

MINUTES
MEETING OF THE BOARD OF DIRECTORS
OPERATIONS COMMITTEE
METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

May 16, 2011

The Board of Directors Operations Committee met on May 16, 2011 at 10:11 a.m. in the Board Room on the 6th Floor of the MARTA Headquarters Building, 2424 Piedmont Road, Atlanta, Georgia.

Board Members Present

Juanita Jones Abernathy
Harold Buckley, Sr.
Wendy Butler
Jim Durrett
Adam Orkin

MARTA officials in attendance were: General Manager/ CEO Ted Basta (Acting); Deputy General Manager/COO Rich Krisak (Acting); AGMs Deborah Dawson, Wanda Dunham, Inez Evans (Acting), Ben Graham, Jonnie Keith, Cheryl King, Ryland McClendon, Elizabeth O'Neill, Gary Pritchett and Tim White (Acting); Sr. Directors Rhonda Briggins, Johnny Dunning and David Springstead; Directors Rich Boullain (Acting), Anton Bryant, Lisa DeGrace, Lowell "Rip" Detamore, Reginald Diamond, Joe Erves, Garry Free, Scott Haggard, Charlotte Harris, Lyle Harris, Jennifer Jinadu-Wright, Connie Krisak and Carol Smith; Managers Donna DeJesus, Roosevelt Stripling and Marvin Toliver; Sr. Executive Administrator to the MARTA Board of Directors Kellee Mobley; Sr. Executive Administrator Tyra J. Wiltz; Executive Administrator Renee Willis. Others in attendance Timothy Andrews, Ann Marie Boyd, Marquellus Rowe (Intern), Ivelisse Matos and Negesha Stone-Boyd.

Also in attendance Charles Pursley, Jr. of Pursley, Lowery, & Meeks; Matthew Pollack of MATC; Pam Anderson of LTK.

Minutes of the April 18, 2011 Operations & Development Committee Meeting

On motion by Mr. Orkin seconded by Mrs. Butler, the minutes were unanimously approved by a vote of 4 to 0, with 4 members present.

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Resolution Authorizing Award of a Contract for Pest and Pigeon Control Services, CP B22174

Mr. Free presented this resolution authorizing the General Manager/CEO or her delegate to enter into a contract with Cannon Termite & Pest Control for Pest and Pigeon Control Services. The purpose of the contract is to obtain services as required and as needed to the Authority for the elimination and prevention of pests in the rail stations, operation and maintenance facilities, support facilities, Headquarters complex, landscape areas, aerial structures, rail cars and buses.

The contract is recurring and replaces CP B10900 which expires on September 30, 2011. The Contract term is three (3) years base with a one (1) year option.

Mrs. Abernathy asked if staff is sure the solution will not kill the pigeons.

Mr. Free explained that corn is bated with a solution that disorients the birds. Since they are creatures of habit, they will remember and not come back to that location.

On motion by Mrs. Butler seconded by Mrs. Abernathy, the resolution was unanimously approved by a vote of 4 to 0, with 4 members present.

Resolution Authorizing a Funding Increase for Consulting Services by Bureau Veritas North America, Inc. for the Safety, Health & Industrial Hygiene Contract

Mr. White presented this resolution for Board of Directors' approval. The resolution authorizes a \$500,000 increase in the Cost Limitation for BVNA Inc. to provide safety and health consulting services through June 30, 2012 supporting on-call system safety related projects to MARTA operating units. BVNA Inc. is a safety and health consultant based in Kennesaw, Georgia specializing in system safety audits, asbestos and lead investigations, industrial hygiene services and system safety and security planning.

This contract was originally authorized by the Board of Directors for a five-year period, effective July 1, 2007 with an initial cost limitation of \$1.5M. A previous funding increase request was presented in May 2010 for an additional \$1M. The Board approved \$500,000 and instructed staff to request additional funding this year as needed. Since that time, staff tracked the current spending rates for this fiscal year and determined that an additional \$500,000 will be needed to provide

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the safety and health services required for FY 2012. As of April 1, 2011, \$466,000 has been invoiced for the fiscal year. Currently the spend rate is \$45,000-\$50,000 per month. The amount remaining in the current authorization is approximately \$152,000. It is estimated that the current authorization will be fully exhausted by the end of this fiscal year (6/30/11).

Mr. Orkin asked the original cost for 2012.

Mr. White responded that the initial limitation was \$1.5M. Prior to that time, staff always brought the Architecture & Engineering (A&E) contract to the Board for a one year authorization and one year funding request. This was the first time staff requested a multi-year contract – 3 years worth of funding with a 5-year term authorization. From 2002 – 2007, approximately \$500,000 per year was spent for this contract.

Mr. Orkin asked if a scope of work was ever done to determine where there is lead paint and asbestos in MARTA's stations/facilities.

Mr. White stated that MARTA has done a comprehensive survey of all facilities for asbestos. Lead paint is done on an as-need basis. MARTA has a fully developed asbestos management plan. EPA and OSHA recommend that the Authority manage these materials "in place" and not perform abatement for the sake of abatement.

Mr. Orkin said the Board needs an understanding of what facilities have asbestos and lead paint. He stated that this is a lot of money to request without rebidding. He further noted that he would like to see the contract run its term and then rebid it.

Mr. Durrett asked for clarification on the expenditure of funds.

Mr. Basta stated that the current spend rate is \$45,000 to \$50,000 a month. Assuming the current spending pattern, the funds will be exhausted by the end of June. Most of the funds are being used for asbestos abatement.

Mr. White noted there are two major projects that involve asbestos abatement – the fire systems upgrade and the public address system.

Mr. Basta said if MARTA rebids the contract, it will take roughly six months. In the meantime, this would stop or severely curtail the asbestos abatement effort.

Mr. Orkin stated that he too is focused on safety – it is his number one concern. His concern is also the cost of this service versus a budget line item. Where does the \$500,000 come from?

Mr. White explained there is funding in the Capital Budget to cover all work to be done. The contract authorization is a vehicle to bring in the consultant to provide the service that has already been budgeted.

Mrs. Butler asked for clarification, noting that it is her understanding there is a change because we changed capital projects because of the funding reduction to do more in-house maintenance. It's the in-house maintenance that is causing an increased need for asbestos and lead abatement.

Mr. White responded it has more to do with how funds are currently being spent. There are more repairs that do not qualify as capital projects. This contract is being used to perform abatement services and emergency repairs. There is more abatement due to renovation projects. It's a combination of contracted projects as well as in-house projects.

Mr. Durrett summarized. MARTA has a five-year contract to provide these services. Initially, the Board was asked for three years of funding with the understanding that staff would come back in subsequent years to ask for the remaining funding. At the end of the three years, staff asked for funding for the remainder of the contract. The Board approved one year and asked that staff come back at the end of the fourth year for approval of the final year (5th year).

Mr. Orkin asked that staff remodel operations, i.e., the operations side for everyday running of the business and the capital improvement side would encompass all the capital improvements, i.e., rewiring, building new stations, etc. To facilitate a smoother flow, contracts would be separate – one for operations and one for capital improvements. Referencing the contract, Mr. Orkin noted that the contract has a cost limitation of \$2M effective through June 30, 2012. He asked staff to focus on the contractual obligation of \$2M. He asked that staff inform the Board if any of the \$2M is applied to capital improvements. He said he would like to hear more input from the Board on this matter.

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Mr. Durrett said he is sensitive that the contract will run out of money by the end of June. He asked staff to provide more information to the Board in order to take this matter up at the June Operations Committee.

Mr. Basta said a briefing paper would be provided showing the history and dollars spent on operations and capital.

Mrs. Butler said the Board is being asked for approval of a \$500,000 increase. Information that would help the Board better understand the \$500,000 increase would be helpful.

Mr. Krisak said one of the cost drivers in terms of the use of this service is the fire protection contract which was not envisioned three years ago when this contract was awarded. It is a Federal stimulus program funded through the Federal government. The Authority is on a tight schedule to deliver.

Mrs. Butler motioned to table the Resolution until the June 20, 2011 Operations Committee meeting. Mr. Orkin seconded. The Board approved by a vote of 4 to 0, with 5 members present.

Mr. Buckley abstained.

Resolution Authorizing the Rejection of Sole Bid Received for Revenue Vehicle Towing Services, Contract Proposal Number B21832

Mr. Bryant presented this resolution for Board of Directors' approval authorizing the General Manager/CEO or her delegate to reject the sole bid received for Revenue Vehicle Towing Services, Contract Proposal Number B21832.

On motion by Ms. Butler seconded by Mr. Buckley, the resolution was unanimously approved by a vote of 5 to 0, with 5 members present.

Briefing – Structural Inspection, AE 22541 – David Springstead

This briefing was provided to inform the Committee of an upcoming, qualifications-based selection process to provide a consultant for structural inspection engineering services. The anticipated duration of the contract is five (5) years, beginning in FY 2012.

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To comply with the MARTA System Safety Plan and APTA standards, MARTA's Track and Structures branch staff inspects the rail system's aerial structures, tunnels and vehicular bridges on a biennial cycle. In 2005, MARTA contracted with a Structural Inspection Engineering Consultant to perform a comprehensive detailed inspection of the rail system's aerial structures and vehicular ridges and provide a condition rating and condition survey for every structure. This inspection program created a baseline for MARTA's management of its aerial structure assets and served as an external audit of MARTA's in-house structural inspection procedures and findings. The current contract will expire on June 30, 2011.

Continued utilization of a Structural Inspection Engineering Consultant is recommended. Reliable and timely condition assessment of the structural assets is critical to MARTA's preparedness for daily operations and the preservation and rehabilitation of assets through their expected lifetime.

The selected consultant will perform as follows:

- Comprehensive, detailed inspection program for nine (9) miles of transit tunnels
- Retaining walls – 18 miles
- U-walls – 2.5 miles
- Culverts (3) and storm water pipes crossing MARTA tracks
- Scour evaluations for ten (10) aerial structures over creeks
- Follow-up and on-call inspections for any MARTA structure as requested by MARTA
- Periodic Quality Assurance review of MARTA's in-house inspection activities
- Recommendations on the levels of rehabilitation needed to preserve MARTA's structural assets
- Design services for the rehabilitation of structures

The procurement process comprises four steps:

- Solicitation
- Short listing
- Interview and selection
- Negotiation and approval of contract

The contract by definition is considered a professional services contract. A Selection Committee has been established for this procurement. The Committee

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has technically qualified individuals with particular training or experience for this procurement. The Committee is comprised of members of the Authority's staff.

MARTA staff will return to the Operations Committee to request permission to negotiate with the most qualified firm. Funding for these services is identified in MARTA's 10-year Capital Improvement Program.

Mrs. Butler asked why the cost of the contract would not be a factor in awarding the contract

Mr. Springstead answered because it is an Architecture & Engineering service, MARTA is looking for the most qualified consultant.

KPIs

Mr. Krisak presented a report on KPIs

- **Bus**
 - Slightly exceeding on-time performance.
 - Slightly below mean distance between failure, due to issues with closing out work orders at Laredo. Improvements are being made in this area.
 - Mean distance between service interruptions has been affected by a rash of recent accidents. A remediation plan will put drivers through defensive driving courses.

- **Rail**
 - Rail KPIs are all 'at' or 'above' the targeted goal

- **Mobility**
 - On-time performance has been affected by a rash of absenteeism. Mobility is working closely with HR to develop a pool of operators that are available to fill unfilled calls.
 - Average Call Wait Time and Call Abandonment Rate have exceeded the target goals due to an 18% increase in call volume. Operations personnel will be trained to fill in as needed.

- **Escalator Availability**
 - There are ten units out for rehab and five units awaiting repair.

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Safety & Security KPIs

- Showing increase in bus collisions which has affected on-time performance
- Mobility accidents are down
- Experienced an increase in employee accidents

Mrs. Abernathy stated on-time performance is a constant complaint at the public hearings. The public is saying they have to wait as long as 1-1/2 to 2 hours for their ride.

Mr. Basta stated there are 35 vacancies in Mobility, which translates to a 15% vacancy rate. It becomes very difficult to deliver on-time performance.

Mrs. Dawson said once hired, the new drivers have to spend several weeks with an experienced driver.

Mrs. Abernathy advised that ADA be notified of this situation so that they can convey this information to the customer.

Mr. Durrett asked for a briefing on this issue at the next Operations Committee meeting.

Other Matters

Public Hearings (all begin at 7:00p.m.)

May 16:

City of Atlanta – Mrs. Abernathy
S. Fulton – Dr. Edmond

May 17:

DeKalb – Mr. Durrett
N. Fulton – Mrs. Kaufman

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Mr. Durrett advised Board members to review the Committee Look-Ahead listing.

Adjournment

The meeting of the Operations Committee adjourned at 10:55 a.m.