

BOARD OF DIRECTORS MEETING

MONDAY NOVEMBER 19, 2018 3:30 P.M.



TRINITY  METROSM

BOARD OF DIRECTORS MEETING

AGENDA

MONDAY NOVEMBER 19, 2018 3:30 P.M.

Intermodal Transportation Center (ITC)
Downtown Fort Worth
1001 Jones Street, 2nd Floor Community Room
Fort Worth, Texas 76102

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. CITIZEN COMMENTS

D. ADMINISTER OATH OF OFFICE – Detra Whitmore

E. REPORT OF NOMINATING COMMITTEE – Tito Rodriguez

F. ELECTION OF OFFICERS FOR FY2019 – Albon Head

G. COMMITTEE REPORTS

- **Regional Transportation Council (RTC) – November 8, 2018 – Scott Mahaffey**
- **Commuter Rail Committee Working Session – November 12, 2018 – Nick Genua**
- **Planning/Operations/Marketing Committee Working Session– November 12, 2018 – Ray Taylor**
- **Finance & Audit Committee Working Session – November 12, 2018 – Jon Michael Franks**

H. ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA

I. CONSENT AGENDA

1. **BA2019-11 Increase Funding for Trinity Railway Express (TRE) Operations and Maintenance for Positive Train Control (PTC) Support**
2. **BA2019-12 TEXRail Parsons/TranSystems Design Contract NO 14-030 Amendment**
3. **BA2019-13 FY2019 Key Performance Indicators**
4. **BA2019-14 Investment Policy & Resolution**
5. **BA2019-15 Approved Brokers and Dealers List**
6. **BA2019-16 Audit Services**



- 7. BA2019-17 Delegated Bank and Investment Authorization
- 8. BA2019-18 Fiscal 2019 Authorization to Submit Grant Applications and Related Funding Resolutions
- 9. BA2019-19 Oracle Managed Services
- 10. BA2019-20 Concrete Repair Services
- 11. BA2019-21 Window Cleaning Services
- 12. BA2019-22 Lee's Lawn & Garden Services

J. ACTION ITEM

- 1. BA2019-23 Liability Claim – Inmon Wiley

K. PRESIDENT'S REPORT – Paul Ballard

L. CHAIR'S REPORT – Scott Mahaffey

M. OTHER BUSINESS

N. EXECUTIVE SESSION

The Board of Directors may convene in Executive Session under the Texas Open Meetings Act for the consultation with its Attorney pursuant to Section 551.071; deliberation regarding real property pursuant to Section 551.072; deliberation regarding prospective gift pursuant to Section 551.073; deliberation regarding personnel matters pursuant to Section 551.074; deliberation regarding security devices pursuant to Section 551.076 and/or deliberations regarding economic development negotiations pursuant to Section 551.087.

O. RECONVENE

P. VOTE ON ACTION TAKEN ON MATTERS DELIBERATED IN EXECUTIVE SESSION

Q. ADJOURN

NEXT MEETING WILL BE HELD ON DECEMBER 17, 2018 AT 3:30 PM AT THE INTERMODAL TRANSPORTATION CENTER, 2ND FLOOR COMMUNITY ROOM

This facility is wheelchair accessible.

For accommodations for hearing or sight interpretive services, please contact Melanie Kroeker 48 hours in advance at 817.215.8621.



CONSENT AGENDA ITEMS



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-11

Meeting Date: Nov. 19, 2018

Item Title: Increase Funding for Trinity Railway Express (TRE) Operations and Maintenance for Positive Train Control (PTC) Support

BACKGROUND

Trinity Railway Express (TRE) has a ten-year operations and maintenance contract with Herzog Transit Services, Inc. TRE will utilize Herzog Transit Services, Inc. for test trains, crews costs, Roadway Worker Protection/flagging, Employee in Charge (EIC) and professional services provided during installation and testing of Positive Train Control (PTC) which will increase the cost of the current contract by \$1,444,071 for a new total authorized contract amount not-to-exceed \$325,615,939.

This funding increase is included in both the Positive Train Control Project Budget and the Commuter Rail line item for the FY2019 Twenty-Year Financial Plan.

Approval of this funding increase will provide for the required safety protection, technical support, test personnel, and equipment during the installation and testing of PTC on the TRE corridor for commuter and freight rail services in the regional, as required by the Federal Railroad Administration (FRA).

The Rail Safety Improvement Act of 2008 (RSIA 2008) mandated that all railroads that are providing regularly scheduled commuter rail passenger service must develop a plan for implementing PTC before December 31, 2015, and the deadline was subsequently extended by Congress to December 31, 2018. Due to this mandate, TRE is required to install this technology.

RECOMMENDATION

The Commuter Rail Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Office to increase the current contract with Herzog Transit Services, Inc. in the amount of \$1,444,071 for a new authorized amount not to exceed \$325,615,939.

Disposition by Board of Directors

Secretary Approval: _____

DATE _____



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-12

Meeting Date: Nov. 19, 2018

Item Title: TEXRail Parsons/TranSystems Design Contract
No 14-030 Amendment

BACKGROUND

On October 20, 2014, Trinity Metro awarded Contract No. 14-030, as authorized by BA2015-10, to Parsons/TranSystems for TEXRail Final Design Services. Since that time, Parsons/TranSystems has provided the design services for the TEXRail Commuter Rail Project. This contract will currently expire on November 14, 2018.

Due to anticipated extension of the TEXRail construction phase into December 2018, Parsons/TranSystems will be required to continue to provide Phase 3 – Design Support Services during construction through the end of the construction phase.

This Board Action request would authorize Trinity Metro's President/Chief Executive Officer to issue a contract modification with Parsons/TranSystems that will extend the period of performance from November 14, 2018 through December 31, 2018, and add funds to continue Phase 3 – Design Support Services during Construction through the end of the Project.

PROCUREMENT

The additional amount for Final Design Services is based on current contracted rates. All of the work is in the Scope of Work of the current contract. This request would add billable hours and does not change the Scope of Work.

FINANCE

The work will be funded from the established TEXRail Program Contingency.

RECOMMENDATION

The Commuter Rail Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to issue a contract modification for Phase 3 – Design Support During Construction Services with Parsons/TranSystems (Contract 14-030) that will extend the period of performance to December 31, 2018, and extend the contract for an amount not-to-exceed \$100,000.00 for a revised total contract amount of \$37,237,607.00

Disposition by Board of Directors

Secretary Approval: _____

DATE _____



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-13
Item Title: FY2019 Key Performance Indicators

Meeting Date: Nov. 19, 2018

BACKGROUND

The fiscal 2019 Key Performance Indicators establish goals for Trinity Metro's operations. Goals are set as follows:

	FY2018	FY2019
Fixed Route Miles per Road Call	9,000	10,000
Fixed Route Collisions per 100k miles	1.75	1.35
Fixed Route On-Time Performance	93%	93%
Trinity Metro Access Miles per Road Call	12,000	12,000
Trinity Metro Access Collisions per 100k miles	0.95	0.50
Trinity Metro Access On-Time Performance	85%	88%

RECOMMENDATION

We request that the Planning, Operations, and Marketing Committee recommend to Trinity Metro's Board of Directors to adopt the proposed Key Performance Indicators for fiscal 2019.

Disposition by Board of Directors

Secretary Approval:

DATE



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-14
Item Title: Investment Policy & Resolution

Meeting Date: Nov. 19, 2018

BACKGROUND

Trinity Metro’s investment policy provides the framework and guidelines within which Trinity Metro investment activities are conducted. Legal authority regulating the investment of funds received by Trinity Metro is covered in Section 452.102 of the Texas Transportation Code and in the Texas Public Funds Investment Act, Chapter 2256, Texas Government Code (the “Act”). The Act provides that “The governing body of an investing entity shall review its investment policy and investment strategies not less than annually.” The Act also requires that this review be evidenced by rule, order, ordinance or resolution.

As noted above, the main purpose of this Committee Action Item and accompanying resolution is to provide the legal authority to manage Trinity Metro’s investment activities. Beyond that, the policy specifically addresses the following:

- Policy objectives and strategies
- The responsibilities of the Board of Directors and the Investment Officers
- Authorized investments
- Qualified institutions and brokers
- Collateralization and safekeeping
- Diversification and maturity
- Standard of care
- General investment practices

The investment policy requires that the Investment Officers attend 10 hours of investment training every two years, and Trinity Metro’s investment officer is currently in compliance with this provision.

PROPOSED AMENDMENTS TO THE INVESTMENT POLICY

Trinity Metro’s investment policy is in compliance with the Act. There are no recommended amendments to the policy.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro’s Board of Directors adopt the attached resolution and investment policy.

Disposition by Board of Directors

Secretary Approval: _____

DATE _____



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-15
Item Title: Approved Brokers and Dealers List

Meeting Date: Nov. 19, 2018

BACKGROUND

The Texas Public Funds Investment Act and Trinity Metro's Investment Policy require the Board of Directors to review and adopt, at least annually, a list of qualified security broker/dealers that are authorized to engage in investment transactions with Trinity Metro.

A copy of Trinity Metro's Investment Policy will be distributed to the selected security broker/dealers. The following firms are proposed as the authorized security broker/dealers, upon acceptance by the Board of Directors:

FTN Financial
Mutual Securities
Multi-Bank Securities
Ramirez & Company
Raymond James
Rice Financial
Wells Fargo Securities

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro's Board of Directors adopt the above list of broker/dealers as authorized security dealers or brokers authorized to engage in investment transactions with Trinity Metro.

Disposition by Board of Directors

Secretary Approval:

DATE



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-16
Item Title: Audit Services

Meeting Date: Nov. 19, 2018

BACKGROUND

As provided in Trinity Metro's enabling legislation, Chapter 452 of the Texas Transportation Code, as amended, Trinity Metro is required to have an annual audit performed by an independent certified public accountant or a firm of independent certified public accountants.

REQUEST FOR PROPOSAL (RFP)

In accordance with the Trinity Metro Procurement Policy, Request for Proposal (RFP 18-T047), for Financial Audit Services was advertised on Trinity Metro's website and sent to known firms for participation. The solicitation resulted in responses from four firms: BKD, Grant Thornton, Weaver and Whitley Penn. An evaluation committee reviewed and rated the proposals based on: 1) Qualifications of Firm; 2) Qualifications of Staff; 3) Work Plan/Project Approach; 4) Fee Proposal; and 5) DBE Certification Requirements. The proposal submitted by Weaver was rated the highest overall score, based on the evaluation criteria and interviews with the firms. Grant Thornton was rated the second highest.

Trinity Metro would utilize Weaver to perform the financial audit and other audits as required by the Texas Transportation Code and the Federal Transit Administration (FTA), and Grant Thornton's services will be utilized on an as needed basis for additional auditing services. This would provide Trinity Metro with resources that may be needed for specific expertise at designated times.

PROCUREMENT

Trinity Metro's Procurement Department has followed procurement policy with the Request for Proposal and is in compliance with all applicable Federal, State, and Trinity Metro procurement requirements.

FINANCING

Funds are available in the FY2019 Operating Budget to finance these contracts. Provisions for future years will be requested in the proposed annual budgets. The cost of providing any required audits is budgeted at \$77,500 for FY2019. The two-year contract cost is estimated to be \$160,000. Additional audit services will be based on hourly rates provided by both firms.

DBE UTILIZATION

The DBE Goal for this Solicitation is 25% minimum.
Both Weaver and Grant Thornton committed to meet the DBE goal for this solicitation.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to enter into a two-year contract agreement, with options to renew for three (3) additional one year terms, with Weaver for an estimated amount of \$160,000 for the first two years and approve Grant Thornton as an additional qualified audit firm and authorize expenditures with the firm on an as needed basis.

Disposition by Board of Directors

Secretary Approval:

DATE



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-17
Item Title: Delegated Bank and Investment Services

Meeting Date: Nov. 19, 2018

BACKGROUND

Trinity Metro's Investment Policy, adopted by the Board of Directors, states "the Vice President of Finance / Chief Financial Officer (CFO), Controller and Finance/Accounting Administrator, acting under the general supervision of the President / Chief Executive Officer (CEO), are responsible for administration of Trinity Metro's comprehensive cash management and investment program, and are designated as Trinity Metro's Investment Officers." As a function of those responsibilities, the following persons are hereby authorized to execute all contract and other agreements necessary to establish bank and investment accounts, with the express powers granted to enter into treasury management services agreements as necessary for account transactions, including but not limited to wire and ACH transfers:

Name	Title	Signature
Paul J. Ballard	President/Chief Executive Officer	_____
Monica Fowler	Vice President/Chief Financial Officer	_____
Christopher Grenier	Controller	_____
Teresa Mendoza	Finance/Accounting Administrator	_____

Additionally, the Investment Policy allows the Vice President/Chief Financial Officer and Controller to delegate day-to-day administration duties to other employees.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro Board of Directors adopt the above Delegated Bank and Investment Authorization.

Disposition by Board of Directors

Secretary Approval: _____

DATE _____



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-18

Meeting Date: Nov. 19, 2018

Item Title: Fiscal 2019 Authorization to Submit Grant Applications and Related Funding Resolutions

BACKGROUND

Trinity Metro routinely applies for and receives Federal and/or State grants to support its transit initiatives. These grants are generally used for funding capital projects, although certain operating activities are occasionally partially funded with grants. This Action Item provides Board approval to pursue all grants and submit any application for a grant that is intended to fund any budgeted capital project or operating activity of Trinity Metro. It also authorizes the Board Chair and Board Secretary to execute any resolution that is required by a grant application that Trinity Metro is submitting.

This item is reviewed and approved annually by the Board of Directors.

FINANCING

Grant applications are submitted based on the Financial Plan and consideration of financial constraints and financial policies.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to submit grant applications that could provide federal, state and local funding for any budgeted capital project or operating activity. It is also recommended that the Board of Directors authorizes the Board Chair and Board Secretary to execute any resolution that is required by a grant application that Trinity Metro is submitting.

Disposition by Board of Directors

Secretary Approval:

DATE



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-19
Item Title: Oracle Managed Services

Meeting Date: Nov. 19, 2018

BACKGROUND

Trinity Metro has successfully launched its new Enterprise Resource Planning software, Oracle's JDE EnterpriseOne, which replaces Ellipse as the back office business system. This Oracle software was integrated into Trinity Metro's infrastructure by Denovo, an Oracle Platinum Partner. Denovo has been providing technical and functional support to Trinity Metro throughout this project, as the skills necessary to support this software and systems require expertise that would not be advisable to develop internally or staff full or part-time.

Additionally, due to EnterpriseOne and all Trapeze products residing on an Oracle database, the necessity for Trinity Metro to have access to a database administrator (DBA) is a must as database updates, monitoring, and refreshes are required through the lifetime of the products.

To address this expertise gap, Trinity Metro has decided to continue the outsourcing of the advanced administrative operations necessary to support EnterpriseOne to Denovo for the duration of one year, followed by a needs assessment going into the 2020 budget cycle. This extension will also include the provision of an Oracle DBA to provide operational support, listed above, for all of Trinity Metro's systems that reside on an Oracle database (Enterprise ONE, all Trapeze products).

PROCUREMENT

Procurement approves Denovo as a Sole Source technical and functional services provider associated with our existing JDE EnterpriseOne contracts. Denovo is familiar with the products and services implemented for the software system, and has familiarity with the technical systems that can provide continuity in the needed requirements to complete implementation support at a reasonable and fair cost. It is in Trinity Metro's best interest to maintain the current relationship during the first year of usage.

FINANCING

Funds were approved in the FY2019 Operating budget as part of the IT Department's Professional Services and Maintenance contracts.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to enter into a contract with Denovo for Oracle Managed Services for \$136,450 with a 5% contingency (\$6,823 for unforeseen service needs), for a total estimated contract amount of \$143,273.

Disposition by Board of Directors

Secretary Approval:

DATE



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-20
Item Title: Concrete Repair Services

Meeting Date: Nov. 19, 2018

BACKGROUND

Trinity Metro requires concrete repairs to its bus and parking lots, on an as-needed basis. The repairs must match the existing concrete elements at each location. By having this contract in place, needed repairs can be performed timely and at a lower cost.

INVITATION FOR BIDS (IFB)

In accordance with Trinity Metro's Procurement Policy, Invitation for Bids (IFB18-T031) for Concrete Repair Services was advertised locally and on Trinity Metro's web site.

Two firms responded to the solicitation, with Westhill Construction, Inc., found as the lowest responsible bidder. The budgeted amount for FY19 of a five-year contract is \$215,000. This would result in an estimated contract of \$1,075,000 over five (5) years. The last five-year contract was for \$1,050,000.

DBE UTILIZATION

The recommended bidder meets Trinity Metro's 25 percent specified DBE goal. Westhill Construction, Inc. is not a DBE vendor, but will be utilizing an MBE firm for trucking services.

FINANCING

Funds are available in Trinity Metro's FY2019 Capital Budget to finance this contract for FY19, and funding for future years will be requested in the subsequent years.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to execute a contract for the remainder of FY2019, including four (4) one-year renewable extensions with Westhill Construction, Inc. for concrete repairs in the amount of \$215,000 for the first contract term. Additional option years will be funded as budgeted.

Disposition by Board of Directors

Secretary Approval: _____

DATE _____



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-21
Item Title: Window Cleaning Services

Meeting Date: Nov. 19, 2018

BACKGROUND

Trinity Metro desires to contract with a capable and reputable firm to provide window cleaning services twice a year for the Texas & Pacific Building (T&P), the Hershel R. Payne (HRP) Building, Intermodal Transportation Center (ITC), Mahaffey Maintenance Facility (MMF), and the new Trinity Metro Headquarters location (Grove Street Building), once renovation are complete.

INVITATION FOR BIDS

In accordance with the Trinity Metro's Procurement Policy, Invitation for Bids (IFB 19-T001) for Window Cleaning Services was advertised locally and on Trinity Metro's web site.

One (1) firm responded to the solicitation and complied with the bid package. The IFB is based on a two-year contract with three (3) one-year options to renew. The response from the firm was as follows:

BID TABULATION

<u>Bidder</u>	<u>Estimated Total</u>
Fort Worth Window Cleaning, Inc.	\$19,989 per year (with Grove Street Included)

FINANCING

The estimated annual cost for the first contract period is \$11,059.00. Funds are available in Trinity Metro's FY2019 Operating Budget to finance this contract for the first year. Funds for the remainder of the contract and extensions will be requested in each year's proposed annual operating budget.

DBE

There were no opportunities for DBE subcontracting participation identified for this contract.

RECOMMENDATION

The Finance and Audit Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to execute a two-year contract, including three (3) one-year renewable extensions, with Fort Worth Window Cleaning, Inc. for Window Cleaning Services in the amount of \$11,059.00 for the first year of the contract. The estimated contract total for all five years is \$91,015.00.

Disposition by Board of Directors

Secretary Approval: _____

DATE _____



BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-22

Meeting Date: Nov. 19, 2018

Item Title: Lee's Lawn and Garden Services

BACKGROUND

Board Action BA2015-64 approved by Trinity Metro's Board of Directors to enter into a Contract with Lee's Lawn and Garden Services to provide landscape and landscape maintenance services for a six-year period at a total cost of \$230,400.00.

This Contract was for eight specific Trinity Metro locations to be serviced weekly or monthly. These locations are the HRP complex, the Procurement building (Pine Street), Auxiliary bus and staff parking, the Eastside Transfer Center, the Intermodal Transportation Center (ITC), the Alarm Supply Building, the South Park and Ride, and the North Park and Ride.

At this time additional properties will be added to the Contract that have been acquired through the TexRail project. Other services are required to avoid code compliance issues with the purchase of these additional properties. This change will fund the contract through the original term with these additional properties.

Additional properties include:

101, 108, 109, 116, 117, 124 and 132 Hogg Street, Fort Worth
1512, 1519 and 1525 Belknap Street, Fort Worth
213 Wilderman Street, Fort Worth
1604, 1608, 1610, and 1615 Bluff Street, Fort Worth
1412 East First Street, Fort Worth
1400 and 1401 East Second Street, Fort Worth
1502, 1510, 1514, and 1518 Weatherford Street, Fort Worth
Downtown Fort Worth fields (110 and 410 Live Oak)
Purina fields, Fort Worth
801 Grove Street, Fort Worth
105 Watson Street, Arlington

Additional funds for this Contract are to be included in the next three fiscal year budgets.

PROCUREMENT

Trinity Metro's Procurement Department has followed procurement policy and is in compliance with all applicable Federal, State, and Trinity Metro procurement requirements.

FINANCING

Funds are available in Trinity Metro's FY2019 Operating Budget to finance additional funds, and funding for future years will be requested yearly during the budgeting process.

RECOMMENDATION

The Finance and Audit Committee recommends Trinity Metro’s Board of Directors authorize the President/Chief Executive Officer to increase the existing Lee’s Lawn and Garden Services contract of \$230,400 by \$250,000 for the remainder of the three year period with a not-to-exceed amount of \$480,000.00

Disposition by Board of Directors

Secretary Approval:

DATE



ACTION ITEM

BOARD OF DIRECTORS

ACTION ITEM

Item Number: BA2019-23
Item Title: Liability Claim

Meeting Date: Nov. 19, 2018

BACKGROUND

As adopted in Trinity Metro's policy, the Board of Directors must approve settlements of liability claims over \$50,000.

The following claim has been incurred with an amount in excess of \$50,000

Date of Loss	Claim Number	Description Of Loss	Settlement Amount
May 1, 2017	17-043	Medical / Bodily Injury	\$65,000

Damages and Demand:

Liability has been determined. Due to the nature of this claim, the negotiated personal injury settlement is \$65,000.

RECOMMENDATION

We recommend that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to pay the claim as described above.

Disposition by Board of Directors

Secretary Approval:

DATE

