

## AMES TRANSIT AGENCY BOARD OF TRUSTEES

AMES, IOWA

March 29, 2011

The Ames Transit Agency Board of Trustees met on March 29, 2011 at 5:00 p.m. in CyRide's Conference Room. Pro Tem President Pinegar called the meeting to order at 5:08 p.m. Trustees in attendance were Pinegar, Madden, and Wacha. Absent: Trustees Anders, Schainker, and Choi.

Pro Tem President Pinegar moved to item eight, CyRide's Equal Employment Opportunity (EEO) Plan Elements, a discussion item, until a quorum was established.

**CYRIDE EQUAL EMPLOYMENT OPPORTUNITY (EEO) PLAN ELEMENTS:** Director Kyras received notification from the Federal Transit Administration (FTA) that significant changes would need to be made to CyRide's Equal Employment Opportunity (EEO) Plan and Program in light of the FTA's new emphasis in this area. Before this notice, CyRide was a part of the City of Ames Human Resources Department EEO Plan. In review of this plan, it was determined that CyRide would need to complete its own plan to comply with specific FTA program requirements. Recent communications with FTA indicated that federal funds would be withheld until the new plan was completed, affecting the Intermodal Facility project's cash flow. As soon as CyRide submits the plan, FTA will release its flow of funds.

In light of the quick development of this plan, the Director walked the board members through the critical elements of the document. In developing the new plan, CyRide obtained data from the City of Ames Human Resources Department and made job description changes adding "EEO Officer" to the Transit Planner's title and job tasks. CyRide's Director will fill the EEO Manager requirement. The Director explained the numerous charts developed from the Human Resources Department data identifying areas where CyRide minorities and women are underutilized within job categories. The EEO Plan submitted will focus on hiring minorities and females to fill positions in the areas of: Office/Clerical, Bus Operatives and Laborers.

Trustee Schainker arrived at 5:18pm.

**APPROVAL OF MINUTES:** Trustee Madden made a motion to approve the minutes from the February 17, 2011 Ames Transit Agency Board of Trustees Meeting. Trustee Wacha seconded. Ayes: 4, Nays: 0. (Motion carried unanimously.)

**BUS SHELTER PROCUREMENT APPROVAL:** Director Kyras briefly reviewed the information gathered from the 2008 inventory of bus stops and prioritization. She further explained the amount of current and future funding available for improving bus stops. CyRide currently has almost \$200,000 in funding available for transit enhancements,

with an additional \$50,000 over the next five years totaling almost \$450,000 available for these enhancements.

Following staff's review of various shelters available in the market, a Request for Proposal was completed and distributed to seven shelter manufacturers. CyRide received two proposals. The two vendors submitting proposals were Brasco International Inc. and Columbia Equipment Company. A summary of the proposal analysis found that Columbia Equipment received a score of 6.697 and Brasco International 6.553. The Director indicated that the evaluation was based on numerous factors such as quality of the shelters as well as price. These quality factors included recommendations received from peer transit systems as well as the structural material of each shelter. As a result, CyRide staff's recommendation was to award the contract to Columbia even though they are more expensive. The reason for this recommendation was based upon that fact that no detail was provided in the proposal by Brasco as to the shelter materials, recommendations from other transit systems indicating a more positive long-term experience with the Columbia shelters and numerous other factors. An award would purchase up to 30 shelters over a five year period, with a goal to install five per year, starting this summer. At this time, CyRide staff has not identified the five specific locations for installation this summer. If approved, CyRide staff would work with the manufacturer to identify a shelter design for Ames.

Trustee Wacha commented that the bus stop on S. 5<sup>th</sup> and Duff continues to have shopping cart issues and since the buildings behind this bus stop were demolished, he asked if this stop was on the list for improvement. Director Kyras indicated that Hunziker Realty currently owns the property and that there is a possibility of a new restaurant to be constructed at this location. She indicated that once a new owner is established, CyRide will begin working with this owner to determine what measures can be taken to improve the stop. Trustee Wacha indicated that he would like to see a shelter development in this location that works for everyone.

Trustee Schainker asked further questions about the bid and evaluation process. Specifically, questions regarded the weighting of factors in light of the recommendation to purchase the higher priced shelter. Staff addressed questions regarding the variability of shelter costs based upon the size needed at each location as well as questions regarding the estimated future funding amount.

Trustee Wacha made a motion to approve awarding a contract to Columbia Equipment Company of Jamaica, NY for the purchase of up to 30 bus shelters over a five-year period for a not-to-exceed amount of \$300,000 contingent upon Iowa Department of Transportation concurrence. Motion seconded by Trustee Madden. Ayes: 4, Nays: 0. (Motion carried unanimously.)

**FACILITY FLOOD CLAIM UPDATE AND CONSTRUCTION CLOSEOUT:** CyRide staff is finalizing the flood claim and close out of the construction contract. Director Kyras told the transit board that the first estimate on flood costs was \$900,000 and that the actual cost was \$819,507.35, considerably less due to construction savings.

Claims paid by FM Global so far total \$700,000 with final payment of \$94,507.35 requested, which reflected a \$25,000 insurance deductible.

The approved contract with HPC Construction was \$423,102, but actual cost was \$332,887. To close out this project, CyRide requests approval of the retainage and a deduct change order totaling \$90,215.

Documents yet to be supplied by the contractor, which are required to complete the project's closeout process, are sales tax reimbursements for materials, lien waivers, and a sworn statement from the contractor. The retainage request is for \$16,644.35. If approved by the transit board, the final pay application will be brought before City Council at the April 12, 2011 meeting.

Trustee Schainker made a motion to approve final payment for \$16,644.35, for retainage to HPC for the reconstruction of CyRide's office building, contingent upon receipt of all lien waivers, sworn statement from the Contractor and sales tax forms, as well as approval of a contract change order for \$90,215. Trustee Wacha seconded. Ayes: 4, Nays: 0. (Motion carried unanimously.)

Trustee Madden mentioned flood mitigation work continues with ISU facilities to protect for future flooding and inquired on the status of the flood mitigation project at CyRide. He additionally asked whether the structures or additional engineering had been completed to ensure securing the CyRide facility against floods. Trustee Madden asked if the CyRide facility was insured for flooding at this time. Director Kyras said there had been no communication indicating that the insurance was not being renewed, but that she would confirm this with the City of Ames Risk Manager. She also indicated that the flood protection project was being paid for with federal funding and that CyRide staff had been working the FTA officials since January to address environmental concerns before a Request For Proposal could be issued for design of the protection measures. Trustee Schainker inquired about FEMA's proposed \$12,000 that had been identified for CyRide to design flood mitigation measures. Director Kyras indicated that she would check with the City's Finance Director to determine if formal approval of this funding had been received.

**FEDERAL TRANSIT ADMINISTRATION TITLE VI POLICY APPROVAL:**

Director Kyras pointed out that CyRide is under more scrutiny from the FTA to comply due to the number of federal grants CyRide receives. The FTA has requested CyRide make modifications to its Title VI Policy Statement. The revised and modified Title VI policy is included in the transit board packet showing the areas where CyRide was required to comply. If this policy change meets with the transit board's approval, CyRide can complete the process by transmitting its revision to the FTA for review.

Trustee Madden made a motion to approve the Title VI Statement of Policy and transmission to the FTA for review. Motion seconded by Trustee Schainker. Ayes: 4, Nays: 0. (Motion carried unanimously.)

**FY09/FY10 FEDERAL EARMARKS – GRANT APPROVAL:** Director Kyras reviewed the history and status of the CyRide facility expansion with regard to its design and funding. She indicated that CyRide had formally submitted its environmental documentation to the FTA in February 2011.

In light of this submittal, Director Kyras requested approval from the transit board to file and execute a federal Section 5309 grant to include two earmarks totaling \$1,201,440 for this work. Securing the earmarks in an approved grant eliminates the possibility that Congress may withdraw this funding. She also indicated that the FY09 earmark would expire September 30, 2011 if not approved within a grant.

Trustee Wacha made a motion for approval for staff to file and execute a federal Section 5309 grant application for use of FY09 and FY10 federal earmarks totaling \$1,201,440. Motion seconded by Trustee Schainker. Ayes: 4: nays: 0. (Motion carried unanimously.)

#### **TRANSIT DIRECTOR'S REPORT:**

- Director Kyras asked for direction from the transit board on securing a bus tracking system since the project did not receive approval from the City Council at the March 22, 2011 meeting. Director Kyras received a telephone call, after the City Council meeting, from a Maryland DOT representative informing her of a national RFP for bus tracking systems that allows transit systems to piggyback on their RFP for the NextBus Tracking system. The process is the same as bus procurements where transit systems are allowed to procure buses from options in an RFP. Director Kyras asked the transit board members if they believed this process met the Council's direction as it was an RFP, or if there was a strong recommendation for CyRide to issue their own RFP for the bus tracking system.

Director Kyras shared her concern with the timing of preparing an RFP in relation to other projects that must be completed such as the expansion/flood protection projects and other grant projects that have short time schedules.

Trustee Wacha spoke on behalf of the City Council and their preference because of the GSB President speaking for the GSB and comments at the City Council meeting, that CyRide should follow the process of issuing a new RFP and securing our own bid on bus tracking system. Trustee Wacha felt there was enough conversation among the parties to attribute the City Council's desire for a new RFP. This way, either firm vying for the business has the option to bid.

Director Kyras further shared additional information on the RFP process. She indicated that the pricing received from NextBus was based on a competitive RFP from the University of California-Davis. She also pointed out that it would be difficult to fairly bid the project in light of the known pricing by one firm. She indicated a concern that the original firm would not be able to bid in light of this fact.

Trustee Schainker offered Director Kyras the transit board's support and direction in prioritizing CyRide projects indicating that this could be a topic at future board meetings.

- The Director indicated that the US DOT Office of Inspector General would be visiting CyRide April 12, 2011 to discuss charter regulations and the effect it has on CyRide and the Ames Community. Other members of the Ames community who were invited to participate in this discussion were: CyRide staff, ISU officials, Julie Weeks, the Ames Convention and Visitor's Bureau, and CIT/Midwest Transportation. The outcome the Ames Community hopes to achieve is fewer restrictions on these bus movements.
- Intermodal Facility Update: Construction began March 12 with the asphalt parking lot being removed. FTA strongly urges a web camera installed because it is an ARRA project and will be available at ISU Facilities Planning and Management website as well as CyRide's website when installed. A progress report will be supplied to the FTA and available for each transit board meeting. Approval of pay applications and change orders may require scheduling transit board meetings the first week of each month to avoid delays with the Intermodal Facility project.

Trustee Schainker made a motion to approve giving Director Kyras administrative authority to approve change orders up to \$50,000 threshold similarly to the requirements by the City Council. Trustee Madden seconded the motion. Ayes: 4; Nays: 0. (Motion carried unanimously.)

**TIME AND PLACE OF NEXT MEETING:** May 5, 2011 at 5:00 p.m. at the CyRide Conference Room location.

**ADJOURN:** Meeting adjourned at 6:23 p.m.

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Kayla Pinegar, Pro Tem President

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Joanne Van Dyke, Recording Secretary