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**BI-STATE DEVELOPMENT AGENCY / METRO  
OPERATIONS COMMITTEE MEETING  
OPEN SESSION MINUTES  
MARCH 17, 2015**

**Committee Members in Attendance**

**Missouri**

Vernal Brown

**Illinois**

Michael Buehlhorn, Chair

Irma Golliday

Jeffrey Watson (absent)

**Other Commissioners in Attendance**

Aliah Holman (via phone)

**Staff in Attendance**

John Nations, President & CEO

Barbara Enneking, General Counsel and Deputy Secretary

Shirley Bryant, Certified Paralegal/Assistant Secretary

Ray Friem, Chief Operating Officer Transit Services

Linda Espy, Senior Administrative Assistant

Kathy Klevorn, Sr. Vice President, Chief Financial Officer

Larry Jackson, Vice President, Procurement, Inventory Management & Supplier Diversity

Scott Grott, Chief MetroLink Operations

Jessica Mefford-Miller, Chief Transit Planning & System Development

Patti Beck, Director, Communications

Kent Swagler, Director, Corporate Compliance and Ethics

Fred Bakarich, Director, Engineering System

Erick Dahl, Director, St. Louis Downtown Airport

Mark Vago, Controller

Jason Davis, Manager, Security Fare Enforcement

Jeffrey Butler, Chief, Paratransit Services

Patricia Hall, Director, ADA Services

Marlon Stacker, Director, Customer Service

Caleb Friz, Manager, Customer Service

Reggie Cavitt, ATU Local 788

**Others in Attendance**

Kate Durkin, SLU Clinical Law Offices

Erica Mazzet, SLU Clinical Law Offices

Juliet Salih

Donna Neal

Monica Williams

Danielle Minor

Bob Jaco  
Kim Killian  
Chris Dorth  
Emma Perry  
Jo Peterson

**1. Call to Order**

**8:00 a.m.** Commissioner Buehlhorn called the Open Session Operations Committee Meeting to order at 8:00 a.m.

**2. Roll Call**

**8:01 a.m.** Roll call was taken.

**3. Public Comment**

**8:01 a.m.** There was no public comment.

**4. Minutes of Prior Open Session Operations Committee Meeting**

**8:02 a.m.** The January 27, 2015, Open Session Operations Committee Meeting minutes were provided in the Committee packet. A motion to approve the minutes was made by Commissioner Golliday and seconded by Commissioner Brown. **Motion passed unanimously.**

**5. Contract Award: Leon Uniform Company**

**8:03 a.m.** The briefing paper regarding the contract award for Leon Uniform Company was provided in the Committee packet. Larry Jackson, Vice President, Procurement, Inventory Management & Supplier Diversity, provided a brief overview. A five (5) year contract was previously awarded to Leon Uniform Company in 2009 to supply Bus, Van, and LRV Operator Uniforms from November 20, 2009, through November 19, 2014. In September 2014, a new solicitation was issued seeking proposals from qualified firms to provide uniforms. The current contract with Leon was extended 180 days through May 20, 2015, to maintain service until the new solicitation process is completed and awarded. Three responses were received and after the technical evaluation and scores were completed, management's recommendation was to award the contract to Leon Uniform Company.

A motion for the Operations Committee to approve and forward to the Board for approval to award Contract 14-RFP-100998-DR - Metro Operator Uniforms to Leon Uniform Company to provide the uniforms and accessories for the Bus, Van, and LRV Operators for a period of three (3) base years and two (2) one-year options to be exercised at the Agency's discretion was made by Commissioner Brown and seconded by Commissioner Golliday. **Motion passed unanimously.**

**6. Contract Extension and Increase: Transsystems, Inc., for Contract 09-RFP-5516-CB/MM, Eads Bridge Rehabilitation Engineering Services Part II**

**8:07 a.m.** The briefing paper regarding the contract extension and increase for Transsystems, Inc., for Contract 09-RFP-5516-CB/MM, Eads Bridge Rehabilitation Engineering Services, Part II was provided in the Committee package. Fred Bakarich, Director Engineering Systems, provided a brief overview. The Agency previously procured a contract with Transsystems, Inc. (TS) for design and construction services for the Eads Bridge Rehabilitation Project. The original estimate for inspection, design, and construction professional services, at submission of the grant application, was \$2 million, based on an estimated construction cost of \$22.5 million. Following the discovery of severe floor system deterioration, it was determined that the floor system of the

bridge had reached the end of its useful service life, which redefined the core scope of structural services to be performed. A contract was issued to TS for a not to exceed amount of \$1.5 million in March 2010 for services through the end of 2012, which was the anticipated end of construction. These additional design services consumed funds originally dedicated to construction. A proposed budget increase was presented to the Board on May 18, 2012, and contract modification Number 1 was executed on September 28, 2012, in the amount of \$1,597,328.80. The contract completion date was extended to October 15, 2015. After obtaining Board approval in May 2012 to increase the Engineering and Construction Services budget, Agency staff issued Modification 2 to TS on March 3, 2014, in the amount of \$200,000 for additional Coating Inspection/Quality Assurance, leaving a balance of \$202,671 in the budget. Modification 2 was issued at the 67% complete mark of Track 1 production coating. It was estimated that the remaining budget for the TS contract combined with the \$200,000 supplement would be enough to complete the balance of coating inspection activity on Track 1 and 2. Myriad structural repairs that were performed following production painting, combined with the final inspection and acceptance of Track 1 coating required inspection hours that were well in excess of the original estimate. This warranted an increase in the Engineering and Construction Inspection budget. After a peer review in 2010 that included engineering experts from Chicago Transit Authority, Southeast Pennsylvania Transportation Authority and Massachusetts Bay Transit Authority, it was their opinion that the actual costs for professional services including both design and construction management functions for structural rehabilitation projects of this nature generally run 12% of the construction cost. The FTA Project Management Oversight Consultant confirmed the analysis and suggested that fees in excess of 12% of construction cost are realistic given the nature of the work. The construction contract is currently at approximately \$40.3 million and the proposed modification to TS, the value of professional services for design and construction services total 9.9% of the construction cost, and is below the accepted industry standard. Based on the nature of the work and the schedule proposed by the Contractor, staff is confident that the additional manpower specified in the proposed change is in the best interest of the Project. Management recommends approval of this agenda item in a total amount not to exceed \$3,997,328.80.

Some discussion followed regarding the grant funding for this project. The Agency has federal funds already targeted for this project and the budgeted amount of \$56.8 million is 80% federal and 20% local funding. Upon conclusion of this project, any remaining funding can be redirected to other projects included in the Transportation Improvement Program that are 80/20 eligible.

A motion for the Committee to approve and forward to the Board to approve the extension of the contract time of performance through May 31, 2016, and to increase the Engineering and Construction Inspection budget amount by \$497,372.80 bringing the total budget value to \$3,997,328.80 was made by Commissioner Golliday and seconded by Commissioner Brown.  
**Motion passed unanimously.**

## **7. Paratransit Policy on No-Shows**

**8:19 a.m.** The briefing paper regarding the Paratransit Policy on No-Shows was provided in the Committee packet. Ray Friem, Chief Operating Officer Transit Services; Jeffrey Butler, Chief of Paratransit Services; and Patricia Hall, Director of ADA Services provided a brief overview. The U.S. Department of Transportation (**DOT**) and Americans with Disabilities (**ADA**) regulations have always allowed transit agencies to suspend the provision of paratransit service to riders who have a pattern or practice of "no-show" on their prearranged rides. Those individuals who repeatedly fail to appear for these rides have a detrimental effect on the operational efficiency, cost, and the quality of service the Agency provides for other riders. This agenda item is a follow up to concerns raised regarding the "No-Show Policy" by representatives from CTI, an advocacy

group for disabled persons, at the February 27, 2015, Board meeting. The Metro ADA Advisory Group (MAAG) meets bi-monthly and is comprised of constituents and leaders of local organizations that represent the disabled community. Conversations regarding revisions to the current No-Show Policy began in early 2013, with a main goal of strengthening the policy in regard to those riders who were repeat offenders. During the process, it was discovered that some of the FTA guidelines have changed. Those changes required the Agency to review the rider's frequency of use in order to establish a true pattern or practice of excessive No-Shows; and that a formal appeals process is established for those riders facing a suspension. The Agency has been working closely with Rebecca Rand, the Civil Rights Officer with FTA Region VII, to produce the new policy, a copy of which is included in the Committee packet. This agenda item was informational only and no Committee action was required. A copy of the report will be kept at the office of the Deputy Secretary.

**8. Transit Operations 2015 Second Quarter Performance Report**

**8:35 a.m.** The Transit Operations 2015, Second Quarter Performance Report was provided in the Committee packet. Ray Friem, Chief Operating Officer Transit Services, provided a brief overview. Transit system revenues were behind budget forecast by 3.4%, MetroLink ridership was off by 7% year to date with a drop in farebox revenue of approximately \$1.2 million. Transit operations expenses were positive. Ridership growth fell in the second quarter compared to last year, with rail down by 3.2%, van down by 1.5%, the system down by 1.0%, and bus up by 0.2%. Year to date there was little change in service profiles in terms of revenue miles and hours operated. Enforcement efforts in the second quarter show reductions in both arrests and issuance of summons, while dispatched calls grew slightly year over year. Preventable accidents were up slightly, primarily due to 135 new operators hired in the past year, and this issue will be addressed in Operator refresher training scheduled to start in the third quarter. Mean Distance Between Failure (MDBF) numbers are down for both Call-A-Ride and MetroBus. The core reason for the downturn in MetroBus is that the new buses were designed to meet the new EPA standards and are experiencing high failure rates. The failure rates are so high that parts availability is an issue for all properties that received new buses in 2013. The industry is trying to get enough parts out there to get the buses running again and try to figure out if there is some kind of modification retrofit that would allow these new buses to live fifteen (15) years in harmony with the maintenance cycle and the environment. The van fleet is averaging 6-1/2 years, and the recommended replacement is 3 years. New vans were not previously available because they were simply not being manufactured. Vans could not be built to any reasonable specifications until recently. Three new vans have been received, but the Agency will not issue a general release to construct until such time as the manufacturer meets the quality specifications needed. With the new specifications and equipment, the new vans should average ten (10) years. Information calls for the second quarter are down 10% year over year and are now down 8.4% for the year. A new cell phone application will soon be available that would allow the customer to get real time information on bus schedules. A construction/acquisition/rehabilitation project spreadsheet was provided identifying project status for the following: Eads Bridge, North County Transfer Center, Downtown Transfer Center, Radio System Deployment, Automatic Vehicle Locator, Vehicle Acquisition, MetroLink Capital Maintenance, Phase 2 and 3 Software Upgrades to AVL/Trapeze Software Suites authorized by the Board, and Maintenance of Way (MOW) Work Integrated Plan. MOW scored 99.6% on their efficiency rating for the quarter. The number one complaint on the MetroLink system was escalators, primarily because of the snow, salt, and mud tracked onto the equipment that contributes to more maintenance issues.

Some discussion followed regarding the Trapeze software for the No Show Module that is in the initial testing stages. This report was informational only and no Committee action was required. A copy of the report will be kept at the office of the Deputy Secretary.

**9.        Unscheduled Business**

**9:00 a.m.** John Nations, President & CEO, stated that although it is difficult to maintain the escalators, Agency staff does a great job keeping them operational. The Clayton garage that services the Metro system is owned and operated by St. Louis County (the "**County**"). The County decided that the maintenance necessary to keep the escalators operational was not cost effective and decided to remove them two years ago. Mr. Nations also discussed the attention the municipal courts are receiving regarding fines and court costs assessed in light of the Justice Department's report. Mr. Nations advised Fox-2 News Reporter, Elliott Davis that the fines and court costs are assessed by the courts, and the Agency does not receive any of the funds collected as a result of citations issued on the alignment. More inquiries were received regarding this issue and as a result Mr. Nations plans to meet with a presiding Judge in St. Louis County to further discuss this issue. The Agency received approximately \$207 from the State of Illinois as a result of the fines collected from citations issued on the alignment in Illinois. As this issue continues to be a topic of discussion, the Agency will continue its conversations with the courts.

**\*\*9:04 a.m. Commissioner Holman disconnected.**

**10.       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 under §610.021(1), RSMo; leasing, purchase or sale of real estate under §610.021(2); personnel action under §610.021(3); discussions regarding negotiations with employee groups under §610.021(9); sealed bids, proposals and documents related to negotiated contracts under §610.021(12); personnel records or applications under §610.021(13); records which are otherwise protected from disclosure by law under §610.021(14); records relating to hotlines established for reporting abuse and wrongdoing under §610.021(16); or confidential or privileged communications with the District's auditor, including auditor work products under §610.021(17).**

**9:04 a.m.** There were no Executive Session Items to discuss, therefore no Executive Session was called.

**11.       Call of Dates for Future Committee Meetings**

**9:05 a.m.** The next Business Services & Economic Development Committee meeting is scheduled for Friday, March 20, 2015, at 8:00 a.m.; the next Finance & Administration Committee/Budget Review is scheduled for Friday, March 27, 2015, at 8:00 a.m.; and the next Board meeting is scheduled for Friday, April 24, 2015.

**12.       Adjournment**

**09:05 a.m.** A motion to adjourn the Open Session Operations Committee meeting was made by Commissioner Brown and was seconded by Commissioner Golliday. **Motion passed unanimously.**