
Executive Vice President, Administration

SUBJECT: Waiver of Procurement Policy for Emergency Flood Expenses

DATE: September 7, 2022

Due to the severity of property damage resulting from the July 26, 2022 flash flood event, this memorandum requests a waiver of normal procurement policy in order to restore proper MetroLink light rail service. Board Policy 50.010 Procurement and Contract Administration (M)(1.) states:

*Waiver of Policy. The President & CEO may waive this procurement policy, but only in an emergency. An emergency is any situation that requires immediate correction to avoid jeopardizing the health or safety of either the general public or Agency personnel, that jeopardizes public or private property, or which risks the interruption of service. The President & CEO shall immediately notify the Board Chair of any waiver of the provisions of this policy, which require approval by the Board of Commissioners.*

Three critical components of the light rail system were damaged beyond repair because of the flood and need to be replaced in order for the safe and proper operation of MetroLink.

First, the Signal & Train Control Interlocking House (the signal house) at the DeBaliviere Junction where the Red and Blue Lines converge must be replaced. Bi-State has contacted the original equipment manufacturer of the signal house, Alstom, and that firm can produce and deliver a custom fabricated replacement that matches all of the technical specifications of the original building and meets all MetroLink standards. The price for a new signal house from Alstom is \$2.33 million, which is less than the \$2.6 million independent cost estimate (ICE) prepared by Bi-State.

Second, the Automatic Transfer Switch (ATS) system must also be replaced at the DeBaliviere Junction. The ATS unit must be integrated with the power supply at this location. Third, the uninterruptible power supply (UPS) at this same location that supplies electricity for the signal house and lighting systems in the rail tunnels is in need of replacement. These are critical fire/life safety components because the UPS provides power for both general lighting in the tunnel and the blue tunnel lights that lead to emergency phone locations and evacuation routes. Daikin TMi can supply the UPS and ATS system together for a cost of \$279,945. Other companies were unsure if their products could be integrated with the ATS system.

It is my recommendation that a request be presented to the Board of Commissioners to waive the normal procurement policy in accordance with Board Policy 50.010 (M)(1) so that these emergency equipment replacement needs can be addressed in a timely manner.

copy: Barbara A. Enneking, General Counsel, Bi-State Development Agency  
William A. Dee, Vice President of Procurement  
Deborah M. Rowey, Director of Contracting & Strategic Sourcing

**Bi-State Development Agency  
Board of Commissioners  
Open Session Agenda Item  
September 23, 2022**

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**From:** Taulby Roach, President and CEO  
**Subject:** **Implementation of a 457(f) Executive Deferred Compensation Plan**  
**Disposition:** Presentation and Discussion  
**Presentation:** Taulby Roach, President and CEO  
Diana Bentz, Vice President – Talent Management  
Barbara Enneking, General Counsel  
Dave Toben, Director of Benefits

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**Objective:**

To present to the full Board of Commissioners for discussion an executive deferred compensation plan to recognize and retain top tier talent.

**Background:**

Organizations that do not have options for variable pay such as annual bonuses or stock options, can find it difficult to attract and retain key talent to accomplish long-term strategic objectives. Given Bi-State Development (BSD) is one of those organizations, the Talent Management and Benefits Departments reviewed options and recommended consideration of a 457(f) Plan.

At the February 18, 2022 Board meeting, the Board approved the creation and drafting of a 457(f) deferred compensation plan for Agency executive staff and authorized certain Agency staff to determine the parameters of the 457(f) plan design and implementation subject to Board approval.

A 457(f) Plan is a non-qualified plan, which allows any eligible participant to defer income on a pre-tax basis to supplement the limit that is currently provided by ERISA for a 401(k) plan. These limits generally are not sufficient for a highly compensated employee to save enough for retirement. A non-qualified plan has no compensation or monetary limits, however, the plan sponsor at its sole discretion determines the percentage of income that can be deferred into the plan.

**Analysis:**

The purpose of the Plan is to attract and retain key executives and recognize their contribution to the successful operation of BSD with elective salary deferrals and associated match and a discretionary contribution conditioned on the future performance of “substantial services” under Section 457(f)(3)(B) of the Code and requires a “substantial risk of forfeiture” regulated by a vesting period.

The proposed attached Board Policy, Section 70.060, provides that the Executive Committee of the Board is designated to assume the responsibilities of the Board concerning the Plan unless specifically directed otherwise by the Board.

Annually, the Board or its designee, the Executive Committee of the Board, will determine those employees who shall be eligible to participate in the Plan. As of the approved Effective Date of

this Plan, BSD's President and Chief Executive Officer (CEO), and Executive Vice Presidents shall be eligible to participate in the Plan.

There are two (2) components of the proposed Plan: 1) Elective Salary Deferrals and Employer Match and 2) Discretionary Employer Contribution.

Elective Deferrals: Contributions made to the Plan at the election of a Participant via a Salary Reduction Agreement in lieu of receiving current cash compensation and subject to substantial risk of forfeiture. Maximum elective deferral amounts will be established by the Board or its designee, the Executive Committee of the Board.

Employer Matching Contributions: Periodic contributions made by the BSD on account of the Elective Deferrals made by Participants equal to a fixed percent of the Elective Deferrals for the Plan Year as determined at the sole discretion of the Board or its designee, the Executive Committee of the Board, in accordance with governing regulations that stipulate the match must be structured so that the present value of the amount to be paid due to the deferral plus match must be more than 125% of the present value of the amount of the salary deferral. This has been interpreted to require a match of more than 25%.

Employer Discretionary Contribution: This contribution amount would be determined at the discretion of the Board or its designee, the Executive Committee of the Board, based upon criteria satisfactory to the Board or its designee, the Executive Committee of the Board, and subject to a substantial risk of forfeiture. This would not require any elective deferral by the Participant to receive the Employer Discretionary Contribution.

Vesting of contributions shall be subject to a service requirement of two (2) continuous years of service. Accelerated vesting occurs upon Death, Disability or involuntary termination by BSD without cause.

The Board or its designee, the Executive Committee of the Board, shall determine 1) the total annual discretionary award contribution amount and 2) the allocation of the annual discretionary award contribution amount for the President and CEO during the calendar year for which the allocation is made. After the Board or its designee, the Executive Committee of the Board, makes these two determinations, any remaining BSD discretionary Plan contribution amount may be allocated among all other eligible executives as determined by the President and CEO consistent with the Plan and the attached proposed Board Policy.

The Board or its designee, the Executive Committee of the Board, has full discretion to determine: 1) the maximum salary deferral contribution amount any participant may make, 2) the matching percentage for the President and CEO, 3) the matching percentage for all other eligible BSD executives, 4) the total annual discretionary award contribution, and 5) the discretionary award contribution for the President and CEO.

An administrative 457(f) Committee consisting of the General Counsel, Vice President – Talent Management, the Treasurer and the Director of Benefits provides recommendations to the Board Chair with input from Staff based upon Board Policy factors for: 1) maximum salary deferral amounts, 2) salary match percentage and 3) total amount of discretionary awards.

**Board Action Requested:**

Presentation and Discussion of Proposed Plan and Policy.

**Funding Source:**

Board designated operational funds.

**Attachments:**

1. 457(f) Plan Board Policy
2. BSD 457(f) Deferred Compensation Plan Document
3. BSD 457(f) Executive Summary of the Plan
4. BSD 457(f) Salary Reduction Agreement
5. BSD 457(f) Notice of Award
6. BSD 457(f) Beneficiary Election Form

**Section 70.060****457(f) Deferred Compensation Plan (New X/X/22)**

A. General. The Bi-State Development Agency sponsors a 457(f) Plan (the “457(f) Plan” or “Plan”), a discretionary, nonqualified, deferred compensation arrangement, pursuant to Section 457(f) of the Internal Revenue Code for select members of executive management of the Agency. The purpose of the Plan is to provide financial incentives in recruiting and maintaining highly qualified candidates for employment and encouraging existing qualified employees to continue to devote their best efforts to the Agency. It is the responsibility of the Board of Commissioners to:

1. Determine who is eligible for and who may participate in the Plan;
2. Administer and interpret the Plan, including making benefit determinations;
3. Retain agents to assist in the administration and management of the Plan and/or delegate duties to Agency staff or agents;
4. Determine the total annual amount of the discretionary contribution to the Plan, if any; and in connection therewith:
  - a. determine the amount, if any, to be allocated to the President and Chief Executive Officer and
  - b. determine the total amount, if any, to be allocated to all other eligible Agency Executives;
5. Determine the maximum amount that the President and Chief Executive Officer may defer under the Plan through salary reduction and determine the maximum amount all other eligible Agency Executives may defer under the Plan through salary reduction.
6. Determine the matching contribution percentage for salary deferrals made by the President and Chief Executive Officer.
7. Determine the matching contribution percentage for salary deferrals made by all other Agency Executives.
8. Make determinations as to the contribution credit date, vesting and earnings tracking, consistent with the Plan documents;
9. Approve Plan amendments; and
10. Review, adopt and amend Plan policies and procedures involved in administering the Plan.

The Executive Committee of the Board is designated to assume the above responsibilities of the Board unless specifically directed otherwise by the Board.

B. Eligible Executives. The 457(f) Plan is available to the Agency President and Chief Executive Officer and Executive Vice Presidents and such other executive management as the Board or its designee, the Executive Committee of the Board, may determine are appropriate in the future.

C. The 457(f) Plan Administrative Committee. The 457(f) Plan Administrative Committee (the “457(f) Committee” or “Committee”) is responsible for assisting in the administration of the Plan, including oversight for the process of determining the total annual amount that can be available for making award contributions for use in allocation to participants consistent with this Policy and the Plan and in setting the annual maximum salary deferral amounts and the matching contribution percentage for each participant. The 457(f) Committee shall consist

of four (4) members – the Vice President of Talent Management, the Treasurer, the Director of Benefits, and the General Counsel. The Chair of the Board of Commissioners shall oversee the Committee and its operation.

The 457(f) Committee shall meet from time to time on the call of any Committee member. The Committee shall also meet at least semi-annually to receive reports on the performance of investments held by the Agency to track earnings. The Committee may consult with the plan record-keeper and other consultants in fulfilling its duties. The Board Audit, Finance and Administration Committee shall receive semi-annual investment reports and an annual briefing summary regarding investment performance as well as an annual report on Plan administration. The Committee shall provide a report on the Plan to the full Board at the regularly scheduled Board of Commissioners meeting following the Board Audit, Finance and Administration Committee review.

D. Elective Deferral Contributions and 457(f) Plan Award Contributions (Matching and Discretionary). Agency award contributions may be allocated as a discretionary contribution and shall be allocated as a match of participant salary deferrals, if any deferrals are made.

The discretionary award contribution amount for the President and Executive Officer, the matching percentage for the President and Chief Executive Officer and the matching percentage for eligible Agency Executives is at the discretion of the Board or its designee, the Executive Committee of the Board, consistent with the Plan and this Policy, as it may be amended from time to time. The Plan provides that the matching contribution shall comply with Proposed Treasury Regulation Section 1.457-12 which provides in subsection (e)(2) that the match must be structured so that the present value of the amount to be paid due to the deferral plus match must be more than 125% of the present value of the amount of the salary deferral. This has been interpreted to require a match of more than 25% of the salary deferral.

The Board or its designee, the Executive Committee of the Board, within the preceding calendar year, shall determine for the following calendar year, 1) the maximum salary deferral contribution amount any participant may make, 2) the matching percentage for the President and Chief Executive Officer and 3) the matching percentage for eligible Agency Executives.

The Board or its designee, the Executive Committee of the Board, shall determine 1) the total annual discretionary award contribution amount and 2) the allocation of the annual discretionary award contribution amount for the President and Chief Executive Officer during the calendar year for which the allocation is made. After the Board or its designee, the Executive Committee of the Board, makes these two determinations, any remaining Agency discretionary Plan contribution amount may be allocated among all other eligible Agency Executives as determined by the President and Chief Executive Officer consistent with the Plan and this Policy, as it may be amended from time to time.

Although it is intended that the Agency Plan discretionary contribution be made annually, the availability of the necessary funding and other factors as to Agency operations will be considered by the Board or its designee, the Executive Committee of the Board, prior to a decision regarding any Plan contribution and/ or the amount of any Plan contribution. Similarly, the setting of the



maximum salary deferral amount and the matching percentages by the Board or its designee, the Executive Committee of the Board, shall be subject to the same Agency funding and other factors.

E. 457(f) Plan Investment Funds for Use in Tracking Earnings. Plan participants may designate investment options but the assets remain titled in the name of the Agency, or in a trust established by the Agency, to hold the Agency funds subject to use restrictions. Approved investment options will be selected by the 457(f) Committee taking into account the following factors: the types of investment options available under the current 401(k) plan, as discussed in Board Policy 70.050, and the investment horizon under the Plan.

D. Review and Revision of this Statement of Policy. The Board Audit, Finance and Administration Committee will periodically review this policy to ensure it is still reflective of the Agency's 457(f) Plan for executive management.

**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

**EFFECTIVE  
JANUARY 1, 2023**

**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

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**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

**WHEREAS**, Bi-State Development Agency of the Missouri-Illinois Metropolitan District (hereinafter the “Employer”) is an interstate transportation authority created by Section 70.370 et seq. of the Missouri Revised Statutes and Chapter 45 100/1 et seq. of the Illinois Compiled Statutes as a body politic and corporate (jointly referred to herein as the “Compact”); and

**WHEREAS**, the Employer desires to attract and retain key executives and recognize their contribution to its successful operation by means of a discretionary defined contribution plan not subject to Code Section 412 for those employees who shall qualify as Participants hereunder; and

**WHEREAS**, the Employer intends to adopt and maintain this Plan as an “ineligible plan of deferred compensation” within the meaning of Section 457(f) of the Code and to satisfy the requirements of Section 409A of the Code; and

**WHEREAS**, this Bi-State Development Agency of the Missouri-Illinois Metropolitan District 457(f) Deferred Compensation Plan (the “Plan”), effective January 1, 2023, has been prepared for consideration of the Board of Commissioners to provide a tax deferred capital accumulation opportunity through the deferral of compensation in order to encourage the employees to maintain a long-term relationship with the Employer and provide flexibility to the employee in his or her financial planning.

**NOW, THEREFORE**, the Employer adopts this Plan document effective January 1, 2023, as a nonqualified deferred compensation program for the benefit of a select group of management or highly compensated employees of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District.

## ARTICLE I - ESTABLISHMENT OF PLAN

1.01 Establishment. The Employer hereby establishes this Plan effective as of January 1, 2023.

1.02 Name. Effective January 1, 2023, the Plan shall be known as the “Bi-State Development Agency of the Missouri-Illinois Metropolitan District 457(f) Deferred Compensation Plan”.

1.03 Purpose. The purpose of the Plan is to allow deferred compensation incentives to be credited to the Plan for the benefit of the Participants, and such amounts shall be paid to the Participants (or their beneficiaries) as set forth herein, provided the amounts credited and any allocable Earnings hereunder shall be subject to a Substantial Risk of Forfeiture.

## ARTICLE II - DEFINITIONS

Whenever used in this Plan, the following words and phrases shall have the meanings set forth below unless the context plainly requires a different meaning.

2.01 Applicable Guidance. The term “Applicable Guidance” means as the context requires Code §83 and 409A, Treas. Reg. §1.83, Treas. Reg. §1.409A, or other written Treasury or IRS guidance regarding or affecting Code §83 or 409A, including, as applicable, any Code §409A guidance in effect prior to January 1, 2023.

2.02 Award. The term “Award” means Elective Deferrals, Employer Matching Contributions, and Employer Discretionary Contributions and any allocated Earnings on such contributions that are credited to a Participant’s Deferred Compensation Account.

2.03 Beneficiary. The term “Beneficiary” means any person, entity, or any combination thereof designated by a Participant to receive benefits under this Plan in the event of the Participant’s death, or in the absence of any such designation, his or her spouse, and if the Participant is not survived by his or her spouse, to his or her estate. The term “Beneficiary” shall include one or more Beneficiaries, including all contingent Beneficiaries designated.

2.04 Board. The term “Board” shall refer to the Board of Commissioners of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District.

2.05 Code. The term “Code” shall mean the Internal Revenue Code of 1986, as amended.

2.06 Deferred Compensation Account. The term “Deferred Compensation Account” shall have the meaning set forth in Article 7 of this Plan.

2.07 Disability. The term “Disability” means a condition of a Participant who by reason of any medically determinable physical or mental impairment which can be expected to result in death or can be expected to last for a continuous period of not less than 12 months: (i) is unable to engage in any substantial gainful activity; or (ii) is receiving income replacement benefits for a period of not less than 3 months under an accident and health plan covering Employees. The Employer will determine whether a Participant has incurred a Disability based on its own good faith determination and may require a Participant to submit to reasonable physical and mental examinations for this purpose. A Participant will be deemed to have incurred a Disability if: (i) the Social Security Administration or Railroad Retirement Board determines the Participant is totally disabled; or (ii) the applicable insurance company providing disability insurance to the Participant under an Employer sponsored disability program determines a Participant is disabled under the insurance contract definition of disability, provided such definition complies with the definition in this Section.

2.08 Earnings. The term “Earnings” shall have the meaning set forth in Article 6 of this Plan.

2.09 Effective Date. The term “Effective Date” shall mean January 1, 2023.

2.10 Elective Deferrals. The term “Elective Deferrals” shall mean the contributions made to the Plan at the election of a Participant via a Salary Reduction Agreement in lieu of receiving current cash compensation as described in Section 4.01.

2.11 Eligible Employee. The term “Eligible Employee” shall mean an Employee who is designated by the Board to participate in the Plan pursuant to Article 3.

2.12 Employee. The term “Employee” shall mean an employee of the Employer.

2.13 Employer. The term “Employer” shall mean Bi-State Development Agency of the Missouri-Illinois Metropolitan District and any successor which shall maintain this Plan. The Employer is an interstate transportation authority created by Section 70.370 et seq. of the Missouri Revised Statutes and Chapter 45 100/1 et seq. of the Illinois Compiled Statutes as a body politic and corporate (jointly referred to herein as the “Compact”). The Employer includes all persons and any business or legal entity with whom the Employer would be considered a single employer under Code §§414(b) or (c).

2.14 Employer Discretionary Contributions. The term “Employer Discretionary Contributions” shall mean the periodic contributions made by the Employer at the discretion of the Board as set forth in Section 4.03 of this Plan.

2.15 Employer Matching Contributions. The term “Employer Matching Contributions” shall mean the periodic contributions made by the Employer on account of the Elective Deferrals made by Participants. The Matching Contribution shall be equal to a fixed percent of the Elective Deferrals for the Plan Year as determined at the sole discretion of the Board as further described in Section 4.02 of this Plan.

2.16 Participant. The term “Participant” shall mean an Employee who has been designated by the Board to participate in this Plan and who is accruing benefits under the Plan.

2.17 Plan Year. The term “Plan Year” shall refer to the twelve (12) months ending December 31, or the calendar year.

2.18 Plan. The term “Plan” shall mean this Bi-State Development 457(f) Deferred Compensation Plan which includes this Plan document, and all notices, forms, elections and other written documentation to which the Plan refers, as applicable.

2.19 Separation from Service. The term “Separation from Service” shall mean the Employee’s termination of employment with the Employer whether on account of death, retirement, Disability or otherwise.

2.20 Salary Reduction Agreement. The term “Salary Reduction Agreement” shall mean the written agreement between the Participant and the Employer to reduce the Participant’s regular base salary for the purpose of pre-tax Elective Deferrals to the Plan. The Salary Reduction Agreement shall specify the Participant’s Elective Deferral, Employer Matching Contribution, and the future service and/ or performance criteria required to vest in the Elective Deferrals and Employer Matching Contributions for the specified Plan Year,

2.21 Substantial Risk of Forfeiture. The term “Substantial Risk of Forfeiture” shall mean a risk a Participant will not satisfy a condition hereunder that must be satisfied in order to receive the Awards made by the Employer hereunder, and which constitutes a “substantial risk of forfeiture” under Code Sections 409A and 457(f) or any successor corresponding provision.

2.22 Substantial Services. The term “Substantial Services” shall mean the level of services by a Participant required in order for the receipt of benefit to be conditioned on the future performance of “substantial services” under Section 457(f)(3)(B) of the Code or any successor corresponding provision.

2.23 Termination for Cause. The term “Termination for Cause” shall mean the termination by the Employer of the Participant’s employment with the Employer for cause. For purposes of this Plan, the term “for cause” shall refer to a termination of employment based upon the Employer’s determination that the Participant is guilty of dishonesty, gross neglect of duty, willful misconduct, willful failure or refusal to discharge employment duties, or willful acts that violate the Employer’s written policies or directives, or other act or omission which substantially impairs the Employer’s ability to conduct its ordinary business in its usual manner; or that the Participant has been criminally convicted for any act that would constitute a felony (other than a traffic offense), or any act regarding moral turpitude.

2.24 Valuation Date. The term “Valuation Date” means the last day of each Plan Year, and such other dates as the Employer may determine.

2.25 Vesting Period. The term “Vesting Period” means the Substantial Services period specified for a given Participant during which a Substantial Risk of Forfeiture exists.

2.26 Notice of Award. The term “Notice of Award” means the written document provided by the Employer to the Participant detailing the amount of the Employer Discretionary Contribution, the credit date, and the future service and/ or performance criteria required to vest in the Employer Discretionary Contribution.



### **ARTICLE III - ELIGIBILITY AND PARTICIPATION**

3.01 Participant Designation. Each year, the Board will determine those Employees who shall be eligible to participate in this Plan, ("Eligible Employees"). As of the Effective Date of this Plan, the Employer's President and Chief Executive Officer, and Executive Vice Presidents shall be eligible to participate in the Plan.

3.02 Participation in this Plan. An Eligible Employee who is designated to participate in the Plan shall commence participation in the Plan as of the date designated by the Board. The fact a Participant is eligible to participate in one Plan Year, does not guarantee the Participant the right to participate in any other Plan Year. The Board may terminate or suspend the participation of any Eligible Employee at any time.

## **ARTICLE IV – ELECTIVE DEFERRALS AND CONTRIBUTIONS**

4.01 Elective Deferrals. During the period in which a Participant is eligible to participate in the Plan, he or she may make an initial election to defer the right to vesting and payment of all or a specified portion of his or her regular base salary by entering into a Salary Reduction Agreement with the Employer.

To be effective, the Salary Reduction Agreement must be made in writing before the beginning of the calendar year in which any services giving rise to the compensation are performed. Such election shall only apply to the Plan Year for which it is made and shall become irrevocable as of December 31 immediately preceding the Plan year for which the election relates. The Board shall determine the maximum Elective Deferrals per Participant per Plan Year. These determinations will be reflected in the Salary Reduction Agreement and need not be the same for any two Participants.

The extent to which a Participant is vested in any Elective Deferral made to his or her Account shall be determined in accordance with Article 5.

4.02 Employer Matching Contributions. The Employer shall determine the rate of Employer Matching Contributions it will make with respect to the Participant's Elective Deferrals. The Employer Matching Contribution shall equal a percentage of the Participant's Elective Deferrals and shall be determined by the Board in accordance with Prop. Regs. Sec. 1.457-12 which provides in subsection (e)(2) that the match must be structured so that the present value of the amount to be paid due to the deferral plus match must be more than 125% of the present value of the amount of the salary deferral. This has been interpreted to require a match of more than 25%. The purpose of this is to ensure the present value of the amount to be paid upon the lapse of the Substantial Risk of Forfeiture with respect to the Participant's Elective Deferrals will be materially greater than the amount the Participant otherwise would be paid in the absence of the Substantial Risk of Forfeiture.

The extent to which a Participant is vested in any Employer Matching Contributions made to his or her Account shall be determined in accordance with Article 5.

4.03 Employer Discretionary Contributions. During the term of this Plan, the Board may defer additional amounts for the benefit of a Participant. The amount and frequency of such Employer Contributions shall be determined by the Board in its complete and sole discretion, will not require any deferral by the Participant to receive the Employer Discretionary Contribution, and need not be the same for any two Participants. In any Plan Year, the Employer may defer amounts for one or more Participants; may not defer amounts for other Participants; may defer different amounts for different Participants and may choose to not defer any amounts for any Participants.

At the time of awarding an Employer Discretionary Contribution, the Board shall designate in writing the terms and conditions of the Employer Discretionary Contribution. The Employer shall credit the Employer Discretionary Contribution as of January 1 of the Plan Year, or such other dates as determined in the sole discretion of the Board. For the First Plan Year the Employer shall credit the Employer Contribution as of January 1, 2023.

The extent to which a Participant is vested in any Employer Discretionary Contribution made to his or her Account shall be determined in accordance with Article 5.

## ARTICLE V – VESTING PERIOD

5.01 Vesting. A Participant shall be vested and no longer subject to a Substantial Risk of Forfeiture upon reaching the Vesting Date specified in the Salary Reduction Agreement or Notice of Award for a given Plan Year. Generally, a Participant will be required to perform future substantial services for a period of two (2) continuous years of service measured from the first day of the Plan Year for which the Award relates. The Board may, in its complete and sole discretion, designate a longer service period requirement but in no event shall the service period requirement be less than two (2) years.

5.02 Acceleration of Vesting Period. In the event of the Participant's Separation from Service with the Employer due to the death, Disability of the Participant, or an involuntary termination of employment that is not a Termination for Cause before the Vesting Period is completed, the Vesting Period shall be deemed completed and the Participant shall become fully vested as of the date of the Participant's Separation from Service due to death or Disability, or an involuntary termination of employment that is not a Termination for Cause. Notwithstanding the above, the Board, in its complete and absolute discretion, may accelerate the Vesting Period for any Participant for any reason prior to Amounts Deferred being forfeited pursuant to Section 5.03.

5.03 Forfeiture of Amounts Credited. Notwithstanding any other provision herein, a Participant shall forfeit all rights hereunder to Awards upon a Termination for Cause as defined in Article 2 of this Plan or Separation from Service before completion of the Vesting Period for any reason other than the Participant's death, Disability, or an involuntary termination of employment that is not a Termination for Cause.

## ARTICLE VI – EARNINGS

6.01 Establishment of Investment Funds to Track Earnings. In addition to the Employer Contributions credited to the Participant's Deferred Compensation Account, the Employer shall also adjust the Participant's Deferred Compensation Account by an amount equal to the amount that would have been earned (or lost) in instruments designated by the Participant under a list of approved investments issued by the Employer from time to time, in the manner designated by the Employer (such amounts shall be referred to herein as "Earnings"). In the case of a designation of a mutual fund or other investment, (a) the amount deemed invested will be equal to the Participant's Deferred Compensation Account (under Article 7 hereof), or a portion thereof as designated, and shall be treated as if such amounts had been paid into such investment, as appropriate, and (b) as if the charges and expenses associated with such an investment had been incurred, which will decrease the Participant's Deferred Compensation Account balance.

The decision to determine Earnings by tying the return to various investments, and the methods or principles and accounting period used for allocation of Earnings, shall be at the sole discretion of the Employer, and the Employer may change the methodology from time to time. If any Earnings calculation method is changed, Earnings previously allocated to the Participant's Deferred Compensation Account shall not retroactively be restated; the revised Earnings calculation method shall only be applied prospectively.

If the Employer elects to determine Earnings in a manner which permits Participants to direct investment, each Participant will be permitted to direct the investment of all amounts credited to the Plan on his or her behalf. In such an event, a Participant will exercise this right in accordance with the terms of this Plan, pursuant to any limitations or restrictions established by the Employer, and under any governing federal or state law. If the Employer elects to determine Earnings in the manner specified in this Section, the right set forth herein shall be strictly limited to investment directions and no Participant shall be entitled to a distribution of any Deferred Compensation Account asset except as otherwise provided in the Plan.

6.02 Accrual of Earnings. Earnings shall accrue on the balance in the Participant's Deferred Compensation Account until the entire balance of the Participant's Deferred Compensation Account has been paid to the Participant or the Participant's Beneficiary. The Employer shall not be responsible for the investment or performance results, or the expenses, of such investments. All Earnings shall be subject to a Substantial Risk of Forfeiture and the amount of any Earnings may decrease because of investment losses, investment expenses, or similar reasons in later periods.

6.03 Establishing a Rabbi Trust. The Employer, in its sole and absolute discretion, may acquire any investment product or any other instrument, establish a grantor trust as hereinafter described, or otherwise invest any amount to provide the funds from which it can satisfy its obligation to make benefit payments under this Plan; however, the Employer is under no obligation to do so. In its sole discretion, the Employer may establish a grantor trust, sometimes referred to as a "Rabbi Trust", for the purpose of creating a reserve account to meet the liabilities of this Plan. Any such Rabbi Trust will be based on any model trust document provided by the IRS and may

be established as an irrevocable trust that will not allow return of trust assets to the Employer until plan liabilities are satisfied but must allow for payment of claims by creditors of Employer in the event of Employer insolvency or bankruptcy. Any investment product or other similar item so acquired for the convenience of the Employer shall be the sole and exclusive property of the Employer with the Employer named as owner and beneficiary thereof. To the extent the Participant or the Participant's Beneficiary acquires a right to receive payments from the Employer under the provisions herein, such right shall be no greater than the right of any unsecured general creditor of the Employer.

6.04 Restriction on Trust Assets. Any Rabbi Trust and the trust assets must be located in and remain within the United States. The Rabbi Trust may not contain any provision limiting the assets to the payment of Plan benefits upon a "Change in the Employer's Financial Health" as that term is described in Applicable Guidance, even if the assets remain subject to claims of the Employer's general creditors.

## **ARTICLE VII - DEFERRED COMPENSATION ACCOUNT**

7.01 Deferred Compensation Account. The Employer shall establish for each Participant a recordkeeping account, referred to as the “Deferred Compensation Account”, to account for the Employer’s obligation to each Participant under the Plan. The Employer shall record in each Participant’s Deferred Compensation Account the amount equal to (i) Elective Deferrals, Employer Matching Contributions, and Employer Discretionary Contributions on the date or dates credited to the Participant, as specified in Article 4, and (ii) allocated Earnings from time to time, as described in Article 7. A Participant’s Deferred Compensation Account shall at all times remain a liability of the Employer. Any assets the Employer may “ earmark”, reserve, or otherwise set aside to meet the benefit obligations of the Plan shall remain part of the general assets of the Employer or be part of a trust as described in Section 6.03 with respect to which the Employer is the beneficial owner.

7.02 Plan to Remain Unfunded. The Employer intends this Plan to be an unfunded plan that is exempt from the Employee Retirement Income Security Act of 1974 (ERISA). No Participant, Beneficiary, or successor thereto has any legal or equitable right, interest or claim to any property or assets of the Employer including assets held in any Deferred Compensation Account under the Plan except as the Plan otherwise permits. The Employer’s obligation to pay Plan benefits is an unsecured promise to pay. Nothing in this Plan shall preclude the Employer from establishing a trust, as described in Section 6.03 that will operate as a reserve to meet the liabilities of this Plan. If the Employer elects to establish such a trust, as described in Section 6.03, in respect of its obligations under this Plan, the trustee will pay Plan benefits in accordance with the terms of this Plan or upon the Employer’s direction consistent with terms of this Plan and any applicable provision of a controlling trust agreement. If no such trust is created, the Employer may make notional contributions in lieu of actual contributions to the Plan and the Employer shall retain the discretion whether to invest any actual Plan contributions.

## ARTICLE VIII – DISTRIBUTION OF BENEFITS

8.01 Payment Events. The benefits under this Plan (the “Award”) will be paid to the Participant, or in the event of death, to the Participant’s Beneficiary, following the earliest of the Participant’s Separation from Service due to Disability, death, or the last day of the Vesting Period specified by the Board in accordance with Sections 4.02 and 5.01. Payment will commence in the time and form specified below.

1) End of Vesting Period. At the end of the Vesting Period, if the Participant has satisfied the applicable requirements to provide Substantial Services as set forth in Article 5 herein, and has not had a Termination for Cause or Separated from Service other than by death, Disability, or an involuntary termination of employment that is not a Termination for Cause, an amount equal to the Award for the specified Plan Year, less any applicable taxes required to be withheld, shall be distributed to the Participant in one lump sum payment within the sixty (60) day period beginning with the last day of the Vesting Period and no later than March 15 of the calendar year following the year in which the Award is no longer subject to a Substantial Risk of Forfeiture.

2) Death Before Vesting Period Completed. In the event of the death of the Participant prior to completion of the Vesting Period, the Participant’s Deferred Compensation Account shall be deemed fully vested in accordance with Section 5.02. The Employer shall distribute an amount equal to the value of the Participant’s Deferred Compensation Account, less any applicable taxes required to be withheld, to the Participant’s Beneficiary in one lump sum payment within the sixty (60) day period beginning with the date of the Participant’s death and no later than March 15 of the calendar year following the year in which the Deferred Compensation Account is no longer subject to a Substantial Risk of Forfeiture.

3) Separation from Service due to Disability Before Vesting Period Completed. In the event the Participant Separates from Service prior to completion of the Vesting Period due to Disability, the Participant’s Deferred Compensation Account shall be deemed fully vested in accordance with Section 5.02. The Employer shall distribute an amount equal to the value of the Participant’s Deferred Compensation Account, less any applicable taxes required to be withheld, to the Participant in one lump sum payment within the ninety (90) day period beginning with the date of the Participant’s Separation from Service due to Disability and no later than March 15 of the calendar year following the year in which the Deferred Compensation Account is no longer subject to a Substantial Risk of Forfeiture.

4) Other Acceleration of Vesting Period. In the event of the acceleration of the Vesting Period due to an involuntary termination of employment that is not a Termination for Cause or at the complete and sole discretion of the Board pursuant to Section 5.02 prior to completion of the Vesting Period, the Employer shall distribute an amount equal to the value of the vested Award, less any applicable taxes required to be withheld, to the Participant in one lump sum payment within the sixty (60) day period beginning with the date the Award is deemed fully vested in accordance with Section 5.02 and no later than March 15 of the calendar year following the year in which the Award is no longer subject to a Substantial Risk of Forfeiture.

8.02 Payment in the Event of Tax Liability. In the event any Participant or Beneficiary is required to include as income any Amount Deferred (or any benefit payable) under this Plan before such amount is actually paid to the Participant or Beneficiary, the Employer shall pay to such Participant or Beneficiary an amount equal to the amount included in the Participant's or Beneficiary's taxable income. Any amount payable hereunder shall reduce the balance of the Participant's Deferred Compensation Account and shall reduce future benefit payments accordingly. A payment under this Section 8.02 shall only be permitted to the extent permitting such a payment is permissible under Code §457 or any other applicable tax rule.

8.03 Payment Only from Employer Assets. Any payment of benefits to a Participant or his or her Beneficiary shall be made from assets which shall continue, for all purposes, to be a part of the general assets of the Employer; no person shall have or acquire any interest in such assets by virtue of the provisions of this Plan. To the extent a Participant or his or her Beneficiary acquires a right to receive payments from the Employer under the provisions hereof, such right shall be no greater than the right of any unsecured general creditor of the Employer.

8.04 Withholding. The Employer will withhold from any payment made under the Plan all applicable taxes and any and all other amounts required to be withheld under Applicable Guidance.

The benefits that accrue under the Plan are subject to FICA taxes (which includes the Old-Age, Survivors and Disability Insurance tax and/or Medicare tax, as the case may be) which may become due before the benefits are actually paid as provided under Section 3121(v)(2) of the Code and related IRS regulations.

To ensure proper compliance with these regulations, the Employer will calculate the amount of FICA tax when it becomes due and will deduct the Participant's share of the FICA tax on amounts credited to the Participant's Account from other taxable compensation payable to the Participant by the Employer. If the Participant has insufficient other taxable compensation from the Employer from which to deduct such tax, then the Employer will remit the remaining portion of the Participant's share of the tax to the IRS and arrange for the collection of that amount from the Participant. The Participant will be solely liable for his or her share of FICA taxes on benefits accrued under the Plan.



8.05 Beneficiary Designation. A Participant may designate a Beneficiary (including one or more primary and contingent Beneficiaries) to receive payment of the Participant's Deferred Compensation Account at death. The Employer will provide each Participant with a form, which may be electronic, for this purpose and no designation will be effective unless made on that form and delivered to the Employer or its agent. A Participant may modify or revoke an existing designation of Beneficiary by executing and delivering a new designation to the Employer or its agent. In the absence of a properly designated Beneficiary, the Employer will pay a deceased Participant's Deferred Compensation Account to the Participant's surviving spouse and if none, to the Participant's then living lineal descendants, by right of representation, and if none, to the Participant's estate. If a Beneficiary is a minor or otherwise is a person whom the Employer reasonably determines to be legally incompetent, the Employer may cause the Plan or trust to pay the Participant's Deferred Compensation Account to a guardian, trustee or other proper legal representative of the Beneficiary. The Plan's or trust's payment of the deceased Participant's Deferred Compensation Account to the Beneficiary or proper legal representative of the Beneficiary completely discharges the Employer, the Plan and Trust of all further obligations under the Plan with respect to that payment.

## ARTICLE IX – AMENDMENT AND TERMINATION

9.01 Amendment. Employer reserves the right to amend the Plan at any time to comply with Applicable Guidance or for any other purpose, provided such amendment will not without the consent of the Participant, affect such Participant's rights with respect to Awards previously vested by him. Except as the Plan and Applicable Guidance otherwise may require, the Employer may make any such amendments effective immediately.

9.02 Cessation of Future Awards. Employer may elect at any time to amend the Plan to cease future Employer Contributions as of a specified date. In such event, the Plan remains in effect (except those provisions permitting the frozen award type) until all balances are paid in accordance with the Plan terms, or, if earlier, upon the Employer's termination of the Plan.

9.03 Termination and Closure. The Employer reserves the right to terminate the Plan at any time. If the Plan is terminated, all outstanding Awards shall be deemed Vested and no longer subject to a Substantial Risk of Forfeiture. The Participant's Account shall be valued as of the Valuation Date immediately preceding the Plan's termination and distributed to the Participant in a single lump sum no later than two and one half (2 ½) months following the termination of the Plan and no later than March 15 of the calendar year following the year in which the Award is no longer subject to a Substantial Risk of Forfeiture.

## ARTICLE X. - GENERAL PROVISIONS

10.01 No Assignment. No Participant or Beneficiary has the right to anticipate, alienate, assign, pledge, encumber, sell, transfer, mortgage or otherwise in any manner convey in advance of actual receipt, the Participant's Deferred Compensation Account. Prior to actual payment, a Participant's Deferred Compensation Account is not subject to the debts, judgments or other obligations of the Participant or Beneficiary and is not subject to attachment, seizure, garnishment or other process applicable to the Participant or Beneficiary.

10.02 Not an Employment Contract. This Plan is not a contract for employment between the Employer and any Employee who is a Participant. This Plan does not entitle any Participant to continued employment with the Employer, and benefits under the Plan are limited to payment of a Participant's benefit in accordance with the terms of the Plan.

10.03 Fair Construction. The Employer, Participants and Beneficiaries intend this Plan in form and in operation to be exempt from Code Section 409A, the regulations thereunder, and all other present and future Applicable Guidance as described under the short-term deferral rule provided in 26 C.F.R Section 1.409A-1(b)(4)(i).

10.04 Notice and Elections. Any notice given or election made under the Plan must be in writing and must be hand delivered or mailed by certified mail, to the Employer or to the Participant or Beneficiary as appropriate. Employer will prescribe the form of any Plan notice or election to be given to or made by Participants. Any notice or election will be deemed given or made as of the date of delivery, or if given or made by certified mail, as of 3 business days after mailing.

10.05 Administration. The Employer and Board will administer and interpret the Plan, including making a determination of the benefit due any Participant or Beneficiary under the Plan. As a condition of receiving any Plan benefit to which a Participant or Beneficiary otherwise may be entitled, a Participant or Beneficiary will provide such information and will perform such other acts as Employer reasonably may request. The Employer and Board may retain agents to assist in the administration of the Plan and may delegate to agents such duties as it sees fit. The decision of the Board or its designee concerning the administration of the Plan is final and is binding upon all persons having any interest in the Plan.

10.06 Accounting. The Employer will maintain for each Participant as is necessary for proper administration of the Plan sub-accounts for tracking Awards by Plan Year.

10.07 Account Statements. The Employer from time to time will provide each Participant with a statement of the Participant's Deferred Compensation Account as of the most recent Valuation Date. The Employer will also provide statements to any Beneficiary of a deceased Participant with a benefit remaining in the Plan.

10.08 Costs and Expenses. Investment charges will be borne by the Participant's Deferred Compensation Account to which they pertain. The Employer will pay the other costs, expenses

and fees associated with the operation of the Plan, excluding those incurred by Participants or Beneficiaries. The Employer will pay costs, expenses or fees charged by or incurred by the trustee only as provided in the trust or other agreement between the Employer and the trustee.

10.09 Reporting. The Employer will report deferred compensation for Employee Participants on Form W-2 in accordance with Applicable Guidance.

10.10 Applicable Law. All questions pertaining to the construction, validity and effect of the Plan shall be determined in accordance with the laws of the United States and to the extent not preempted by such laws, by the laws of the States of Missouri.

10.11 Gender and Number. Where the context permits, words denoting the masculine gender shall include the feminine gender, the singular shall include the plural, and the plural shall include the singular.

10.12 Statutory References. All references to the Code include reference to any comparable or succeeding provisions of any legislation which amends, supplements or replaces such section or subsection.

10.13 Headings. Section headings and titles are for reference only. In the event of a conflict between a title and the content of a section, the content of the section shall control.

10.14 Action by the Employer. Any action to be performed by Employer under the Plan shall be by resolution of its Board or by a person or persons authorized by Board resolution or Board approved Board Policy.

IN WITNESS WHEREOF, Bi-State Development Agency of the Missouri-Illinois Metropolitan District has executed this Plan this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**BI-STATE DEVELOPMENT AGENCY OF  
THE MISSOURI-ILLINOIS METROPOLITAN  
DISTRICT**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Witness: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

<b>EXECUTIVE SUMMAY</b>	
<b>Plan Sponsor</b>	Bi-State Development Agency of the Missouri-Illinois Metropolitan District
<b>Employer</b>	Bi-State Development Agency of the Missouri-Illinois Metropolitan District and any successor which shall maintain this Plan. The Employer is an interstate transportation authority created by Section 70.370 et seq. of the Missouri Revised Statutes and Chapter 45 100/1 et seq. of the Illinois Compiled Statutes as a body politic and corporate (jointly referred to herein as the “Compact”). The Employer includes all persons and any business or legal entity with whom the Employer would be considered a single employer under Code §§414(b) or (c).
<b>Plan Type</b>	IRC Section 457(f) and subject to IRC Section 409A
<b>Effective Date</b>	January 1, 2023
<b>Purpose</b>	The purpose of the Plan is to attract and retain key executives and recognize their contribution to the successful operation of the Employer with a discretionary contribution conditioned on the future performance of “substantial services” under Section 457(f)(3)(B) of the Code.
<b>Plan Year</b>	January 1 through December 31, the calendar year.
<b>Eligibility Conditions</b>	Annually, the Board will determine those Employees who shall be eligible to participate in the Plan. As of the Effective Date of this Plan, the Employer’s President and Chief Executive Officer, and Executive Vice Presidents shall be eligible to participate in the Plan
<b>Time of Participation</b>	Employees chosen to participate in the Plan shall begin participation in the Plan as of the date designated by the Board.
<b>Elective Deferrals &amp; Employer Matching Contributions</b>	<p><u>Elective Deferrals</u>: Contributions made to the Plan at the election of a Participant via a Salary Reduction Agreement in lieu of receiving current cash compensation and subject to substantial risk of forfeiture.</p> <p><u>Employer Matching Contributions</u>: Periodic contributions made by the Employer on account of the Elective Deferrals made by Participants equal to a fixed percent of the Elective Deferrals for the Plan Year as determined at the sole discretion of the Board in accordance with Prop. Regs. Sec. 1.457-12, which provides in subsection (e)(2) that the match must be structured so that the present value of the amount to be paid due to the deferral plus match must be more than 125% of the present value of the amount of the salary deferral. This has been interpreted to require a match of more than 25%.</p>

<b>EXECUTIVE SUMMAY</b>	
<b>Employer Discretionary Contributions</b>	Additional amounts determined at the discretion of the Board based upon criteria satisfactory to the Board and subject to a substantial risk of forfeiture. Board will not require any elective deferral by the Participant to receive the Employer Discretionary Contribution.
<b>Vesting and Substantial Risk of Forfeiture</b>	Vesting of contributions shall be subject to a separate future service requirement of two (2) continuous years of service. For example, to vest in contribution deferred during 2023, the Participant must remain employed through December 31, 2025 to vest in Elective Deferrals and Employer Contributions.
<b>Accelerated Vesting</b>	Death, Disability or involuntary termination by Employer without Cause
<b>Forfeiture Event</b>	Unvested amounts are forfeited upon Termination for Cause or Separation from Service before completion of Vesting Period for reasons other than death, Disability, or involuntary termination without Cause.
<b>Payments</b>	<p>Vested amounts distributed to Participant, or in case of death, to the Participant's designated Beneficiary within 60 days following Vesting.</p> <p>In no event shall Vested amounts be distributed to a Participant later than March 15 of calendar year following the year in which the Award is no longer subject to a Substantial Risk of Forfeiture</p>
<b>Taxation and withholding</b>	The Employer will withhold from any payment made under the Plan all applicable taxes and any and all amounts required to be withheld.
<b>Funding</b>	<p>Unfunded plan subject to the claims of the Employer's general creditors.</p> <p>Rabbi Trust may be established for the purpose of creating a reserve account to meet the liabilities of the Plan.</p>
<b>Investments</b>	Participant directs deemed investment of Awards pursuant to any limitations or restrictions established by the Employer.
<b>Amendment and Termination</b>	<p>Employer reserves the right to amend the Plan at any time provided such amendment will not, without consent of the Participant, affect Participant's rights with respect to Awards previously granted.</p> <p>Employer may choose at any time to amend the Plan to cease future Employer Contributions as of specified date. In such event, the Plan stays in effect until all balances are paid in accordance with the Plan terms or, if earlier, upon Employer's Termination of the Plan.</p> <p>Employer reserves the right to stop the Plan at any time. If the Plan is ended, all outstanding unvested Awards are deemed Vested and no longer subject to a Subject to a Substantial Risk of Forfeiture.</p>
<b>Action by the Employer</b>	Any action performed by the Employer under the Plan shall be by resolution of its Board or by a person or persons authorized by Board resolution or Board approved Board Policy. A Board Policy has been drafted to cover plan administration.

**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

**Salary Reduction Agreement**

**[2023 Plan Year]**

**I. Personal Information**

Name: \_\_\_\_\_ SSN/ ID: \_\_\_\_\_

You are receiving this form because you are eligible to make Elective Deferrals to the Bi-State Development Agency of the Missouri-Illinois Metropolitan District 457(f) Deferred Compensation Plan (the "Plan") and receive an Employer Matching Contributions equal to **[Match Percent]** of your Elective Deferrals for the Plan Year.

**II. Vesting Year**

The Elective Deferrals and Employer Matching Contributions deferred in this Plan Year **[January 1, 2023 through December 31, 2023]** (including Earnings thereon) shall be subject to a substantial risk of forfeiture, such that you will not be entitled to receive the Elective Deferrals or Employer Matching or Earnings thereon unless you continue to provide substantial services to Employer through **[Vesting Date]**, or, if earlier, upon your death, Disability, or involuntary termination of employment that is not a Termination for Cause.

**II. Elective Deferrals**

If you wish to make Elective Deferrals to the Plan effective with respect to amounts paid or otherwise made available on or after **[January 1, 2023]** and receive an Employer Matching Contribution equal to **[Match Percent]**, please enter a fixed dollar or percent of salary not to exceed **[\$ Maximum Deferrals]** below:

\$ \_\_\_\_\_ or \_\_\_\_\_ % of my regular base salary.

**IV. Acknowledgements**

By signing this Agreement, I acknowledge that:

- A. This Salary Deferral Agreement shall remain in effect until **[December 31, 2023]**. A new Election must be made each year.
- B. The Elective Deferrals and Employer Matching Contributions will be subject to a substantial risk of forfeiture.
- C. I have received a written explanation of the Plan and may review a copy of the Plan document and any amendments upon request.
- D. I understand and acknowledge that this Agreement shall be legally binding and irrevocable for both me and Employer with respect to amounts paid or otherwise made available with the Agreement is in Effect.
- E. This Plan does not constitute a contract of employment, and participation in the Plan will not give me the right to be retained as an employee of the Employer, or any right or claim to any benefit under the Plan, unless such right or claim has accrued and vested under the terms of the Plan.
- F. I may not assign, transfer, or alienate benefits under this Plan in any way, except as may be required by law.
- G. Plan may be amended, suspended, or terminated by the Employer at any time.

**Participant's  
Signature**

**Date**

**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

**NOTICE OF AWARD**

This NOTICE OF AWARD (the "Notice"), made this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ but to be effective as of [Grant Date], between Bi-State Development Agency of the Missouri-Illinois Metropolitan District (the "Employer"), and [Participant Name] ("Participant").

This Notice of Award is made under the terms of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District 457(f) Deferred Compensation Plan, as may be amended from time to time (the "Plan"). The Plan, as it may hereafter be amended and continued, is incorporated herein by reference and made a part of this Notice and shall control the rights and obligations of the Employer and the Participant under this Notice. Except as otherwise provided, terms used herein shall have the meaning provided in the Plan.

**WITNESSETH**

**WHEREAS**, the Employer maintains the Bi-State Development Agency of the Missouri-Illinois Metropolitan District 457(f) Deferred Compensation Plan as it may hereafter be amended and continued in order to attract and retain key executives and recognize their contribution to its successful operation and long-term growth; and

**WHEREAS**, the Participant is employed by Employer in a position which the Employer deems to be a key position with the Employer, and has been selected to participate in the Plan; and

**WHEREAS**, the Employer has granted Participant a discretionary employer contribution in the form of deferred compensation (the "Award") as permitted and defined under the Plan, and desires by this Notice to set forth certain provisions of such Award as required under the Plan.

**NOW, THEREFORE**, subject to the terms, restrictions, and other conditions of this Notice and the Plan, the Employer hereby grants an Award to the Participant as follows:

1. Credit Date.  
The Credit Date for the Award is [Credit Date].
2. Employer Contribution.  
The Employer hereby credits to Participant an Employer Contribution in the amount of [Contribution Amount], subject to the terms and conditions of the Plan and this Notice.
3. Substantial Risk of Forfeiture.  
Participant's rights to the Award credited under this Agreement (including any Earnings thereon) shall be subject to a substantial risk of forfeiture, such that Participant will not be entitled to receive the Employer Contribution credited under this Notice or Earnings thereon unless Participant continues to provide substantial services to Employer through [Vesting Date], or, if earlier, upon Participant's death, Disability, or involuntary termination of employment that is not a Termination for Cause.
4. Payment Date.  
The Award will be paid in a single cash payment within sixty (60) days following the Vesting Date.



5. Acknowledgments.

By signing this Notice, the Participant acknowledges that:

- A. Participant has received a written explanation of the Plan and may review a copy of the Plan document and any amendments upon request.
- B. This Plan does not constitute a contract of employment, and participation in the Plan will not give Participant the right to be retained as an employee of the Employer, or any right or claim to any benefit under the Plan, unless such right or claim has accrued and vested under the terms of the Plan.
- C. Participant may not assign, transfer, or alienate benefits under this Plan in any way, except as may be required by law.
- D. Plan may be amended, suspended, or terminated by the Employer at any time.

IN WITNESS WHEREOF, the parties have executed this Notice of Award as of the date first set forth above.

**BI-STATE DEVELOPMENT AGENCY  
OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT**

**PARTICIPANT ACKNOWLEDGMENT**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS  
METROPOLITAN DISTRICT  
457(F) DEFERRED COMPENSATION PLAN**

**Beneficiary Election Form**

**I. Personal Information**

Name: \_\_\_\_\_ SSN/ ID: \_\_\_\_\_

**II. Beneficiary Designation**

If I die before I receive my benefit from the Plan, I hereby designate the following person(s) to receive my account balance(s). I understand that unless I indicate otherwise, if I designate more than one beneficiary, any benefit will be paid to them (or their survivors) in equal shares. I understand that death benefits will be paid to my beneficiary(ies) as soon as practicable following my death. I understand that this designation supersedes all previous designations.

**Primary Beneficiary(ies):**

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
(First) (Middle Initial) (Last)

Address: \_\_\_\_\_ Percent: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
(First) (Middle Initial) (Last)

Address: \_\_\_\_\_ Percent: \_\_\_\_\_

**Contingent Beneficiary(ies):**

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
(First) (Middle Initial) (Last)

Address: \_\_\_\_\_ Percent: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
(First) (Middle Initial) (Last)

Address: \_\_\_\_\_ Percent: \_\_\_\_\_

**I revoke any beneficiary designation previously made by me with respect to this Plan. I understand that I may change the designations above at any time by filing a new designation with the Company and that such designation shall be effective upon receipt by the Company.**

**I understand that in the event I am married and have designated no other beneficiary (or if the designated beneficiary has predeceased me in death), my Beneficiary shall mean my spouse. In the event I am not married at death and I have designated no beneficiary (or if the designated beneficiary has predeceased me), Beneficiary shall mean my estate**

\_\_\_\_\_  
Participant's Signature

\_\_\_\_\_  
Date

# Metro Service Performance Summary | July FY23

Bi-State Development Board of Commissioners Operations Committee Meeting : September 12, 2022

## OVERALL PERFORMANCE

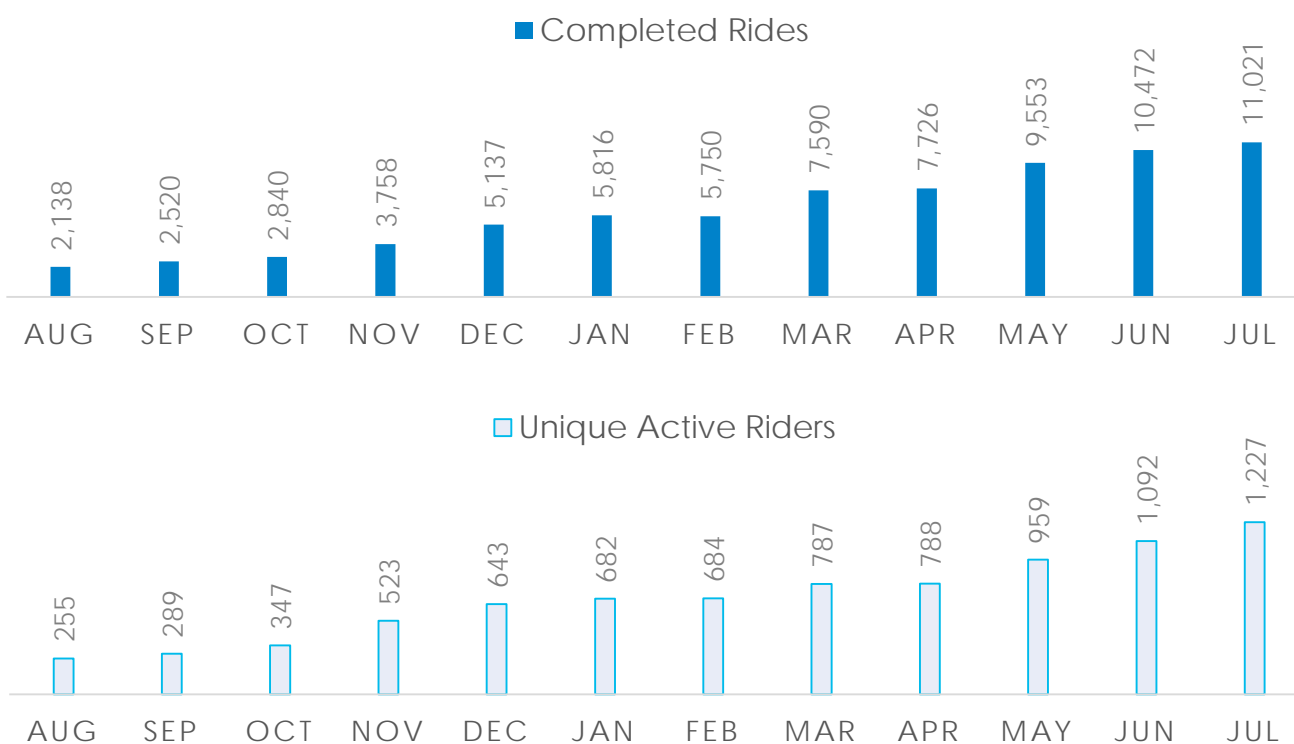
### Metro Transit Operations At-A-Glance

Total FY23 Performance Measures	MetroBus Fixed Route + Special Services	FY23 vs. FY22	MetroLink	FY 23 vs. FY22	Call-A-Ride	FY23 vs. FY22
System Ridership	984,700	(-1.2%)	550,200	7.3%	28,287	(-11.9%)
Missouri	848,200	(-3.6%)	426,000	6.2%	28,287	(-11.9%)
Illinois	136,500	16.7%	124,200	11.2%		
Revenue Miles	1,044,076	(-19.2%)	229,439	1.66%	303,112	(-8.5%)
Revenue Hours	75,664	(-19%)	9,949	.49%	17,804	(-3.76%)
On-Time Performance	86.1%	(-3%)	97.37%	(-0.7%)	91.9%	(-1%)
MetroBus + MetroLink 12-Month Rolling Average Fare	\$1.08	4.6%	Call-A-Ride 12-Month Rolling Average Fare		\$1.73	N/A
Financials	Total FY23 Actual		Total FY23 Budget		Budget Adherence	
Expenses (Transit)	\$21,134,500		\$26,337,100		(-\$5,202,600)/(-20%)	
Passenger Revenue	\$1,732,400		\$1,655,500		(-\$76,900)/(5%)	
Farebox Recovery Ratio	8.2%		6.3%		30.4%	

## Call-A-Ride Passenger Trip Requests, July, 2022

Passenger Trip Requests	# of Trips	Percent of Trip Requests
Scheduled and Made	28,287	62.8%
Cancelled by Passenger	6,370	14.1%
No-Shows	1,473	3.3%
Missed Trips	177	0.39%
Van Unavailable – Capacity Denial – ADA Riders	8,319	18.46%
Van Unavailable – Capacity Denial – NON ADA Riders	28	0.1%
Van Available – Adversarial Denial – All Riders	381	0.8%
Eligibility, Beyond Hours or Boundaries	29	0.1%
<b>Total Trip Requests</b>	<b>45,064</b>	<b>100.0%</b>

## Via Metro STL, Last 12 Months

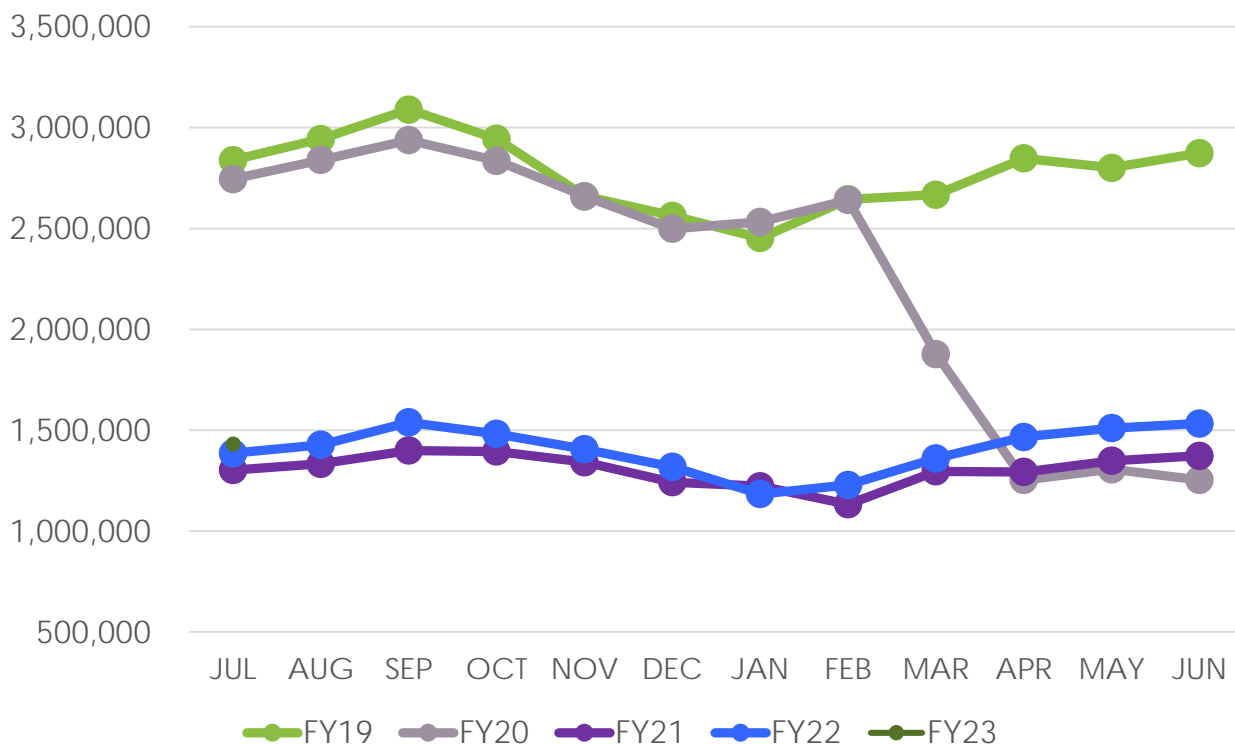


# Metro Service Performance Summary



- The fiscal year begins with a modest 3.3% standardized ridership gain relative to July 2021. A flood on July 25 significantly impacted MetroLink (ML) and MetroBus (MB) service into August 2022. Despite these challenges, Metro ridership continues to grow steadily in slow recovery from the impacts of COVID-19.
- However, ridership growth is not even across all parts of Metro's system. MetroLink ridership growth (+6.5% vs FY22) outpaces MetroBus recovery (-1.2% vs FY22). Within MetroBus, the IL system (+16.7% vs FY22), continues to grow, while the MO MetroBus system (-3.6% vs FY22) remains flat or decreasing.
- The most damaging factor limiting recovery on MB stems from the systemic labor force crisis. While MB service has curtailed missed trips to a relatively steady 3% of total service, this achievement comes from significant service cuts in MO (but not IL). Availability of MO bus operators is the chief factor preventing ridership recovery on Metro.
- The labor crisis extends to Call-A-Ride, which completed merely 63% of ride requests in July FY23.
- Safety & service reliability are crucial for system success, particularly for a system that relies heavily on vehicle-to-vehicle connections and when service frequencies are low. An unreliable system erodes rider trust, rider quality of life, and mounts pressure on our front-line and support staff with debilitating effects to morale. Potentially, these effects may also incur Title VI Civil Rights implications, especially when riders cannot easily access information about these disruptions in a timely manner.
- Metro's on-demand services, especially Via Metro STL, continue to grow rapidly as a complement to the fixed-route system and has provided vital support during service disruptions. Metro staff are exploring strategies to strengthen the transit network using these new tools. They also seek to engage more Call-A-Ride customers still suffering from acutely high denial rates, another casualty of the labor crisis.

## STANDARDIZED FIXED-ROUTE RIDERSHIP (TOTAL SYSTEM)



## PERFORMANCE

### Metro Transit Workforce At-A-Glance

#### Sign-on and Retention Bonuses

- 465 new hires since sign-on bonus program began in 2021.
- 128 sign-on bonuses paid to date. (1<sup>st</sup> installments)
- 40 referral bonus payments made.

#### Recruiting & Training Capacity

- 2 classes per month scheduled for Call-A-Ride.
- 1 class every 8 weeks scheduled for MetroBus.

#### Recruitment Progress

- Monthly Open Houses for on-the-spot hiring events continue to attract candidates. BSD participating in other job fair and hiring events in the community:
- Marketing campaign started focused on CDL holders.
- Research for pre-employment assessment for Operators and others complete. Moving to RFP stage.
- Early stages of partnership with MO Public Transportation Association in development of apprenticeship programs.

#### Status of Operations

MetroBus	2,055 missed trips in August due to workforce shortage. This is 2.16% of the total trips.
MetroLink	Zero missed trips. TSMs have supplemented service on the modified schedule since the flooding and "blue flu" disrupted scheduled service.
Call-A-Ride	11,705 denied boardings of the 51,143 trips requested in August. This is 22.89% of the total trips.

A MetroBus 5% reduction in service (frequency only) occurred 3/21/22 to minimize the number of missed trips based on workforce shortages. This schedule requires 636 operators to complete the routes. As the workforce grows, service frequency will return as we can consistently meet the schedule demands.

#### Recruiting & Training Pipeline (August)

	Applications Received	Candidates in Process	Candidates Scheduled for Training	Trainees in Process
MetroBus Operators	94	24	0	14
Call-A-Ride Operators	86	12	1	4
1A Mechanics	4	2	0	1
Electro-Mechanics	9	0	0	3
Electricians	34	1	1	1

#### Staffing Levels

	MetroBus Operators	MetroLink Operators	Call-A-Ride Operators	General Maintenance 1A Mechanics	Vehicle 1A Mechanics	MetroLink ElectroMechanics	Electricians
Budgeted Positions	789	102	201	46	226	42	60
Active Employees	631	89	130	38	194	30	48
Percent Shortage	20.03%	12.75%	35.32%	17.39%	14.15%	28.58%	20.00%