

RESOLUTION NO. 2013 - 40

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH KRAUTHAMER & ASSOCIATES FOR EXECUTIVE SEARCH FIRM SERVICES; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of executive search services to assist in its search for suitable candidates for the position of President & CEO; and

WHEREAS, METRO's board officers evaluated and interviewed prospective firms to provide the executive search services; and

WHEREAS, METRO's board officers recommend Krauthamer & Associates to provide the executive search services; and


WHEREAS, the contract with Krauthamer & Associates provides for payment of 33 1/3% of the amount of compensation paid to the President & CEO if hired, plus direct expenses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract to Krauthamer & Associates for executive search services, for an amount up to 33 1/3% of the compensation paid to the President & CEO, plus direct expenses.

Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXTEND THE CONTRACT WITH MARSH USA, INC. FOR INSURANCE SERVICES FOR THE METRORAIL EXPANSION PROJECT; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of insurance services for its METRORail Expansion project; and

WHEREAS, METRO has a current contract with Marsh USA, Inc. to provide the insurance services; and

WHEREAS, METRO desires to extend the contract for insurance services with Marsh USA, Inc. until October 31, 2013 for an amount not to exceed \$320,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract a contract modification to Marsh USA, Inc. for insurance services, extending the contract until October 31, 2013 for an amount not to exceed \$320,000.


Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT TO NATIONAL BUS SALES AND LEASING, INC. FOR THE PURCHASE OF METROLIFT PARATRANSIT VANS; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of METROLift paratransit vans to serve its customers; and

WHEREAS, an invitation for bids was issued for the purchase of METROLift paratransit vans; and

WHEREAS, the bids were evaluated and National Bus Sales and Leasing, Inc. was found to be technically responsible and the lowest responsive bid; and

WHEREAS, METRO staff recommends a three year contract for the purchase of METROLift paratransit vehicles with National Bus Sales and Leasing, Inc. for an amount not to exceed \$9,441,219.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract for the purchase of METROLift paratransit vehicles with National Bus Sales and Leasing, Inc. for an amount not to exceed \$9,441,219.

Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman

RESOLUTION NO. 2013 - 43

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT MODIFICATION TO BRIDGESTONE FIRESTONE NORTH AMERICAN TIRE, LLC FOR TIRE LEASE AND SERVICE; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO has a tire lease and service program contract with Bridgestone Firestone North American Tire, LLC that serves its fleet of vehicles; and

WHEREAS, the tires provided by Bridgestone Firestone North American Tire, LLC are still in use (running out) on METRO's buses; and

WHEREAS, it is necessary to extend the contract with Bridgestone Firestone North American Tire, LLC and add funds to pay Bridgestone Firestone LLC for the remaining life of these tires; and

WHEREAS, METRO staff recommends a contract modification with Bridgestone Firestone North American Tire, LLC to pay for the remaining life of the tires under the tire lease and service contract, for an amount not to exceed \$1,076,305.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract modification to Bridgestone Firestone North American Tire, LLC to pay for the remaining life of the tires under the tire lease and service contract, for an amount not to exceed \$1,076,305.


Section 2. This Resolution is effective immediately upon passage.

PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013

ATTEST:


Assistant Secretary





Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT TO J.N.A. PAINTING & CONTRACTING COMPANY, INC. TO RESURFACE THE EXTERIOR COATING SYSTEMS AT THE HIRAM CLARK AND KASHMERE BUS OPERATING FACILITIES; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO's Hiram Clarke and Kashmere bus operating facilities are in need of recoating and resurfacing of their exteriors; and

WHEREAS, an invitation for bids was issued to provide for resurfacing of the exterior of the Hiram Clark and Kashmere bus operating facilities; and

WHEREAS, the bids were evaluated and J.N.A. Painting & Contracting Company, Inc. was found to be the most responsible and lowest bidder; and

WHEREAS, METRO staff recommends a contract to provide resurfacing services for the Hiram Clark and Kashmere bus operating facilities with J.N.A Painting & Contracting, Inc. for and amount an amount not to exceed \$324,900.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract to provide resurfacing services for the Hiram Clark and Kashmere bus operating facilities with J.N.A Painting & Contracting, Inc. for and amount an amount not to exceed \$324,900.

Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A MODIFICATION TO THE DESIGN-BUILD CONTRACT WITH HOUSTON RAPID TRANSIT FOR DESIGN CHANGES AND CONSTRUCTION ACTIVITIES FOR THE RAIL OPERATIONS CENTER; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO has a current contract with HOUSTON RAPID TRANSIT to design and construct the METRORail Expansion; and

WHEREAS, expansion of the METRO's Rail Operations Center is necessary to accommodate the expanded light rail system; and

WHEREAS, additional design and construction activities are required to the Rail Operations Center facility to accommodate required equipment for the facility, addition of coiling doors, power to doors, relocation of existing overhead door, lighting to outside of overhead door, raising of walkway, design of Operations Control Center room wall, addition of air conditioning unit and partition wall inside existing storage/track; and

WHEREAS, staff recommends a modification to the Design-Build Contract with Houston Rapid Transit for additional design and construction activities are required to the Rail Operations Center facility to accommodate for required equipment for the facility, addition of coiling doors, power to doors, relocation of existing overhead door, lighting to outside of overhead door, raising of walkway, design of Operations Control Center room wall, addition of air conditioning unit and partition wall inside existing storage/track for a total amount for all items of \$895,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to negotiate, execute and deliver a contract modification to Houston Rapid Transit for additional design and construction activities are required to the Rail Operations Center facility to accommodate for required equipment for the facility, addition of coiling doors, power to doors, relocation of existing overhead door, lighting to outside of overhead door, raising of walkway, design of Operations Control Center room wall, addition of air conditioning unit and partition wall inside existing storage/track for a total amount for all items of \$895,000.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013

ATTEST:


Assistant Secretary





Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE INCREASE IN THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE REDLINE STATION PLATFORM UPGRADES; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, the FY2013 Capital Improvement Program Budget included upgrades to the Red Line Platforms to allow for interoperability of the Redline with the new light rail lines; and

WHEREAS, the scope of work included operational and safety enhancements to the Main Street Corridor to improve the operations of the Red Line and to upgrade the technology systems to be operationally consistent and interoperable with the expanded METRO rail system; and

WHEREAS, additional funding is requested to account for added quantities, changes in field conditions and supplemental work that was not included in the budget for the scope of work; and

WHEREAS, additional funding is requested in the amount of \$1,795,000, thereby increasing the budget to \$3,855,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes additional funding for additional operational and safety enhancements to the Red Line, in the amount of \$1,795,000 thereby increasing the budget to \$3,855,000.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013

ATTEST:


Assistant Secretary





Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

APPROVING CHANGES TO METRO'S MAJOR SERVICE CHANGE POLICY TO INCLUDE DISPARATE IMPACT AND DISPROPORTIONATE BURDEN THRESHOLDS FOR FARE CHANGES AS WELL AS SERVICE CHANGES AS REQUIRED BY THE FEDERAL TRANSIT ADMINISTRATION; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, changes in Federal Transit Administration requirements mandate that METRO's Major Service Chang Policy be revised to include disparate impact and disproportionate burden thresholds for fare changes as well as service changes; and

WHEREAS, the revisions to the requirements will include definitions for the terms "disparate impact" and "disproportionate burden" for service and fare changes, as well as a threshold for determining whether proposed fare changes could lead to either outcome ; and

WHEREAS, approval by the Board of Directors of the changes to METRO's Major Service Change Policy to include disparate impact and disproportionate burden thresholds for fare changes as well as service changes is required by the Federal Transit Administration.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby approves the changes to METRO's Major Service Change Policy to include disparate impact and disproportionate burden thresholds for fare changes as well as service changes as required by the Federal Transit Administration.


Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT TO KLOTZ ASSOCIATES, INC. FOR ENGINEERING DESIGN SERVICES AND DESIGN SUPPORT DURING CONSTRUCTION OF THE EL DORADO PARK & RIDE; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of engineering design services and design support services during construction of the El Dorado Park & Ride ; and

WHEREAS, METRO issued a request for qualifications for the engineering design services and design support services during construction; and

WHEREAS, Klotz Associates, Inc. was found to be the most qualified to provide the engineering services for the design of the El Dorado Park & Ride ; and

WHEREAS, a contract has been negotiated with Klotz Associates, Inc. for engineering design services and design support services during construction of the design of the El Dorado Park & Ride ; and

WHEREAS, METRO staff recommends a contract with Klotz Associates, Inc. for design services and design support during construction of the design of the El Dorado Park & Ride for an amount not to exceed \$750,000 and the issuance of a limited notice to proceed for \$150,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract to Klotz Associates Inc. for design services and design

support during construction of the design of the El Dorado Park & Ride for an amount not to exceed \$750,000 and the issuance of a limited notice to proceed for \$150,000.

Section 2. This Resolution is effective immediately upon passage.

PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013

ATTEST:


Assistant Secretary





Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT TO RDLR ARCHITECTS, INC. FOR ENGINEERING DESIGN SERVICES AND DESIGN SUPPORT DURING CONSTRUCTION FOR THE BURNETT PLAZA TRANSIT CENTER; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO is in need of engineering design services and design support services during construction for the Burnett Plaza Transit Center; and

WHEREAS, METRO issued a request for qualifications for the engineering design services and design support services during construction; and

WHEREAS, RdIR Architects, Inc. was found to be the most qualified to provide the engineering services for the design of the Burnett Plaza Transit Center; and

WHEREAS, a contract has been negotiated with RdIR Architects, Inc. for engineering design services and design support services during construction for the design of the Burnett Plaza Transit Center; and

WHEREAS, METRO staff recommends a contract with RdIR Architects, Inc. for design services and design support during construction for the design of the Burnett Plaza Transit Center for an amount not to exceed \$800,000 and the issuance of a limited notice to proceed for \$150,000.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract to RdIR Architects, Inc. for design services and design support during construction for the design of the Burnett Plaza Transit Center for an

amount not to exceed \$800,000 and the issuance of a limited notice to proceed for \$150,000.

Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013



Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT MODIFICATION TO UNIVERSAL TECHNICAL RESOURCE SERVICES FOR CORROSION CONTROL TESTING SERVICES FOR THE RED METRORAIL LINE EXTENSION (NORTH CORRIDOR); AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, METRO has a contract with Universal Technical Resource Services for corrosion control testing services for the Red Line; and

WHEREAS, METRO is in need of pre-operation baseline stray current testing on the Red Line rail extension (North Corridor) to include utilities, track slab, bridges and structures; and


WHEREAS, METRO staff recommends a contract modification to the contract with Universal Technical Resources extending the project limits to include baseline stray current testing on the Red Line Rail Extension (North Line).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a contract modification to Universal Technical Resources to extend the project limits to include baseline stray current testing on the Red Line Rail Extension (North Line).


Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO SETTLE LAWSUIT CAUSE NO. 2010-72986, PETER TRACHTAMAN V. METROPOLITAN TRANSIT AUTHORITY, IN THE 80TH DISTRICT COURT OF HARRIS COUNTY, TEXAS; AND MAKING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

WHEREAS, a lawsuit was filed by employee Peter Trachtaman for employment related claims; and

WHEREAS, a trial was held and a jury returned a verdict in favor of the plaintiff; and

WHEREAS, METRO and Peter Trachtaman have agreed to settle all disputes related to this lawsuit in lieu of appealing the judgment; and


WHEREAS, METRO and Peter Trachtaman have agreed to settle this matter for an amount not to exceed \$387,500, including all costs, damages and attorney's fees.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver documents necessary to effectuate the settlement of Cause No. 2010-72986, Peter Trachtaman v. Metropolitan Transit Authority of Harris County, Texas in the 80th District Court for the amount of \$387,500.

Section 2. This Resolution is effective immediately upon passage.

ATTEST:


Assistant Secretary



PASSED this 25th day of April, 2013
APPROVED this 25th day of April, 2013


Gilbert Andrew Garcia, CFA
Chairman