

A RESOLUTION

APPROVING AND ACCEPTING THE MAY 2021 WORKING COMMITTEE REPORTS, FINANCIAL AND INVESTMENT REPORTS, AND MAKING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT

WHEREAS, certain committees of the Metropolitan Transit Authority of Harris County, Texas Board of Directors (the "Board of Directors") held meetings in May 2021; and

WHEREAS, each such committee has provided the Board of Directors with a monthly committee report; and

WHEREAS, the materials for this meeting of the Board of Directors include certain finance and audit-related reports and supporting documents, including the Compliance Report for the period ended April 30, 2021, the May 2021 Sales & Use Tax Report, the April 2021 Investment Report, the April 2021 Debt Report, the April 2021 Monthly Performance Report, and the Monthly Report of the Chief Financial Officer dated May 20, 2021 (collectively, the "Finance and Audit materials"); and


WHEREAS, the Board of Directors has reviewed such materials, including the April 2021 Investment Report.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The Board of Directors hereby approves and accepts the May 2021 Finance and Audit Committee, Administration Committee, Capital and Strategic Planning Committee and Public Safety, Customer Service & Operations Committee monthly reports and the Finance and Audit materials, including the April 2021 Investment Report.

Section 2. This Resolution is effective immediately upon passage.

I hereby certify that the above resolution is accurate in describing the action herein of the Board of Directors on the date below.

  
Cydonii V. Fairfax

Executive Vice President & General Counsel

PASSED this 27<sup>th</sup> day of May, 2021

APPROVED this 27<sup>th</sup> day of May, 2021

ATTEST:

  
Reka Perry  
Assistant Secretary



  
Carrin F. Patman  
Chair

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE A CONTRACT MODIFICATION WITH MCDONALD MUNICIPAL AND INDUSTRIAL, A DIVISION OF C.F. MCDONALD ELECTRIC, INC. FOR CONSTRUCTION SERVICES FOR THE REHABILITATION OF THE KASHMERE BUS OPERATING FACILITY TRANSFORMER TO EXTEND THE CONTRACT TERM AND TO INCREASE THE MAXIMUM CONTRACT AMOUNT, AND MAKING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT

WHEREAS, pursuant to Resolution 2019-104, the Metropolitan Transit Authority of Harris County, Texas ("METRO") entered into a contract with McDonald Municipal and Industrial, a division of C.F. McDonald Electric, Inc., for construction services to replace, upgrade or rehabilitate the existing electric transformer system at the Kashmere Bus Operating Facility (the "Kashmere Bus Operating Facility Transformer Project"); and

WHEREAS, the project is currently under construction, but unforeseen site conditions differing materially from what was originally contemplated have been identified, causing a design change of the planned building foundation; and

WHEREAS, following completion of the design change, additional construction services are necessary due to the revised foundation for the project; and

WHEREAS, based on the foregoing, management recommends that METRO execute a modification of METRO's existing contract with C.F. McDonald Electric, Inc. for construction services for the Kashmere Bus Operating Facility Transformer Project to extend the contract term to December 31, 2021, and to increase the maximum payment amount by \$207,499.00, including a \$75,000.00 owner controlled contingency), resulting in a new maximum contract amount of \$3,692,368.00.


NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The METRO Board of Directors hereby authorizes the President & CEO to execute a modification of METRO's existing contract with McDonald Municipal and Industrial, a division of C.F. McDonald Electric, Inc. for construction services relating to the rehabilitation of the electric transformer system at the Kashmere Bus Operating Facility to extend the contract term to December 31, 2021, and to

increase the maximum contract amount by \$207,499.00, including a \$75,000.00 owner controlled contingency, resulting in a new maximum contract amount of \$3,692,368.00.

Section 2. This Resolution is effective immediately upon passage.

I hereby certify that the above resolution is accurate in describing the action herein of the Board of Directors on the date below.


  
Cydonii Fairfax  
Executive Vice President & General Counsel

PASSED this 27<sup>th</sup> day of May, 2021  
APPROVED this 27<sup>th</sup> day of May, 2021

ATTEST:

  
Recca Perry  
Assistant Secretary



  
Carrin F. Patman  
Chair

A RESOLUTION

AUTHORIZING AN AMENDMENT TO EACH OF THE METRO DEFINED CONTRIBUTION PLANS TO ESTABLISH A COMMITTEE FOR THE ADMINISTRATION AND INVESTMENT OF SUCH PLAN AND TO AUTHORIZE THE PRESIDENT & CEO TO APPOINT COMMITTEE MEMBERS, AND APPROVING THE CHARTER FOR EACH COMMITTEE; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT

WHEREAS, the Metropolitan Transit Authority of Harris County, Texas ("METRO") is the sponsor of three (3) defined contribution retirement plans for employees: (1) 401(a) Defined Contribution Pension Plan, (2) 457(b) Deferred Compensation Plan, and (3) 401(a) Savings Plan (collectively, the "Plans"); and

WHEREAS, management recommends that the METRO Board of Directors amend each of the Plans as necessary to establish a committee responsible for the investment and administration of the plan and to delegate authority to the President & CEO to appoint and remove the members of such committee; and

WHEREAS, in accordance with best practice and to set forth additional procedures for fiduciary oversight of the plans, management recommends that the METRO Board of Directors approve a charter for each committee (collectively, the "Committee Charters"), attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The METRO Board of Directors hereby adopts and approves an amendment to each of the METRO Defined Contribution Plans to establish as necessary a committee for the administration and investment of such plan and to delegate authority to the President & CEO to appoint and remove the members of the committee; approves the charters for the committees (attached hereto as Exhibit A). and authorizes the President & CEO to execute all other documents and to take such other actions as may be necessary or appropriate to effectuate or carry out the purposes and intent of this Resolution.

Section 2. This Resolution is effective immediately upon passage.

I hereby certify that the above resolution is accurate in describing the action herein of the Board of Directors on the date below.




Cydonii Fairfax  
Executive Vice President & General Counsel

PASSED this 27<sup>th</sup> day of May, 2021  
APPROVED this 27<sup>th</sup> day of May, 2021

ATTEST:

  
Recca Perry  
Assistant Secretary



  
Carrin F. Patman  
Chair

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO NEGOTIATE AND EXECUTE A CONTRACT WITH OPTUM TO PROVIDE PHARMACY BENEFIT MANAGEMENT SERVICES TO METRO NON-UNION EMPLOYEES, AND MAKING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT

WHEREAS, the Metropolitan Transit Authority of Harris County, Texas' ("METRO") has issued a Request for Proposals for pharmacy benefit management services for its non-union employees because its current contract for such services is scheduled to expire on September 30, 2021; and

WHEREAS, the proposal from Optum was determined to offer the most advantages and best overall value to METRO; and

WHEREAS, management recommends that METRO enter into a three (3) year contract with Optum for pharmacy benefit management services, with a maximum contract amount of \$18,939,818.00.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The METRO Board of Directors hereby authorizes the President & CEO to negotiate and execute a three (3) year contract with Optum to provide pharmacy benefit management services to non-union employees, with a maximum contract amount of \$18,939,818.00.

Section 2. This Resolution is effective immediately upon passage.

I hereby certify that the above resolution is accurate in describing the action herein of the Board of Directors on the date below.

  
Cydonii Fairfax

Executive Vice President & General Counsel


PASSED this 27<sup>th</sup> day of May, 2021

APPROVED this 27<sup>th</sup> day of May, 2021

ATTEST:

  
Recca Perry  
Assistant Secretary



  
Carrin F. Patman  
Chair

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO NEGOTIATE AND EXECUTE A CONTRACT MODIFICATION WITH BGE, INC. FOR ENGINEERING DESIGN SERVICES FOR THE REHABILITATION OF THE KASHMERE BUS OPERATING FACILITY TRANSFORMER TO EXTEND THE CONTRACT TERM, AND TO INCREASE THE MAXIMUM CONTRACT AMOUNT, AND MAKING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT

WHEREAS, the Metropolitan Transit Authority of Harris County, Texas ("METRO") entered into a contract with BGE, Inc. to provide engineering design services for the rehabilitation of the electric transformer system at the Kashmere Bus Operating Facility; and

WHEREAS, pursuant to Resolution 2020-126, such contract was modified to extend the contract term and to increase maximum contract amount to pay BGE, Inc. for making a design change due to unforeseen site conditions; and

WHEREAS, additional engineering support services are now required during the construction phase of the project to confirm its compliance with the modified design; and

WHEREAS, based on the foregoing, management recommends that METRO negotiate and execute another contract modification to extend the contract term to December 31, 2021 for BGE, Inc. to provide additional engineering design services during the construction phase of the rehabilitation of the transformer located at the Kashmere Bus Operating Facility, and to increase the maximum payment amount by \$41,300.00, resulting in a maximum contract amount of \$150,400.00.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The METRO Board of Directors hereby authorizes the President & CEO to negotiate and execute a modification of METRO's existing contract with BGE, Inc. for engineering design services for the rehabilitation of the electric transformer system at the Kashmere Bus Operating Facility to extend the contract term to December 31, 2021, and to increase the maximum payment amount by \$41,300.00, resulting in a maximum contract amount of \$150,400.00.

Section 2. This Resolution is effective immediately upon passage.

I hereby certify that the above resolution is accurate in describing the action herein of the Board of Directors on the date below.


  
Cydonii Fairfax

Executive Vice President & General Counsel


PASSED this 27<sup>th</sup> day of May, 2021

APPROVED this 27<sup>th</sup> day of May, 2021

ATTEST:

  
Recca Perry  
Assistant Secretary



  
Carrin F. Patman  
Chair