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**BI-STATE DEVELOPMENT AGENCY / METRO  
OPERATIONS COMMITTEE MEETING  
OPEN SESSION MINUTES  
MAY 19, 2015**

**Committee Members in Attendance**

**Missouri**

Vernal Brown  
Kelley Farrell

**Illinois**

Michael Buehlhorn, Chair  
Irma Golliday  
Jeffrey Watson (absent)

**Other Commissioners in Attendance**

Aliah Holman (via phone)  
David Dietzel

**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  
Larry Jackson, Vice President, Procurement, Inventory Management & Supplier Diversity  
Scott Grott, Chief MetroLink Operations  
Jessica Mefford-Miller, Chief Transit Planning & System Development  
Fred Bakarich, Director, Engineering System  
Mark Vago, Controller  
Jason Davis, Manager, Security Fare Enforcement  
Maureen Williams, Planner  
Patti Beck, Director Communications  
Kathy Klevorn, Senior Vice President Chief Financial Officer  
Tracy Beidleman, Director Program Development & Grants  
Richard Zott, Chief of Public Safety  
Jerry Valley, External Communications Manager  
David Beal, Capital Budget & Program Development Administrator  
Michael Gibbs, Accountant Business Enterprise  
Kerry Kinkade, Vice President Chief Information Officer

**Others in Attendance**

None

- 1. Call to Order**  
**8:05 a.m.** Commissioner Buehlhorn called the Open Session Operations Committee Meeting to order at 8:05 a.m.
- 2. Roll Call**  
**8:05 a.m.** Roll call was taken.
- 3. Public Comment**  
**8:06 a.m.** There was no public comment.
- 4. Minutes of Prior Open Session Operations Committee Meeting**  
**8:06 a.m.** The March 17, 2015, Open Session Operations Committee Meeting minutes were provided in the Committee packet. A motion to approve the minutes was made by Commissioner Dietzel and seconded by Commissioner Golliday. **Motion passed unanimously.**
- 5. Contract Award: Purchase of Low Floor Transit Buses**  
**8:07 a.m.** The briefing paper regarding the contract award for the purchase of low floor transit buses was provided in the Committee packet. Ray Friem, Chief Operating Officer Transit Services, and Larry Jackson, Vice President, Procurement, Inventory Management & Supplier Diversity, provided a brief overview. In 2008, the Agency had to sell the rest of its RFP options due to the impending service reduction. Since that time, the Agency has piggybacked on various contracts from different cities purchasing approximately 90 buses. Those buses were modified to fit the terms and specifications required by the Agency. For the first time since 2008, the Agency is issuing a new RFP to purchase primarily 40 foot diesel buses. The description and prices for the 40 foot diesel buses were omitted from the briefing paper in error, which will be corrected when this item is presented at the next scheduled Board meeting. The Agency currently operates an active fleet of 390 buses with a contingency fleet of 56 buses. Bus replacement, as suggested by the Federal Transit Administration (FTA), is 12 years or 500,000 miles. Because of the success of the Agency's maintenance program, the average life expectancy for transit buses is 15 years or 825,000 miles. The anticipated replacement schedule is an average of 30 buses per year. A solicitation was issued for low floor transit buses on November 11, 2014, and by the March 5, 2015 due date, two manufacturers responded. After the review and evaluation of the proposals, Agency management recommended that the Committee approve and refer to the Board for approval the request for a 5 year indefinite delivery/indefinite quantity contract with Gillig Corporation to cover bus procurement of Diesel, CNG, and Hybrid buses. A motion to approve management's recommendation was made by Commissioner Golliday and seconded by Commissioner Brown. **Motion passed unanimously.**
- 6. Contract Extension of Time of Performance with Illinois Excavators Inc., for Illinois Slopes Stabilization Services & Scour Protection – Phase 2 Construction**  
**8:09 a.m.** The briefing paper regarding the contract extension of time of performance with Illinois Excavators Inc., for Illinois Slopes Stabilization Services and Scour Protection – Phase 2 Construction was provided in the Committee packet. Fred Bakarich, Interim Director Engineering, provided a brief overview. The Illinois Slopes Stabilization Services and Scour Protection Phase 2 Project (the "**Project**") provides for the construction of an access road from MP 23.54 to MP 27.2. The stone aggregate surfaced access road requires the construction of three bridges, a double barrel concrete box culvert, and two retaining walls. The road would allow Agency employees access to the MetroLink alignment for maintenance and inspection activities in areas where access is currently only possible by rail. The majority of the embankment slopes for the MetroLink alignment are steep slopes that are difficult to maintain. Areas of minor erosion are being reshaped and reseeded to reestablish grass. The original

completion date for the Project was November 15, 2014. The Notice to Proceed (**NTP**) was delayed four months while waiting for pre-award concurrence from the Illinois Department of Transportation (**IDOT**). The Agency extended the current contract 180 days as permitted by policy. The delayed start of construction activities caused the contractor to miss most of the favorable construction season in the first year. The 180 day extension from November 16, 2014 to May 14, 2015 resulted in only about one month of productive activity because the crews were only able to resume work on April 20, 2015. The contractor wasn't able to final shape and seed any of the work areas in 2014. IDOT allows seeding in the fall from August 1 to November 15 and spring seeding from March 1 to June 1. With all the spring rains, the contractor has not been able to perform final shaping of the work areas that require seeding. Because final shaping is required at numerous locations and there is the possibility of additional rain delays, Agency staff recommends that the contract be extended to incorporate the fall seeding season. A motion for the Committee to approve and forward to the Board for review and approval the request to extend the contract time of performance through November 14, 2015, was made by Commissioner Dietzel and seconded by Commissioner Golliday. **Motion passed unanimously.**

**7. Award of Contract to Successful Offerer of the Ewing Yard Retaining Wall Remediation Design-Build Request for Proposal**

**8:16 a.m.** The briefing paper regarding the award of contract to successful offerer of the Ewing Yard Retaining Wall Remediation Design-Build Request for Proposal was provided in the Committee packet. Ray Friem, Chief Operating Officer Transit Services; Fred Bakarich, Interim Director Engineering; and Larry Jackson, Vice President Procurement, Inventory Management and Supplier Diversity, provided a brief overview. Approximately 100 feet of the retaining wall forming the northern extent of the MetroLink Ewing Yard and supporting Scott Avenue above the yard collapsed into the Ewing Yard, taking yard Tracks 114 and 115 out of service and undermining the southern portion of Scott Avenue. The Agency engaged a geotechnical engineer and a construction contractor to stabilize the collapses. The Agency's insurance carrier, Lexington, was also notified. It was determined that all but 58 feet of the 1000 foot long wall required remedial measures to restore structural stability and prevent further damage to the Ewing Yard, public utility infrastructure, and Scott Avenue. Considerable time and resources were committed to development of temporary wall shoring and temporary utility relocation plans until funding for the permanent solution could be identified. Portions of the remediation project were covered by Lexington, but combining insurance funds with Federal Capital Project Funds presented a problem because there was no mechanism that allowed combining these two funding sources on one project. Lexington's claim analysis of the actual costs and the projected costs submitted by the Agency is progressing very slowly. Without the insurance proceeds, additional projects would be deferred. On December 5, 2014, a second wall failure occurred and roughly 160 feet of wall collapsed into the Ewing Yard, taking with it the adjacent portion of Scott Avenue. On December 8, 2014, the Agency moved forward, without insurance claim proceeds, and put all capital funds necessary into place to completely finance the entire remediation project, diverting completely the funding of three capital projects and a portion of one other project. A solicitation for the design and construction services for remediation of the Ewing Yard wall and repair of all damage resulting from the wall failure was issued on December 16, 2014. Final proposals from the three short listed design-build firms contending for the contract were submitted to the Agency on April 30, 2015. Proposal presentations from each of the offerers is scheduled for May 18 – May 21, 2015, with final committee review decision expected on May 21, 2015. The initial design-build budget is set at \$8.5 million, as a condition of the RFP, and the successful offerer's proposal will be at or below that amount. Although no final selection has been made at this time, this information is being presented to the Committee to get approval to forward to the Board for the June 26, 2015 meeting. Management will provide a final briefing paper with details of the review committee's selection and a request for approval of the final

design-build firm at the June 26, 2015 Board meeting. A motion for the Committee to refer to the Board the request to approve the award of a contract to the review committee's final firm selection in an amount not to exceed \$8.5 million, and authorize a construction budget of \$9,562,740 was made by Commissioner Golliday and seconded by Commission Brown. **Motion passed unanimously.**

#### **8. Metro Adopt-A-Stop Program Proposal**

**8:24 a.m.** The briefing paper regarding Metro's Adopt-A-Stop Program Proposal was provided in the Committee packet. Jessica Mefford-Miller, Chief of Planning and System Development, provided a brief overview. The Agency has over 6,000 bus stops and while the Agency has some arrangements with the City and other partners for maintenance of those stops, to take all of that in house would not be practical and would require a tremendous amount of resources. The Agency serves stops that are located on municipal rights of way, as well as rights of way owned by the City of St. Louis, St. Louis County, MoDOT and IDOT as well as other municipalities in Illinois. Moving problematic bus stops, at the request of property owners, would not only require a lot of manpower and resources, it would also create a burden to Agency customers. In order to improve the appearance and condition of the bus stops, Agency staff is suggesting partnering with the communities, individual citizens, businesses and organizations to ask them to help the Agency maintain these stops through the Adopt-A-Stop Program. Other transit systems around the country have successfully used this type of program. The Agency has a 3 year goal of a 15% adoption rate, which would be approximately 900 bus stops. This program would provide an opportunity to exhibit civic pride for those individuals, businesses, and organizations who participate. This effort would also create a cleaner, safer, and more pleasant transit experience for the riders. This is a prudent method of moving forward and creating some positive community support for the program. This program would be managed internally by existing Service Planning staff. Management tasks would include auditing bus stops to assure compliance, updating a database of "eligible" bus stops, ensuring that the bus stops with reported and confirmed trash problems are recommended for adoption, and ongoing adopter recruitment campaigns. The official campaign kickoff is scheduled for summer 2015. This report was informational only and no Committee action was required. A copy of the briefing paper will be kept at the office of the Deputy Secretary.

#### **9. Transit Operations 2015, 3<sup>rd</sup> Quarter Performance Report**

**8:31 a.m.** The Transit Operations 2015, 3<sup>rd</sup> Quarter Performance Report was provided in the Committee packet. Ray Friem, Chief Operating Officer Transit Services, provided a brief overview. Systems revenues were down \$1.5 million year to date, which includes all passenger revenue loss due to low ridership. Revenue for MetroLink and MetroBus was 2.6% below budget through the third quarter. Transit Operations expenses were lower than initially budgeted for many departments, led by Vehicle and Bus Facility Maintenance at almost 9% under budget as new rolling stock phased out older, more expensive equipment. In the previous quarter MetroLink ridership was down 6.0% and MetroBus down 1.5%. MetroLink's third quarter ridership had a loss of almost 4% and MetroBus ridership was down 3.1% for the same period. Ridership was down year-to-date on MetroLink 3.4%, MetroBus 0.8%, and Call-A-Ride 0.8%. There was a small reduction in the amount of service in the fixed route portion of the system primarily due to less special event service. Security activity on the system had an increase in customer complaints. The year to date statistics show security complaints up 30%. Regional civil unrest and criminal activity led to a 23% increase in dispatched calls. Arrests were down for the quarter by 38% and down 54% for the year. Service Quality Indicators show that on time performance numbers continue to improve and complaints per boarding on rail are down. MetroBus and Call-A-Ride complaints have increased slightly. Van complaints are offset by commendations which are not reported, but for every van complaint received, we are averaging

3 commendations. Although the preventable accident numbers for the Agency are good industry wide, they are still up slightly primarily due to a large number of new operators added this year. Equipment delays for rail were down 38%, buses were up 15% and vans were up 51%. The newer buses and older vans continue to present a challenge for the Vehicle Maintenance Department. The mean distance between failure for both buses and vans should improve with the delivery of new vans, and the development of better maintenance practices to support the new technology bus systems. Customer Service call volume continues to decline for the third quarter and this coincides with the Agency's efforts to push out real time information through the website and the new cell phone app. 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.

**10. Transit Capital Program Overview**

**8:45 a.m.** The Transit Capital Program Overview Presentation was provided in the Committee packet. Tracy Beidleman, Director Program Development & Grants, provided a brief overview. The Capital Budget was recently approved and the FY16 through FY18 budget will start on July 1, 2015. The Agency is currently receiving 5307 Urbanized Area Formula Funds and State of Good Repair Funds, which were previously called Fixed Guideway Funds. The Urbanized Area Formula Funds are received in the region based on the service the Agency operates, population density, bus service, Paratransit service and a variety of other criteria. The State of Good Repair funds are based on the light rail service provided, the amount of light rail miles operated, and years in service. These funds are received each year based on the level of funding appropriated by Congress. In the past, the Agency also received Congressional Earmark Funds that were appropriated to support revenue vehicle and major infrastructure needs. Those earmarks were eliminated in 2008 and replaced with Notices of Funding Availability (NOFAs). NOFAs are discretionary funds competed for across the country that include funding sources such as State of Good Repair, Bus Livability and Clean Fuels programs. Certain funding were formularized into the Bus and Bus Facility Formula programs under Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) in FY12. MAP-21 was signed into law by President Obama on July 6, 2012, and was in effect from October 1, 2012 through September 30, 2014; which was extended through May 31, 2015, through a continuing resolution authorized by Congress. Congress is currently in the process of signing a short term bill to extend MAP-21 through July 31, 2015. The Agency and other transit agencies are hoping that Congress approves a six year authorization bill. President Obama is proposing a Grow America bill which is a six year bill that goes beyond what is currently in MAP-21. There is also the possibility that Congress will propose its own six year program. If a six year plan is approved, it would strengthen the current programs and increase the funding, which would allow the Agency to plan more effectively. Some discussion followed regarding the FY16 through FY18 Capital Funds, Local Capital Sources of Funds, Federal Sources of Capital Funds, Discontinued Federal Funds, Discretionary Federal Funds, Rail-Specific Federal Formula Funds, Bus, Bus Facility and System Needs Federal Sources, Local Discretionary FHWA Federal Funds, and Capital Cash Flow by Use. This report was informational only and no Committee action was required, however, the Committee recommended that the presentation be forwarded to the full Board. A copy of the report will be kept at the office of the Deputy Secretary.

**11. Unscheduled Business**

**9:16 a.m.** No unscheduled business.

**12. 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).**

**9:16 a.m.** Pursuant to the requirements of Section 610.021 (1) of the Revised Statutes of Missouri, Commissioner Buehlhorn requested a motion to allow the Committee to go into closed session. A motion was made by Commissioner Golliday and seconded by Commissioner Dietzel. A roll call vote was taken and the Commissioners present: Brown, Farrell, Buehlhorn, Golliday, Holman, and Dietzel voted to approve this agenda item. **Motion passed unanimously.**

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

**10:10 a.m.** The next Audit Committee meeting is scheduled for Friday, May 22, 2015, at 8:00 a.m.; the next Board meeting is scheduled for Friday, June 26, 2015, at 8:00 a.m.; and the next Operations Committee meeting is scheduled for Tuesday, August 18, 2015, at 8:00 a.m.

**14 Adjournment**

**10:10 a.m.** A motion to adjourn the Open Session Operations Committee meeting was made by Commissioner Dietzel and was seconded by Commissioner Farrell. **Motion passed unanimously.**