

MINUTES

MEETING OF THE MARTA BOARD OF DIRECTORS

PLANNING & CAPITAL PROGRAMS COMMITTEE

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

March 26, 2020

The Board of Directors Planning & Capital Programs Committee met on March 26, 2020 at 9:38 a.m. via WebEx, 1-866-432-9903, Atlanta, Georgia.

Board Members Present

Roberta Abdul-Salaam
Jim Durrett
Roderick E. Edmond
William "Bill" Floyd
Roderick A. Frierson
Jerry Griffin
Freda B. Hardage
John "Al" Pond
Rita A. Scott
Christopher S. Tomlinson*

MARTA officials in attendance were: General Manager/ CEO Jeffrey A. Parker; C-Suite Team Members Chief Customer Experience Officer Rhonda Allen, Chief of System Safety, Security & Emergency Management/Police Wanda Dunham, Chief of Bus Operations Collie Greenwood, Chief Financial Officer Kevin Hurley (Interim), Chief of Staff Melissa Mullinax, Chief Counsel Elizabeth O'Neill, Chief of Capital Programs, Expansion & Innovation Franklin Rucker and Chief of Rail Operations David Springstead; AGMs Marsha Anderson-Bomar, LaShanda Dawkins, Kirk Talbott and George Wright; Executive Director Paula Nash; Senior Directors Debbie Frank, Jacqueline Holland (Acting), Dorinda McCombs, Remy Saintil, Jacob Vallo and Ryan VanSickle; Manager MARTA Board of Directors Rebbie Ellisor-Taylor; Others in attendance Abebe Girmay.

Approval of the February 27, 2020 Planning & Capital Programs Committee Meeting Minutes

On motion by Mr. Durrett seconded by Mr. Pond, the minutes were unanimously approved by a vote of 7 to 0 with 8* members present.

* Christopher S. Tomlinson is Executive Director of Georgia Regional Transportation Authority (GRTA) and is therefore a non-voting member of the MARTA Board of Directors

Briefing – One Thousand Amenities Project Update

Mr. VanSickle provided an update on current status and activities for the 1,000 Amenities project.

Status – Ongoing Activities Underway

- Design
- Permitting
- Installation
- Problem-solving

Progress

- 30 bus shelters installed in 2019
- 36 new bus shelters installed in 2020
 - Stop 212542 / Routes 192 & 193 – Old Dixie Highway & Lake Mirror Road (42 weekday boardings)
 - Stop 901290 / Route 73 – LaGrange Boulevard & Boat Rock Blvd (111 weekday boardings)
- 3,940 daily passenger boardings at installed shelters
- 165 shelters upcoming in 2020
- 12,597 daily passenger boardings at upcoming shelters

Next Steps

- Continue current round of installations
- Prepare for the next round of installations: Select sites, local input and expand amenity options

Mr. Parker said the One Thousand Amenities Project progress is great news for the Authority. MARTA is advancing this project and seeking to improve the experience of bus riders. Bus Stop numbers 212542 (Old Dixie Highway & Lake Mirror Road) and 901290 (LaGrange Boulevard & Boat Rock Boulevard) has sidewalks. As the Authority continue to talk with local jurisdictions regarding advancing the project, it is important to encourage these jurisdictions to improve and install sidewalks. This could improve accessibility of these shelters and provide better access to the MARTA system.

Mr. Pond said approximately a year ago, there was disussion to complete the amenity project between one or two contractors to create efficiencies. He asked has the contract been combined.

Mr. VanSickle said yes, the contract has been combined to cover the entire project.

Mr. Pond asked what is the cost to upgrade each station.

Mr. VanSickle said based upon the field conditions, the cost varies per station. It cost approximately \$20,000 - \$25,000 which covers purchasing the shelter, design work and permit and approximately \$5,000 - \$8,000 for additional amenities which includes benches.

Mr. Frierson said the majority of bus patrons walk and eat. He asked has there been considerations installing larger or additional trash cans at frequently used bus stops.

Mr. VanSickle said MARTA could place additional trash cans at the frequently used stations. Staff has been in discussion with the Authority's vendors who supply the trash cans to see if larger models can be installed, if necessary.

Mr. Parker said there has been recent discussion with Clayton County regarding recently installed bus shelters. MARTA has an agreement with Clayton County in which they are responsible for some of the trash pickup. Upon picking up the trash, they have noticed a significant amount of household trash being placed into the bus stop trash cans. It is important to be conscious about installing larger trash cans. Larger trash cans increase the amount of trash brought into the MARTA system that is not from our patrons.

Dr. Edmond said approximately eight years ago, there was discussion pertaining to this matter. Although MARTA installed trash cans at these stations, the Authority had disagreements with local jurisdictions deciding who would be responsible for maintaining the trash. There were some jurisdictions who felt like MARTA should be responsible for picking up the trash. MARTA is not a sanitation system and has not trained staff to do so. MARTA could provide the trash cans and the respective jurisdictions could include it in their plan to routinely pick up the trash cans. If there are trash cans overflowing or not picked up it could be a unsightly look, making the Authority look unappealing.

Mr. Rucker said that is a concern for the Authority to consider. Although, MARTA have not had the commitment from local jurisdictions, DeKalb County is doing a great job with making a commitment in maintaining trash cans in their jurisdictions.

Dr. Edmond said it is important to be clear. It is recommended to communicate in writing to the various jurisdictions that if MARTA provide trash cans at bus stations, the respective jurisdictions must commit to maintain the trash can. If the respective jurisdictions cannot make that commitment, then the Authority should respond in writing that MARTA can not place trash cans at the bus stations. Any trash can provided at the bus stations must be serviced by the jurisdiction.

Mr. Griffin asked does the Authority execute governmental agreements which covers installing trash cans at bus stations.

Mr. Parker said staff is working with all jurisdictions and municipalities that are served to ensure that amenities are in place. A written update would be provided to the MARTA Board regarding the status. It is also important to recognize every MARTA bus that is in service, has a small black trash can upon entering the bus. MARTA staff would like to ensure that we offer several ways to collect trash when using the MARTA system.

Ms. Abdul-Salaam said at Clayton County meetings, there was discussion that the advertising agencies was responsible for picking up the trash cans at bus stations. She asked has that changed.

Mr. Parker said no, the shelters discussed today are non-advertising shelters. These shelters do not fall into the scope of the current advertising contract.

Ms. Abdul-Salaam said it would be helpful to receive a list of which stations are advertising and non-advertising. She asked does Clayton County have a separate agreement from the One Thousand Amenities Projects.

Mr. Parker said all of the One Thousand Amenities requests are non-advertising amenities which is a separate agreement from Clayton County.

Briefing – Systems Engineering Consulting Services

Mrs. Anderson Bomar presented an update on the current Systems Engineering Consulting contracts.

The current Systems Engineering Consulting contracts with WSP USA Inc., Parsons Transportation Group, and CH2M Hill, Inc., expire January 13, 2021. The purpose of the new Systems Engineering Services contract would provide continued on-call technical and engineering support.

Systems Engineering Services are necessary on an "on-call" basis to support development of scopes of services, concepts of operations, system and sub-system requirements, design synthesis, test plans, criteria verification/validation and whole life-cycle plans for highly technical and complex systems, projects and programs.

The term of the contract would be three (3) base years with two (2) one-year options.

Expenditures estimated at 2,000,000 per year for a total five (5) year value of 10,000,000.

Briefing – Upcoming A/E Consultant Procurement for Design Services for Five Points Station Transformation

Mrs. Anderson Bomar provided a briefing on the upcoming A/E consultant procurement for design services for Five Points Station Transformation.

MARTA desires to use the station area property in a different way for the improvement of train access, interaction of bus patrons and the rail system and to create future opportunities that would complement the Authority's services.

In partnership with the City of Atlanta, who is providing full funding through their MORE MARTA program, MARTA is completing a feasibility study to prepare for the procurement for services.

The Five Points Station is in a key location relative to the redevelopment of downtown and the high-density access to existing and future land uses.

Utilizing contracted A&E services will allow the existing MARTA staff to focus on coordination with all other MARTA projects at Five Points as well as the other 150+ programs and projects that comprise MARTA's Capital Improvement Program (CIP).

The selected firm would demonstrate expertise and experience on major deconstruction under full operating conditions.

The A&E firm would be required to produce a full design document that accurately encompasses the scope of work along with any other technical specifications that support the design. MARTA would be responsible for the solicitation and selection of a contractor to perform the actual construction.

Resolution Authorizing the Solicitation of Proposals for Construction Management at Risk (CMAR) Services to Support the Five Points Station Transformation, RFP P46354

Mrs. Anderson Bomar presented a resolution authorizing solicitation of proposals for the procurement of Construction Management at Risk (CMAR) Services to support the Five Points Transformation.

MARTA is completing a feasibility study for the deconstruction and reimagination of the Five Points Station at the street level.

MARTA desires to retain the services of a Construction Management (CM) firm. This firm will work closely with the MARTA team, including the A/E Consultant and the Authority's partners with the City of Atlanta (COA).

The goal is to complete construction by 2025 to be ready for the World Cup in 2026.

In the CMAR process, the Authority selects the CM firm while the design is being developed. The CM firm reviews the planned work and provides comments relating to constructability, scheduling and does value engineering during the design process. These services are defined as pre- construction and are billed using hourly rates prenegotiated with the CM firm.

Mr. Floyd asked would the Five Points procurement encompass work above the MARTA platform.

Mrs. Anderson Bomar said no, this particular project would be completed at the street level.

Mr. Floyd asked would the upcoming project interrupt service at the Five Points Station.

Mrs. Anderson Bomar said no, staff has the ability to keep operations running smoothly.

Mr. Rucker said staff would look at logistics on how to access the station before the project begins. This information would also be publicized prior to construction.

On motion by Dr. Edmond seconded by Mr. Frierson the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Briefing – Upcoming A/E Consultant Procurement for Design Services for Capital Ave Summerhill Bus Rapid Transit (BRT)

Mrs. Anderson Bomar briefed the MARTA Board of Directors on A/E consultant procurement for design services for Capital Ave Summerhill Bus Rapid Transit (BRT).

MARTA successfully competed for a TIGER grant which will provide \$12M for the development of this Bus Rapid Transit (BRT) project. The Board approved schedule indicates an operational opening in 2024.

MARTA is completing the environmental process and expects clearance by May 2020.

MARTA desires to retain the services of an Architectural and Engineering (A&E) Consultant firms. The A&E firm will support planning, design, pre-construction and construction efforts for the development of the Summerhill BRT.

Utilizing contracted A&E services will allow the existing MARTA staff to focus on coordination with all other MARTA and adjacent projects in the area of the BRT as well as the other 150+ programs and projects that comprise MARTA's Capital Improvement Program (CIP).

The A&E firm will be required to produce a full design document that accurately encompasses the scope of work along with any other technical specifications that support the design. MARTA will be responsible for the solicitation and selection of contractor(s) to perform the construction of the infrastructure to support the BRT operations.

Resolution Authorizing the Final Acceptance for Contract B17524 for Project 31813, At- Grade Track Slab Rehabilitation

Mrs. Anderson Bomar presented a resolution authorizing final acceptance for Contract B17524 Project 31813, At-Grade Track Slab Rehabilitation, in the amount of \$6,305,677.32.

On October 17, 2011, the Board of Directors approved award of this Contract to Massana Construction, Inc., in the amount of \$6,445,305.00 for the base work and four (4) phases.

Eight (8) change Orders authorized a net increase to the Contract in the amount of \$303,135.32. The change orders were either administrative changes or for the upgrades needed at Doraville and Oakland City Station platforms.

Quantity variations decreased the Contract amount by \$442,763.00.

The Contract will be closed at a final cost of \$6,305,677.32.

Dr. Edmond asked about the life span of the rehab.

Mrs. Anderson Bomar said approximately 30-40 years.

On motion by Mr. Griffin seconded by Mr. Durrett the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Resolution Authorizing the Final Acceptance of Contract B19735 for Project 31707, Systemwide Tunnel Lightning Upgrades

Mrs. Anderson Bomar presented a resolution authorizing final acceptance for Contract B19735 Project 31707, System Wide Tunnel Lighting Upgrades, in the amount of \$9,177,319.00.

On November 5, 2012, the Board of Directors approved award of this Contract to Excel Electrical Technologies, Inc., in the amount of \$8,800,000.00.

A contingency in the amount of \$440,000.00 increased the total authorization to \$9,240,000.00. Twelve (12) Change Orders authorized a net increase to the Contract in the amount of \$383,789.78. The change orders were either administrative changes or design changes for additional lights, conduit and wiring; and/or mounting bracket modifications necessitated by differing site conditions in the tunnels.

Quantity variations decreased the Contract amount by \$6,470.78.

The Contract will be closed at a final cost of \$9,177,319.00.

The Office of Diversity and Inclusion assigned a Disadvantaged Business Enterprise (DBE) goal of 12% for this contract. The Contractor was able to attain 16.78% in DBE participation.

Dr. Edmond asked how often should the Authority approve contracts to upgrade tunnel lightning.

Mrs. Bomar Anderson said the system would last approximately several decades. The LED lights are expected to last ten (10) to fifteen (15) years.

Mr. Parker said many of the conditions that are being fixed, the Authority is allowed to go close to or to failure. In the future, it would be beneficial to not let these systems degrade as much as they have.

On motion by Mr. Durrett seconded by Mr. Griffin the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Resolution Authorizing the Final Acceptance of Contract P35894 for Project 31690, AC Track Circuit Upgrade – Ready Reserve Storage Track

On July 15, 2015, the Board of Directors approved award of this Contract to Cleveland Electric Company in the amount of \$1,323,370.00.

There were no change orders issued on this Contract.

There were no quantity variations on this Contract.

The final audit has been conducted in accordance with MARTA Contract Closeout Procedure 10.3.27.

The Office of Diversity and Inclusion did not assign a Disadvantaged Business Enterprise (DBE) goal for this sole source procurement. However, Cleveland Electric attained 8.4% DBE participation through the utilization of D&D Electric.

On motion by Mr. Durrett seconded by Ms. Abdul-Salaam the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Resolution Authorizing the Solicitation of Proposals for a Transit Oriented Development (TOD) Project at Kensington Station, RFP P46345

Mrs. Frank presented a resolution authorizing the solicitation of proposals for the Joint Development of Parcel D1199 at Kensington Station.

This resolution seeks improvement to the system to allow for better operations by storing railcars at three (3) locations around the system; North Springs, Airport and Indian Creek Stations.

MARTA has received an unsolicited proposal for the development of a high-density, mixed-use project at the Kensington Station.

The proposed development density is consistent with the Atlanta Regional Commission's 2003 and 2012 Livable Centers Initiative Plans.

Staff recommends and requests authorization to conduct an RFP process for a TOD at the Station.

Mr. Floyd said the City of Avondale is an interested party regarding this TOD project. He encouraged staff to reach out to the City of Avondale and their Development Authority.

Mr. Parker said this project would be the first project since the approval of the Fifteenth Amendment. MARTA staff would work with a TOD Council at the jurisdiction level to get approval abatements on this project.

Mrs. Frank yes that is correct.

Mr. Floyd asked if the abatements under the Fifteenth Amendment required to be approved prior to issuing an RFP.

Mr. Parker said it is not known that DeKalb County has officially set up a TOD Council of the jurisdiction. MARTA would need to get that approval prior to the issuance of an RFP.

Mr. Floyd asked would the MARTA Board vote on the RFP at the next Board meeting.

Mr. Parker said the MARTA Board would grant staff the authorization to issue an RFP assuming that DeKalb County have a TOD Council or intend to have a TOD Council. MARTA would need to have DeKalb County's authorization to include a tax abatement within that RFP per the Fifteenth Amendment. It is not an action of the MARTA Board to issue a tax abatement.

Mr. Floyd asked should the MARTA Board be notified once an agreement has been made to include some level of abatements prior to request of proposals.

Mr. Parker said a Briefing could be held to update the MARTA Board. The Fifteenth Amendment requires that there is a member of the MARTA Board on the TOD Council to represent the MARTA Board and staff could facilitate that.

Mr. Floyd said it would be beneficial for staff to research this matter a little further. It is a little uncomfortable granting authorization to release the request for proposal and not know what the RFP would look like. It is important that the MARTA Board know what the RFP looks like prior to authorization.

Mr. Durrett asked is there any reason why MARTA would include anything regarding tax abatement in a request for proposal.

Mrs. Frank said no, the Authority does not speak of any sort of tax abatements on behalf of a developer. That is a relationship that the developer would create.

Ms. O'Neill said the Fifteenth Amendment changes the dynamic of issuing a RFP for TOD Developers. This change indicates that the TOD Council must verify that there is a provision that includes a tax abatement proposal in place. The Authority must know before an RFP is issued.

Mr. Parker said the RFP would not dictate the terms of an abatement. The RFP indicates that MARTA would allow or not allow considerations of a proposal that includes tax abatement.

Dr. Edmond said the Authority experienced this thought process with the MLK Project. One of the bidders put in a bid that was conditional upon receiving some sort of a tax gift from the City of Atlanta. It is important for MARTA to get the best deal and get a builder who has the actual capacity to do it.

Mr. Vallo said there has been discussion with DeKalb County Commissioner, Steve Bradshaw with hopes to form the TOD Council. The Authority's intent today was to receive authorization to complete the work to issue an RFP, but not without the consent of the TOD Council.

Mr. Floyd said due to changes in the Fifteenth Amendment, it would be beneficial to the DeKalb County Board Members to be more closely involved in the process. It is important that staff keep the Board updated on the progress of this project.

Ms. Scott expressed support with the concerns of fellow DeKalb Board member, Mr. Floyd.

On motion by Mr. Durrett seconded by Dr. Edmond the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Resolution Authorizing the Execution of the Intergovernmental Agreement (IGA) with the Housing Authority of DeKalb County for the Development of Parcels D1135 and D1123 at the Kensington Station

Mrs. Frank presented a resolution authorizing the execution of the Intergovernmental Agreement (IGA) with the Housing Authority of DeKalb County to support the development of Parcels D1135 and D1123 at the Kensington Station.

Last month Mr. Vallo discussed the development opportunity at the February 13, 2020 Work Session and Mrs. Frank recapped the discussion for consideration of approval.

Timeline of Recent Activity Associated with Parcels D1135 and D1123

- September 2017 – Received Unsolicited Proposal
- February 2018 – Received Authorization to Release RFP
- September 2018 – Released RFP
- October 2018 – No Proposals Received
- December 2019 – HADC submitted expression of interest
- Dec 2019 – February 2020 – Negotiated Term Sheet

The proposed development would include

- Four (4) acres of MARTA's outside property south of Kensington Road

Recently Atlanta's Housing Authority submitted a re-zoning application for the Kensington Station. The re-zoning would take the property from predominately a residential district to a mixed-use zoning district supporting transit-oriented development.

Proposed Development Density is 250 – 400 multifamily units with a minimum of 40% of the units at 80% of Area Median Income (AMI) of the Atlanta-Sandy Springs-Marietta area and ground floor retail.

On motion by Mr. Durrett seconded by Mr. Frierson the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Resolution Authorizing the Execution of Agreements with RD Management LLC and Kelco/FB Winecoff LLC for Development of Parcel D3210 at the Peachtree Center Station

Mr. Vallo presented a resolution authorizing the General Manager/CEO or his delegate to execute agreements with RD Management LLC and Kelco/FB Winecoff LLC for the development of Parcel D3210 at Peachtree Center.

On July 26, 2018, MARTA Board of Directors authorized staff to enter into negotiations with RD Management LLC and Kelco/FB Winecoff LLC for joint development at Peachtree Center, Entrance #2.

Consistent with MARTA's adopted Transit Oriented Development (TOD) Guidelines, MARTA seeks to generate operating income and increased ridership through the development of MARTA-owned facilities.

Timeline of Transition

- July 2017 – Received Unsolicited Proposal
- December 2017 – Received Authorization to Release RFP
- March 2018 - Released RFP
- April 2018 - Proposals Received
- August 2018 – Received Authorization to Negotiate with RD Management LLC and Kelco/FB Wincoff LLC
- August 2018 – January 2020 – Negotiated Term Sheet

Dr. Edmond congratulated Mr. Vallo for a great presentation. He asked Mr. Vallo to ensure that MARTA was getting a great deal for allowing these companies to have vertical access to MARTA's Station.

Mr. Vallo said MARTA would receive station enhancements that could improve the customers experience in exchange for granting vertical access to MARTA's Station.

Dr. Edmond asked how much money would be at stake?

Mr. Vallo said the amount of money at stake is still being determined. In the preliminary budget, it is listed at close to \$1M. However, that could change as things progress.

Mr. Parker said part of the deal is that MARTA would receive a monetary benefit. Part of that monetary benefit would be used to upgrade the MARTA facility. We have not fully designed or received approval of what improvements would be included in the project.

Mr. Vallo said that is correct. The structure of the transaction is to support the ground leases. The ground leases were previously completed and shared with the MARTA Board during Executive Session. In addition to the ground lease revenue, MARTA would received enhancements to the Authority's station.

Dr. Edmond said it is important that the MARTA Board understand that the developer is building an additional hotel that is bigger than the first hotel on top of the MARTA Station. That is a significant value for the Authority.

Mr. Vallo said the Authority is in the process of having the new hotel appraised.

Dr. Edmond asked Mr. Vallo to email the detailed specifics to each MARTA Board member.

Ms. Abdul-Salaam asked would the appraisal process include air rights.

Mr. Vallo said yes, air rights would be included in the appraisal.

On motion by Mr. Durrett seconded by Mr. Griffin the resolution was unanimously approved by a vote of 9 to 0 with 10* members present.

Briefing – Quarterly Dashboard Briefing on Capital Projects

Mrs. McCombs presented a quarterly Capital Project update to the MARTA Board.

A graph representing MARTA Capital Improvement Program (SRG) ten (10) year budget projection and FY2020 Budget Allocation was presented.

FY2020 More MARTA Initiatives

- City of Atlanta - \$34,883,533.95
- DeKalb County - \$5,000,000
- Clayton County - \$19,215,832.37

Expansion Program

- Cumulative Amount - \$3,220,642,048.80

Bus Stop Amenities Project Schedule

- Design – June 2020
- Permitting – November 2020
- Construction – December 2020

MARTA (SGR) – Bus Stop Amenities

- | | |
|------------------|-------------------|
| ▪ Clayton County | ▪ DeKalb County |
| – Planned: 36 | – Planned: 70 |
| – To Date: 25 | – To Date: 14 |
| ▪ Fulton County | ▪ City of Atlanta |
| – Planned: 64 | – Planned: 64 |
| – To Date: 22 | – To Date: 22 |

Other Matters

Dr. Edmond spoke of unsolicited bids received from the Authority. We have discussed the matter numerous of times and have not come up with a consistent policy and system to deal with this issue. It is important to recognize those who bring new ideals to the Authority. If we don't put a system in place, we could forfeit a lot of opportunity and goodwill.

Mr. Parker said there is a policy that the MARTA Board has approved. Staff could come before the board to present the policy that has been implemented.

Dr. Edmond said yes, it would be appreciated.

Mr. Parker said a copy of the policy would also be emailed to each Board member.

Dr. Edmond said it is also important to ensure that staff reach out to all stakeholders to inform them that the Committee meetings are being held via Webex.

Ms. O'Neill said outside attendees including public attendee were provided a toll-free telephone number to attend the Committee meeting via teleconference. This conference allows listening privileges only.

Mrs. Ellisor-Taylor reported there were currently 37 outside/public attendees signed in for this meeting.

Ms. Abdul-Salaam said the phone number is also listed on the MARTA website as well.

* * *

Adjournment

The meeting of the External Relations Committee adjourned at 11:09 a.m.