



# Board of Directors Meeting

Monday  
March 26, 2018  
3:30 p.m.

**Intermodal Transportation Center (ITC)  
1001 Jones Street, 2nd Floor Community Room  
Fort Worth, TX 76102**





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**BOARD OF DIRECTORS MEETING  
AGENDA**

**3:30 p.m., Monday, March 26, 2018**

**Intermodal Transportation Center (ITC)  
1001 Jones Street, 2<sup>nd</sup> Floor Community Room  
Fort Worth, Texas 76102**

**A. Call to Order**

**B. Pledge of Allegiance**

**C. Citizen Comments**

**D. Committee Reports**

- Regional Transportation Council (RTC) – March 8, 2018 – Scott Mahaffey
- Commuter Rail Committee Working Session – March 19, 2018 – Nick Genua
- Planning/Operations/Marketing Committee Working Session – March 19, 2018 – Neftali Ortiz
- Finance & Audit Committee Working Session – March 19, 2018 – Jeff King

**E. Items to be Withdrawn from Consent Agenda**

**F. Consent Agenda**

1. BA2018-36 Proposed Trinity Railway Express (TRE) – Trinity Lakes Station
2. BA2018-37 Bus Wash System Contract Modification
3. BA2018-38 Nova Copy Equipment

**G. Action Items**

**H. President's Report - Paul Ballard**

**I. Chair's Report - Scott Mahaffey**

**J. Other Business**

**K. Executive Session**

The Board of Directors may convene in Executive Session under the Texas Open Meetings Act for the consultation with its Attorney pursuant to Section 551.071; deliberation regarding real property pursuant to Section 551.072; deliberation regarding prospective gift pursuant to Section 551.073; deliberation regarding personnel matters pursuant to Section 551.074; deliberation regarding security devices pursuant to Section 551.076 and/or deliberations regarding economic development negotiations pursuant to Section 551.087.

**L. Reconvene**

**M. Vote on Action Taken on Matters Deliberated in Executive Session**

**N. Adjourn**

**Next Meeting will be held on April 23, 2018 at 3:30 p.m., at the Intermodal Transportation Center, 2<sup>nd</sup> Floor Community Room**

This facility is wheelchair accessible. For accommodations, for hearing or sight interpretive services, please contact Melanie Kroeker at (817) 215-8621, 48 hours in advance.

# **Consent Agenda Items**

# Board of Directors Action Item

Item Number: BA2018-36

Meeting Date: March 26, 2017

Item Title: Proposed Trinity Railway Express (TRE) – Trinity Lakes Station

## BACKGROUND

In September 2000 Trinity Railway Express (TRE) opened the Richland Hills Station. In May 2016 the City of Richland Hills withdrew its membership from Fort Worth Transportation Authority. Dallas Area Rapid Transit (DART) has requested Trinity Metro to close or relocate the station due to its policy of terminating all bus or train service to any city that withdraws from DART.

The developer of Trinity Lakes, a 1,600-acre master planned community, has approached Trinity Metro regarding a transit-oriented development that would include a new TRE station in the Trinity Lakes development. The new station would be 0.9 mile east of the existing Richland Hills Station, and if constructed, would be named Trinity Lakes Station (see Exhibit). We believe that this proposed facility and location are well suited to serve as the relocated station for the Richland Hills Station. Further, we are unaware of any alternative location or potential proposal that provides equivalent value to Trinity Metro and TRE.

We have been in discussions with the developer and have proposed a summary of potential deal points as follows:

1) Duration

The project timeline would be 24 months in duration beginning with the Trinity Metro Board of Directors approval and ending with the first revenue service day at this location.

2) Cost Sharing

a. Initial engineering estimates indicate a station cost to be \$6,000,000. We are considering a 50% cost-sharing with a total anticipated expense for Trinity Metro to be at \$3,000,000 for the station. Any revenue realized from the sale of the current Federal Transit Administration (FTA) fixed assets (the current Richland Hills Station), or FTA awarded grant funding could help offset this liability and any additional costs associated with the station.

b. Trinity Lakes will also pursue funding alternatives that will offset its expenses.

3) Planning

a. Planning Consultant Role: The Planning Consultant is to obtain FTA environmental clearance for the proposed rail station and provide station schematics that show station location, platform configuration, parking demand and locations, bus, car, and pedestrian access, and a conceptual estimate.

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Item Title: Proposed Trinity Railway Express (TRE) – Trinity Lakes Station

The Planning Consultant would coordinate closely with Trinity Lakes and Trinity Metro. The Planning Consultant would complete its work in 6-9 months.

- b. Planning Consultant Selection: The Planning Consultant would be a subcontractor to a n IDIQ (Indefinite Delivery/Indefinite Quantity) consultant that is under contract with Trinity Metro. Trinity Lakes can select and negotiate scope and fee with the Planning Consultant with Trinity Metro's assistance and subject to Trinity Metro's approval.
- c. Planning work needs to comply with FTA procedures. Since FTA does not deal with private entities, Trinity Metro is to lead the coordination and communication with FTA and Trinity Lakes with the Planning Consultant's assistance.
- d. Funding for Planning Work: To be split 50% between Trinity Metro and Trinity Lakes. Trinity Metro would pay the IDIQ and Planning Consultant invoices upon Trinity Metro's receipt of Trinity Lake's 50% share. This fee is included in the \$3,000,000 total for Trinity Metro's financial commitment.

#### 4) Design

- a. Design Consultant Role: Provide final construction plans, specifications, and estimate for bids; and obtain permits from applicable entities including FTA, Trinity Metro, DART, City of Fort Worth, and TxDOT. The Design Consultant shall coordinate closely with Trinity Lakes and Trinity Metro, and comply with TRE, Trinity Metro and City of Forth Worth standards. Trinity Metro will assist the Design Consultant to obtain permits. The Design Consultant should complete its work in 6-9 months.
- b. Design Consultant Selection: Similar to 3.b, above
- c. Funding: Similar to 3.d, above.

#### 5) Station Parking

- a. Initial station parking area identified by the Planning Consultant shall be furnished by Trinity Lakes.
- b. Land for parking: Shall be arranged to accommodate planned needed parking spaces at any given time in one consolidated area. The transition of parking area to a new location, or to a structured garage, will be discussed, planned and approved in consultation with Trinity Metro prior to implementation of any move.

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Item Title: Proposed Trinity Railway Express (TRE) – Trinity Lakes Station

- c. Trinity Metro shall have full control of station parking whether it's free or paid, and can utilize a private company to operate and control parking. If a private company is utilized, an effort to coordinate the private company with Trinity Lakes into a combined parking management program would be undertaken.
- d. Trinity Lakes will have the right to move and/or convert the parking to structured parking in the future. Trinity Metro and Trinity Lakes will agree to work together and cooperate to achieve Trinity Metro's station parking goals and requirements, and also Trinity Lake's project objectives as it relates to the initial and long-term station parking.

#### 6) Construction

- a. Contractor Role: Construct the project utilizing plans and specifications furnished by the Design Consultant, and obtain Certificate of Occupancy. Contractor would coordinate closely with Trinity Metro, Trinity Lakes, and TRE. TRE shall provide railroad safety training to Contractor's personnel and flaggers when necessary. Construction should last 9-12 months.
- b. Contractor Selection: Trinity Metro would bid the project using FTA approved procurement process.

#### 7) Utilities

- a. Utility Provision: Trinity Lakes shall bring water, electricity, and communication to the TRE property line near the proposed station area, at no cost to Trinity Metro.

#### 8) Station Access Road from Trinity Boulevard

- a. Access Road: As a public road, Trinity Metro shall have full access to the station on access roads. The access road will be designed by Trinity Lakes' planning and engineering team, in consultation with Trinity Metro, at no cost to Trinity Metro.
- b. Access Road Construction: Shall be coordinated directly with Trinity Lakes and aligned with projected development plan and can be constructed by either Station Contractor or Trinity Lakes, at no cost to Trinity Metro.
- c. Access Road Availability: Access Road will be complete and in place prior to the station opening.



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Item Title: Proposed Trinity Railway Express (TRE) – Trinity Lakes Station

#### 9) Bus Service

- a. Trinity Metro would provide public bus service to the proposed station in accordance with its service plan. No bus transit service is currently operating at the Richland Hills Station.
- b. Private bus services operating near the station area require Trinity Lakes and Trinity Metro's approval.

#### 10) Maintenance

- a. Track and Station Maintenance: TRE would continue to maintain the track and right-of-way. Trinity Metro to maintain station platform and amenities within TRE's right-of-way.
- b. Station Parking Maintenance: If the parking is fully controlled by Trinity Metro, then the parking shall be maintained by Trinity Metro. If it is managed and incorporated into a shared parking program, then it will be maintained by the parking manager or Trinity Lakes.

#### 11) Grant Opportunities

- a. Trinity Lakes and Trinity Metro shall jointly seek and apply for applicable grants to fund the proposed station, park and ride lot/garage, station access road, Loop 820 access road and infrastructure necessary for opening of station.

#### 12) Former Trinity Metro's Board of Director Ken Newell

- a. Former Trinity Metro Board of Director Member Ken Newell, is a principal in the Trinity Lakes development. Trinity Lakes and Trinity Metro agreed, prior to the commencement of negotiations with Trinity Lakes, on a protocol that demonstrates Trinity Metro's commitment to transparency and the avoidance of even the appearance of conflicts.
- b. Mr. Newell proposed that he voluntarily refrain from communicating with the Trinity Metro Board of Directors in connection with his role in the Trinity Lakes development for two years from the date his successor on the Trinity Metro Board of Directors was installed—that is, until October 30, 2019, and in all events until after the Trinity Lakes station is completed.

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13) Opportunity for Competing Proposals

- a. As noted above, Trinity Metro is unaware of any comparable site or opportunity in general that provides equivalent benefits to Trinity Metro within one (1) mile of the current station. However, if this proposed transaction is recommended by the Commuter Rail Committee, Trinity Metro will continue to negotiate with Trinity Lakes, but will not enter into any binding contract with Trinity Lakes regarding the station for not less than 30 days from the date of the committee's action. During that 30-day period Trinity Metro will invite other competing proposals which Trinity Metro will promptly evaluate for their potential benefit and utility to Trinity Metro. If Trinity Metro identifies one or more competing proposals with potential benefit and utility to Trinity Metro equivalent to or greater than Trinity Lake's proposal, Trinity Metro will present the competing proposal(s) to the Commuter Rail Committee for consideration. Trinity Metro will publicize its invitation to receive competing proposals by placing that information on its website, the Star-Telegram and Commercial recorder.

**RECOMMENDATION**

The Commuter Rail Committee finds that this proposed transaction is necessary, convenient, and useful to the performance of Trinity Metro's statutory purposes and powers and recommends that the Trinity Metro's Board of Directors approve the deal points with Trinity Lakes and authorize the President/Chief Executive Officer to develop and execute a Development Agreement with Trinity Lakes based on the approved deal points for the construction of the Trinity Lakes TRE Station and the removal of the existing Richland Hills TRE Station.

Subsequent contractor actions (construction and other expenditures) will follow Trinity Metro's procurement procedures and will be presented to the Committee and Board of Directors for specific approvals.

**Disposition by Board of Directors**

Secretary Approval: \_\_\_\_\_ Date: \_\_\_\_\_

## Trinity Railway Express – Trinity Lakes Station



TRINITY LAKES  
3 June 15, 2017

Ft Worth, TX  
HPA #17288

MASTER PLAN - Propose 820

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### Disposition by Board of Directors

Secretary Approval: \_\_\_\_\_ Date: \_\_\_\_\_

# Board of Directors Action Item

Item Number: BA2018-37

Meeting Date: March 26, 2018

Item Title: Bus Wash System Contract Modification



## BACKGROUND

On November 21, 2016, the Fort Worth Transportation Authority (Trinity Metro) approved a procurement for a new Bus Wash System (BA2017-08) for the purchase of equipment and installation of a new wash system to provide better capabilities for cleaning transit vehicles.

To accommodate the new bus wash system, we need to modify the existing bus wash bay area including removing an existing metal wall, installing a new concrete masonry unit wall, installing new access doors, cleaning and painting existing ceiling, walls, and floor, and installing new electrical and water lines. These modifications to the existing bus wash bay area will be completed in advance of installation of the new bus wash system, scheduled for 2018.

## INVITATION FOR BIDS (IFB)

In accordance with Trinity Metro's Procurement Policy, Invitation for Bid (IFB 17-T041) for Bus Wash Facility Modifications was issued and advertised on FWTA.org website. The IFB was issued to establish a contract for a firm to complete the work within 90 calendar days after the removal of the existing bus wash system and installation of a temporary bus wash system.

Three firms responded to the solicitation and complied with the bid requirements. Bid responses were received from:

<b>CONTRACTOR</b>	<b>BASE BID AMOUNT</b>
RD Howard, LLC	\$192,054
Mark IV Construction Group, LLC	\$371,494
MART, Inc.	\$399,218

RD Howard, LLC submitted the lowest responsive, responsible and complete bid and is a certified Disadvantaged Business Enterprise (DBE) firm, and was awarded the contract.

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Item Title: Bus Wash System Contract Modification

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RD Howard, LLC has stopped work on the project as of February 16, 2018 and has requested to withdraw from the contract. Once the RD Howard LLC contract is closed, the remaining funds will go towards the contract with Mark IV Construction Group, LLC.

Therefore, we are recommending that the contract now be awarded to the next lowest responsible bidder, Mark IV Construction Group, LLC. We will continue to negotiate with Mark IV Construction Group, LLC to reduce their bid amount based on cost reductions for work performed to date by RD Howard, LLC. Final payment will be determined for work performed by RD Howard, LLC and final costs will be established for equipment or work to be modified and performed by Mark IV Construction Group, LLC.

### **PROCUREMENT**

Trinity Metro's Procurement Department has followed procurement policy with the Invitation for Bid and is in compliance with all applicable Federal, State, and Trinity Metro procurement requirements.

### **FINANCING**

Funds are available in Trinity Metro's FY2018 Capital Budget to finance this contract.

### **DBE UTILIZATION**

The DBE Goal for this Solicitation is 25% minimum.

### **RECOMMENDATION**

The Planning, Operations and Marketing Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to enter into a contract with The Mark IV Construction Group, LLC for a total contract price of \$ 371,494. plus a 20% contingency \$74,298 for a total contract amount not-to-exceed \$445,792.

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**Disposition by Board of Directors**

Secretary Approval: \_\_\_\_\_ Date: \_\_\_\_\_

# Board of Directors Action Item

Item Number: BA2018-38

Meeting Date: March 26, 2018

Item Title: Nova Copy Equipment



## BACKGROUND

On July 20, 2015, Trinity Metro's Board of Directors approved Action Item BA2015-49 for Digital Copier Lease and Maintenance with Nova Copy for nine (9) copiers on a 48-month lease. When the administrative offices moved to Burnett Plaza in 2016, we leased two (2) additional copiers; one (1) at the administrative offices and one (1) at the Store Front. The copier in the Maintenance department was under a lease with Southwest Office Systems via a financial organization, De Lage Financial Services, Inc. When that lease expired in 2016, we returned that copier and leased one (1) additional copier under the Nova Copy lease agreement. We have also added a copier at our newly acquired Grove Street office building.

This brings our total number of copiers to thirteen (13). These copiers are under one contract that was approved for a not-to-exceed amount of \$105,600.

With the additional copiers, we have spent \$98,713.91. The contract is scheduled to expire August 24, 2019.

## FINANCING

Funds are available in Trinity Metro's FY2018 Operating Budget to support the additional copiers. Funds for the remaining year of the contract will be included in the annual proposed budget for FY2019.

## RECOMMENDATION

The Finance & Audit Committee recommends that Trinity Metro's Board of Directors authorize the President/Chief Executive Officer to add an additional \$66,300 and a 10% contingency of \$6,630 for the remaining term of the Nova Copy contract which will bring the total contract to \$171,900 for a not-to-exceed amount of \$178,530.



Disposition by Board of Directors

Secretary Approval: \_\_\_\_\_ Date: \_\_\_\_\_

