APPOINTING DILLON, READ & CO., INC. AS SENIOR MANAGING INVEST-MENT BANKER AND AUTHORIZING THE GENERAL MANAGER TO ENTER INTO SUCH AGREEMENTS AS MAY BE NECESSARY FOR DILLON, READ & CO. TO FUNCTION IN THIS CAPACITY.

WHEREAS, METRO's capital development program will require that METRO obtain significant financial resources from nongovernmental sources; and

WHEREAS, METRO will require the assistance of a number of firms experienced in the designing and implementing of high-grade investment financing programs; and

WHEREAS, METRO has solicited requests for proposals for investment banking services; and

WHEREAS, Dillon, Read & Company, Inc. has been determined to have offered the most satisfactory proposal for the provision of investment banking services in the capacity of Senior Managing Investment Banker;

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

Section 1. The Board of Directors hereby appoints Dillon, Read & Co., Inc. as the Senior Managing Investment Banker for METRO.

Section 2. The General Manager is hereby authorized to enter into such agreements with Dillon, Read & Co. as may be necessary for it to serve as Senior Managing Investment Banker.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

<u>Mullo I), Cicota</u> Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO FILE A GRANT APPLICATION AMENDMENT WITH THE URBAN MASS TRANSPORTATION ADMINISTRATION AND TO SOLICIT A LETTER OF NO PREJUDICE AND TAKE SUCH OTHER ACTION AS NECESSARY TO SEEK FEDERAL AND STATE FUNDING SUPPORT FOR THE ACQUISITION OF 50 STANDARD-SIZE, INTRACITY TRANSIT BUSES.

WHEREAS, the METRO Board of Directors authorized the General Manager to submit a grant application to the Urban Mass Transportation Administration and to the Texas Department of Highways and Public Transportation for the acquisition of 100 standard-size, intracity transit buses on August 27, 1982; and

WHEREAS, a Letter of No Prejudice from the Urban Mass

Transportation Administration has been received for the acquisition of these buses; and

WHEREAS, the contract with the low bidder, the General Motors Corporation, provided for an option to acquire 50 additional buses at the initial bid price; and

WHEREAS, it has been determined that METRO service needs dictate that the option for the additional buses be exercised;

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

Section 1. The General Manager is authorized to execute and file a grant application amendment and to execute any resulting grant contract with the Urban Mass Transportation Administration, Department of Transportation, for the acquisition of up to 50 standard-size, intracity transit buses, spare parts and components.

Section 2. The General Manager is authorized to execute and file a grant application amendment and to execute any resulting grant contract with the Texas Department of Highways and Public Transportation for the acquisition of up to 50 standard-size, intracity transit buses, spare parts and components.

Section 3. The General Manager is authorized to hold such public hearings and undertake any other administrative actions necessary to the filing of said grant application amendments.

Section 4. The General Manager is authorized to submit a request for a letter of no prejudice for this project to the appropriate authorities.

Section 5. This resolution is effective immediately upon passage.

> PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Secretary

Chairman of the Board

APPROVED AS TO SUBSTANCE:

General Marager

APPROVED AS TO FORM:

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH THE GENERAL MOTORS CORPORATION FOR THE PURCHASE OF 50 STANDARD-SIZE, INTRACITY TRANSIT BUSES AND SPARE PARTS.

WHEREAS, METRO has previously solicited bids and awarded a contract for the acquisition of 100 standard-size intracity transit buses with the General Motors Corporation; and

WHEREAS, the General Motors Corporation bid included an option for an additional 50 buses at a unit price per bus of \$149,784, which option must be exercised before May 1, 1983; and

WHEREAS, it has been determined that METRO service expansion plans will require the additional buses offered in the option;

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

Section 1. The General Manager is hereby authorized to exercise the option to acquire 50 General Motors Corporation Model RTS-04 buses at a total cost not to exceed \$7,912,115, including delivery and spare parts.

Section 2. The General Manager is hereby authorized to enter into such contracts as may be necessary to exercise the purchase option.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

CONFIRMING AND RATIFYING AUTHORIZATION FOR THE GENERAL MANAGER TO AWARD THE RAIL CAR CONTRACT TO C. ITOH & CO. (AMERICA) INC. AND HITACHI AMERICA, LTD. WITH THE GARRETT PROPULSION SYSTEM.

WHEREAS, the Board of the Metropolitan Transit Authority (METRO) by Resolution No. 83-9, dated February 7, 1983, authorized the General Manager to execute a contract with the joint venture of C. Itoh & Co. (America) Inc. and Hitachi America, Ltd. (C. Itoh/Hitachi) for the acquisition of 130 rail transit vehicles with the Garrett Corporation propulsion system and maintenance services for a minimum two-year period after commencement of revenue service at a cost not to exceed \$139,301,870, provided that the General Manager determined that C. Itoh/Hitachi is a responsible bidder based upon the pre-award site evaluation study and verification of satisfactory minority business enterprise participation; and

WHEREAS, the General Manager has determined C. Itoh/Hitachi to be a responsible bidder as required by such resolution; and

WHEREAS, due to the importance of this contract to the METRO area, the Board desires to confirm and ratify this decision of the General Manager and its prior authorization to award the contract to C. Itoh/Hitachi;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS THAT:

Section 1. The determination of the General Manager that the joint venture of C. Itoh & Co. (America) Inc. and

RESOLUTION NO. 83-21 (Page 2)

Hitachi America, Ltd. is a responsible bidder is hereby confirmed and ratified.

Section 2. Resolution No. 83-9, dated February 7, 1983, which authorized the General Manager to award the contract to the joint venture of C. Itoh & Co. (America) Inc. and Hitachi America, Ltd., is hereby confirmed and ratified.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Man F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

Staff Counsel

NJK3/006

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH THE NEOPLAN USA CORPORATION FOR THE PURCHASE OF ONE HUNDRED (100) ARTICULATED BUSES AND TO ENTER INTO DISCUSSIONS FOR FULL MAINTENANCE SERVICES AND MAINTENANCE FACILITY LEASE.

WHEREAS, on November 24, 1982 the METRO Board of Directors authorized award of a contract for the manufacture and maintenance of one hundred (100) articulated buses to the Pennsylvania Bus Manufacturing Corporation (PBMC); and

WHEREAS, PBMC has not submitted required bonds in a timely fashion; and

WHEREAS, because of the foregoing METRO staff has recommended that PBMC be found a non-responsive contractor and that
the next lowest bidder be awarded the contract subject to a
finding of contractor responsibility;

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

Section 1. The Board hereby concurs in the recommendation of the METRO staff that the Pennsylvania Bus Manufacturing Corporation be found a non-responsive contractor.

Section 2. The General Manager is hereby authorized to enter into a contract or contracts with the Neoplan USA Corporation for the purchase of one hundred (100) articulated buses conditioned upon a finding by the General Manager that the Neoplan USA Corporation is a responsible contractor at a cost not to exceed \$27,010,925.

Section 3. The General Manager is hereby authorized to enter into discussions with Neoplan USA Corporation for the provision of full maintenance services for said articulated buses for a period of at least two (2) years and for lease of a maintenance facility and acquisition of maintenance-related capital equipment within budgetary limitations.

Section 4. The General Manager is hereby authorized to amend grant applications to the Urban Mass Transportation Administration and the Texas Department of Highways and Public Transportation and execute amended grant documents as may be necessary to accommodate increased costs associated with this award.

Section 5. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO EXECUTE ON A SOLE SOURCE BASIS A LEASE/PURCHASE AGREEMENT WITH EDGAR VON SCHEELE COMPANY FOR COMPUTERIZED TYPESETTING EQUIPMENT.

WHEREAS, METRO's Marketing Division has phototypesetting and processing equipment manufactured by the AM Company; and

WHEREAS, the Marketing Division has need for a compatible graphics composition terminal; and

WHEREAS, the AM Varityper 4800 is a fully compatible graphics composition terminal; and

WHEREAS, this is the only compatible system with METRO's existing typesetting equipment not requiring costly modifications; and

WHEREAS, the Edgar von Scheele Company is the sole distributor on this area for AM typesetting equipment;

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

Section 1. The Board hereby finds that there exists justification for the sole-source acquisition of an AM Varityper 4800 graphics composition terminal from the Edgar von Scheele Company.

Section 2. The General Manager is hereby authorized to execute a lease/purchase agreement with the Edgar von Scheele Company for an AM Varityper 4800 graphics composition terminal at a total two-year lease cost not to exceed \$25,000.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO AMEND THE CONTRACT WITH WILBUR SMITH AND ASSOCIATES, INC./MORRIS AUBRY ARCHITECTS INCORPORATING ADDITIONAL DESIGN EFFORTS FOR THE HIRAM CLARKE MAINTENANCE FACILITY.

WHEREAS, on December 19, 1979, an Agreement was entered into between METRO and the Joint Venture of Wilbur Smith and Associates, Inc./Morris Aubry Architects for the design of the Hiram Clarke Maintenance Facility; and

WHEREAS, METRO recently established design criteria for maintenance facilities; and

WHEREAS, it has been determined that it is desirable to change the original Hiram Clarke Maintenance Facility to conform with the new criteria when it can be done within reasonable costs; and

WHEREAS, METRO staff has recommended that changes are warranted in this instance;

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

Section 1. The Board hereby concurs in the recommendation of the METRO staff that the Hiram Clarke design contract with Wilbur Smith and Associates, Inc./Morris Aubry Associates be amended.

Section 2. The General Manager is hereby authorized to amend said contract in order to change the design so as to conform to the new criteria in the areas of bus repair configuration, overhead reel banks, work benches, door materials, walls

separating air-conditioner testing from running repair, provision of pits, chassis wash relocation, new vault pull facility, operations building interior layout and put reels.

Section 3. The General Manager be authorized to execute a change order with Wilbur Smith and Associates, Inc./Morris Aubry in an amount not to exceed \$80,713.

Section 4. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

Secretary

Daniel

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Kiep neral Manager

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A JOINT AGREEMENT WITH THE CITY OF HOUSTON FOR THE REPAVING OF TILGHAM AND LABCO STREETS ADJACENT TO METRO'S MARKET STREET FACILITY.

WHEREAS, METRO owns and operates a vehicle maintenance and facilities maintenance complex bounded by Tilgham and Labco Streets; and

WHERAS, Tilgham and Labco Streets have deteriorated to the point of being virtually unusable; and

WHEREAS, the City of Houston is prepared to repave Tilgham and Labco Streets with participation from METRO for METRO's proportional share of ownership along these streets (approximately 50%); and

WHEREAS, more extensive use of the Market Street facilities will be enhanced by the paving of all or part of the adjacent streets;

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

Section 1. The General Manager is authorized to enter into a joint projects agreement with the City of Houston for the paving of all or part of Tilgham and Labco Streets adjacent to METRO's Market Street facility at a total cost of not to exceed \$813,165.

Section 2. The General Manager may enter into an agreement with the City of Houston for participation in the paving of lesser portions of Tilgham and Labco Streets, subject to a determination by the General Manager of METRO's requirements for paving adjacent to the Market Street facility.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CHANGE ORDER WITH THE DEL E. WEBB CONSTRUCTION SERVICES COMPANY FOR THE HIRAM CLARKE BUS MAINTENANCE FACILITY.

WHEREAS, METRO has entered into a contract with Del E. Webb Construction Services Company for the construction of a bus maintenance facility in the south portion of Houston known as the Hiram Clarke Bus Maintenance Facility; and

WHEREAS, the City of Houston has required some additional off-site paving and utility construction to conform to City of Houston requirements prior to issuing the building permits necessary for the construction of this facility; and

WHEREAS, the cost of the additional work is estimated to exceed the \$100,000 change order authority of the General Manager;

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

Section 1. The General Manager is authorized to execute a change order to the contract with Del E. Webb Construction

Services Company for the provision of additional offsite paving and utility construction.

Section 2. This change order is not to exceed \$150,000.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Feraldo G. Acosta

Carrata and

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Mayager

APPROVED AS TO FORM:

Dennis C. Gardner

DIRECTING THE METRO STAFF TO PROCEED WITH A PHASE II TRANSITWAY ALTERNATIVES ANALYSIS WITH A VIEW TOWARD DETERMINING THE SUIT-ABILITY OF THE SOUTHEAST/WEST/NORTH EXTENSION TRAVEL CORRIDORS FOR STAGE II OF THE REGIONAL RAIL SYSTEM AND AUTHORIZING THE GENERAL MANAGER TO FILE A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THESE TRANSIT CORRIDORS.

WHEREAS, METRO has designated the Southwest/North travel corridors as the location of Stage I of the projected regional rail system for the METRO service area; and

WHEREAS, Phase I Transitway Alternatives Analysis has indicated that the Southeast/West/North Extension travel corridors are the most appropriate for consideration for Stage II of the regional rail system; and

WHEREAS, the Board of Directors desires to proceed with planning for the development of transitways in the Southeast/West/North Extension travel corridors;

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

Section 1. The METRO staff is hereby directed to undertake a Phase II Transitway Alternatives Analysis of the Southeast/
West/North Extension travel corridors.

Section 2. Upon completion of the Phase II Study, the General Manager is authorized to file a draft Environmental Impact Statement for these corridors with the Urban Mass Transportation Administration (UMTA) in anticipation of Stage II development of the regional rail system.

Section 3. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

Secretary

Chairman of the Board

APPROVED AS TO SUBSTANCE:

General

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CHANGE ORDER WITH B. BELL BUILDERS, INCORPORATED FOR THE NORTH SHEPHERD PARK & RIDE LOT EXPANSION.

WHEREAS, the Board of Directors has previously authorized a contract with B. Bell Builders, Inc. for the expansion of the North Shepherd Park & Ride Lot; and

WHEREAS, during the construction of the park & ride lot expansion, it was discovered that the expansion site had previously been used as a landfill for the disposal of construction materials and, as a consequence, the undesirable landfill materials must be removed and replaced with satisfactory soil material; and

WHEREAS, this unexpected condition has resulted in the necessity for additional work totalling approximately \$108,000; and

WHEREAS, this additional work exceeds the General Manager's authority to issue a change order;

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

Section 1. The General Manager be authorized to execute a change order with B. Bell Builders, Inc. for the construction of the North Shepherd Park & Ride lot expansion in an amount not to exceed \$108,160.

Section 2. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

Daniel C. Arnold

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Man F. Kierper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner Legal Counsel

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR THE CONSTRUCTION OF EXPANDED FACILITIES AT THE KUYKENDAHL PARK & RIDE LOT.

WHEREAS, the Kuykendahl Park & Ride Lot is seriously overcrowded; and

WHEREAS, bids have been solicited for the expansion of the Kuykendahl Park & Ride Lot; and

WHEREAS, B. Bell Builders, Inc. submitted the lowest bid for the expansion project;

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

Section 1. The General Manager is hereby authorized to execute a contract with B. Bell Builders, Inc. for construction of expanded facilities at the Kuykendahl Park & Ride Lot at a cost not to exceed \$995,887.

Section 2. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

Geraldo G. Acosta

Secretary

C. Arnold Daniel

Chairman of the Board

APPROVED & SUBSTANCE:

Man F. Kieppe General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH THE JOINT VENTURE OF LOYD ELECTRIC AND MICA CORPORATION FOR THE CONSTRUCTION OF THE NORTH FREEWAY SIGNING AND LIGHTING PROJECT.

WHEREAS, the first phase of the North Freeway Authorized Vehicle Lane construction consists of signing, lighting, guard rail removal, and relocation; and

WHEREAS, competitive bids were solicited for this project and responses received and evaluated; and

WHEREAS, the joint venture of Loyd Electric and the Mica Corporation was the lowest bidder on the project;

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

Section 1. The General Manager is hereby authorized to execute a contract with the joint venture of Loyd Electric and Mica Corporation for the North Freeway Transitway signing, lighting, guard rail removal, relocation and replacement at a cost not to exceed \$2,903,460.20.

Section 2. This resolution is effective immediately upon passage.

> PASSED this 23rd day of March, 1983. APPROVED this 23rd day of March, 1983.

ATTEST:

Secretary

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner

ADOPTING THE MINORITY BUSINESS ENTERPRISE PARTICIPATION GOALS FOR THE ANNUAL PERIOD MARCH 1983 - MARCH 1984.

WHEREAS, the Department of Transportation Minority Business Regulations require METRO to provide the Urban Mass Transportation Administration with its annual overall goals for minority and women-owned business participation for federally-assisted projects as part of its annual civil rights certification information: and

WHEREAS, the METRO Board of Directors has previously adopted a minority business enterprise participation goal of 20% with subgoals of 18% minority business participation and 2% womenowned business participation; and

WHEREAS, the METRO Board is desirous of reaffirming its minority business enterprise participation goals;

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

Section 1. The minority business enterprise participation goals for the period of March 1983 - March 1984 are hereby established as 18% minority business participation, 2% womenowned business participation, for a total minority business enterprise participation goal of 20%.

Section 2. This resolution is effective immediately upon passage.

PASSED this 23rd day of March, 1983.

APPROVED this 23rd day of March, 1983.

ATTEST:

Secretary

Chairman of the Board

APPROVED AS TO SUBSTANCE:

Alan F. Kiepper General Manager

APPROVED AS TO FORM:

Dennis C. Gardner