RESOLUTION NO. 80- 118

A RESOLUTION

MAKING CERTAIN FINDINGS; AUTHORIZING THE ESTABLISHMENT OF AN ACCOUNTING PROGRAM; AND AUTHORIZING THE ESTABLISHMENT OF A CAPITAL PROGRAM RESERVE.

WHEREAS, the Metropolitan Transit Authority ("Metro") was established to develop, maintain, and operate a public mass transportation system (the "System") for its area; and

WHEREAS, Metro's alternatives analysis indicates that, regardless of the system configuration selected to provide the System, Metro will be required to make significant capital expenditures for the System; and

WHEREAS, the Board of Metro recognizes that in connection with such expenditures an accounting program must be developed that ensures sound, conservative fiscal management, which will justify and promote the confidence of both taxpayers and investors:

WHEREAS, the Board of Metro recognizes that, while not directly applicable, the accounting programs employed by other units of local government, which ensure that the full amount of funds necessary for a construction and acquisition project are and will continue to be available until completion of the project, serve as useful models for Metro; and

WHEREAS, the Board of Metro has determined that it is necessary to adopt an accounting program that, as a part thereof, contains a "Capital Program Reserve Account."
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1: The Board hereby authorizes the establishment of an accounting program which ensures that the full amount of funds necessary for a construction or acquisition project are and will continue to be available until completion of the project.

Section 2: As a part of such accounting program, the Board hereby authorizes the establishment of a "Capital Program Reserve Account," in which, based on projected funding needs, funds will be set aside for completing the acquisition and construction of projects.

Section 3: This resolution shall be effective immediately upon its passage.

PASSED this 10th day of September, 1980.

APPROVED this 10th day of September, 1980.

Daniel C. Arnold, Chairman-of the Board

ATTEST:

Ninfa Laurerzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter Addison, Executive Director

APPROVED AS TO FORM:

Jonathan Day, Legal Counsel
RESOLUTION NO. 80-119

A RESOLUTION

MAKING CERTAIN FINDINGS AND AUTHORIZING THE TRANSFER OF FUNDS OUT OF THE 1980 FISCAL YEAR CASH BALANCE INTO METRO'S CAPITAL PROGRAM RESERVE ACCOUNT.

WHEREAS, by separate resolution the Board of the Metropolitan Transit Authority ("Metro") has authorized the establishment of an accounting program which ensures that the full amount of funds necessary for a construction of acquisition project are and will continue to be available until completion of the project, as a part of which the Board has previously authorized the establishment of a Capital Program Reserve Account; and

WHEREAS, the Board of Metro has determined that to accomplish the objectives of such accounting program it is necessary to transfer funds from estimated 1980 fiscal year cash balance into such Capital Program Reserve Account.

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

Section 1: The Board hereby authorizes the transfer of $75,200,000 from Metro's estimated 1980 fiscal year cash balance into the Capital Program Reserve Account, pursuant to the schedule of projects and funds set out in Exhibit A, attached hereby and incorporated herein for all purposes.

Section 2: As a part of such transfer the Board hereby authorizes the Executive Director and the Metro staff, operating under his direction, to take such action as he shall deem necessary
or appropriate to accomplish the foregoing.

Section 3: This resolution shall be effective immediately upon its passage.

PASSED this 10th day of September, 1980.

APPROVED this 10th day of September, 1980.

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Laurenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter Addison, Executive Director

APPROVED AS TO FORM:

Jonathan Day, Legal Counsel
EXHIBIT A
TO
RESOLUTION NO. 80-119

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>($MM)</th>
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<tr>
<td>SOUTHWEST/WESTPARK RAIL:</td>
<td>1,000.0</td>
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<tr>
<td>CBD TO WEST BELT</td>
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<tr>
<td>WITH YARD FOR 90 VEHICLES</td>
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<tr>
<td>MAINTENANCE FACILITIES</td>
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<tr>
<td>ROLLING STOCK</td>
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<tr>
<td>PARK &amp; RIDE FACILITIES</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,294.9</strong></td>
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</table>
RESOLUTION NO. 80-120

A RESOLUTION

AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A FIRST AMENDATORY AGREEMENT WITH DANNENBAUM ENGINEERING CORPORATION FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES IN CONNECTION WITH THE RENOVATION CONSTRUCTION OF THE MILBY STREET MAINTENANCE FACILITY.

WHEREAS, the Metropolitan Transit Authority (MTA) entered into an Agreement dated August 15, 1979 with Dannenbaum Engineering Corporation for professional engineering and design services in connection with the renovation construction of the Milby Street Maintenance Facility; and

WHEREAS, additional A/E services are required for the completion of the project; and

WHEREAS, these additional services cover project requirements not identified in the original contract and changes in scope directed by the staff.

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

Section 1: The Executive Director be authorized to negotiate and to execute, and the Assistant Secretary to attest to, a First Amendatory Contract with Dannenbaum Engineering Corporation for additional services in connection with the renovation construction of the Milby Street Maintenance Facility.

Section 2: Total contract amount increased by $278,730 to $870,000.

Section 3: Contract period is extended to November 30, 1980.
Section 4: This resolution shall be effective immediately upon its passage.

PASSED this 10th day of September, 1980.
APPROVED this 10th day of September, 1980.

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Laurenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter Addison, Executive Director

APPROVED AS TO FORM:

Jonathan Day, Legal Counsel
RESOLUTION NO. 80--121

A RESOLUTION

APPROVING THE AWARD OF BID AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH S & S CONTRACTING COMPANY FOR THE MAINTENANCE BUILDING FOR THE SOUTHWEST MAINTENANCE FACILITY.

WHEREAS, an Invitation to Bid for remodeling of an existing building, including demolition, partitioning, mechanical, an electrical work, for the Southwest Maintenance Facility was issued on July 30, 1980; and

WHEREAS, four (4) responses were received; and

WHEREAS, S & S Contracting Company was found to be the low responsive and responsible bidder.

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

Section 1: The Executive Director award bid and be authorized to execute and the Assistant Secretary to attest to an agreement with S & S Contracting Company for the maintenance building for the Southwest Maintenance Facility.

Section 2: Total bid amount is $696,000.00.

Section 3: This resolution shall be effective immediately upon its passage.

PASSED this 10th day of September, 1980.

APPROVED this 10th day of September, 1980.

ATTEST:

Daniel C. Arnold, Chairman of the Board

Ninfa Laurenzo, Secretary
APPROVED AS TO SUBSTANCE:

Walter Addyson, Executive Director

APPROVED AS TO FORM:

Jonathan Day, Legal Counsel
A RESOLUTION

AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT WITH TMC, INC. FOR ACTIVITY CENTER RIDESHARING SERVICES IN THE TEXAS MEDICAL CENTER AREA.

WHEREAS, on August 6, 1980, a Request for Proposal for contract activity center ridesharing services was issued to major activity center organizations; and

WHEREAS, three activity center organizations responded to the RFP and TMC, Inc. submitted a proposal outlining ridesharing services for promotion within their respective activity center.

WHEREAS, TMC, Inc. has worked with the Metropolitan Transit Authority to promote ridesharing and transportation programs within the activity center during the past year; and

WHEREAS, effective July, 1980, the CarShare Program has received special grant funds of $103,000 through the National Ridesharing Demonstration Program to promote activity center transportation projects,

WHEREAS, in order to continue and expand Metro's successful activity center program pursuant to the National Ridesharing Demonstration Grant,

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

Section 1: The Executive Director is hereby authorized to secure approval from the State Department of Highways and Public Transportation and the Federal Highway Administration to utilize National Ridesharing Demonstration Funds in the continuation and expansion of activity center ridesharing services.

Section 2: Upon funding approval, the Executive Director is hereby authorized to negotiate and execute and the Secretary to attest an agreement with TMC, Inc. for activity center ridesharing services in the Texas Medical Center area.
Resolution No. 80-122 (Page 2)

Section 3: Compensation to be paid to TMC, Inc. for such services shall not exceed $18,700.

Section 4: This Resolution be effective immediately upon its passage.

PASSED this 10th day of September, 1980
APPROVED this 10th day of September, 1980

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Laurenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter J. Addison
Executive Director

APPROVED AS TO FORM:

Legal Counsel
A RESOLUTION

AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT WITH CITY POST OAK ASSOCIATION FOR ACTIVITY CENTER RIDESHARING SERVICES IN THE POST OAK AREA.

WHEREAS, on August 6, 1980, a Request for Proposal for contract activity center ridesharing services was issued to major activity center organizations; and

WHEREAS, three activity center organizations responded to the RFP and City Post Oak Association submitted a proposal outlining ridesharing services for promotion within their respective activity center,

WHEREAS, City Post Oak Association has worked with the Metropolitan Transit Authority to promote ridesharing and transportation programs within the activity center during the past year; and

WHEREAS, effective July, 1980, the CarShare Program has received special grant funds of $103,000 through the National Ridesharing Demonstration Program to promote activity center transportation projects,

WHEREAS, in order to continue and expand Metro's successful activity center program pursuant to the National Ridesharing Demonstration Grant,

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

Section 1: The Executive Director is hereby authorized to secure approval from the State Department of Highways and Public Transportation and the Federal Highway Administration to utilize National Ridesharing Demonstration Funds in the continuation and expansion of activity center ridesharing services.

Section 2: Upon funding approval, the Executive Director is hereby authorized to negotiate and execute and the Secretary to attest an agreement with City Post Oak Association for activity center ridesharing services in the Post Oak area.
Resolution No. 80-123 (Page 2)

Section 3: Compensation to be paid to City Post Oak Association for such services shall not exceed $18,000.

Section 4: This Resolution to be effective immediately upon its passage.

PASSED this 10th day of September, 1980
APPROVED this 10th day of September, 1980

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Laurenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter J. Addison
Executive Director

APPROVED AS TO FORM:

Legal Counsel
A RESOLUTION

AUTHORIZING NEGOTIATION AND EXECUTION OF A CONTRACT WITH CENTURY DEVELOPMENT CORPORATION FOR ACTIVITY CENTER RIDE SHARING SERVICES IN THE GREENWAY PLAZA AREA.

WHEREAS, on August 6, 1980, a Request for Proposal for contract activity center ridesharing services was issued to major activity center organizations; and

WHEREAS, three activity center organizations responded to the RFP and Century Development Corporation submitted a proposal outlining ridesharing services for promotion within their respective activity center.

WHEREAS, Century Development Corporation has worked with the Metropolitan Transit Authority to promote ridesharing and transportation programs within the activity center during the past year; and

WHEREAS, effective July, 1980, the CarShare Program has received special grant funds of $103,000 through the National Ridesharing Demonstration Program to promote activity center transportation projects,

WHEREAS, in order to continue and expand Metro's successful activity center program pursuant to the National Ridesharing Demonstration Grant,

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

Section 1: The Executive Director is hereby authorized to secure approval from the State Department of Highways and Public Transportation and the Federal Highway Administration to utilize National Ridesharing Demonstration Funds in the continuation and expansion of activity center ridesharing services.

Section 2: Upon funding approval, the Executive Director is hereby authorized to negotiate and execute and the Secretary to attest an agreement with Century Development Corporation for activity center ridesharing services in the Greenway Plaza area.
Resolution No. 80-124 (Page 2)

Section 3: Compensation to be paid to Century Development Corporation for such services shall not exceed $18,000.

Section 4: This Resolution be effective immediately upon its passage.

PASSED this 10th day of September, 1980
APPROVED this 10th day of September, 1980

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Lorenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter J. Addison
Executive Director

APPROVED AS TO FORM:

Legal Counsel
RESOLUTION NO. 80-125

A RESOLUTION

AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH BEISWENGER, HOCH & ASSOCIATES/TEXAS TRANSPORTATION INSTITUTE FOR SERVICE AND METHODS DEMONSTRATION EVALUATION OF CONTRAFLOW.

WHEREAS, a Request for Proposal (RFP) for data collection services related to the North Freeway Corridor (Contraflow) Service and Methods Demonstration Evaluation study was issued on August 7, 1980; and

WHEREAS, four (4) proposals were received; and

WHEREAS, the team of Beiswenger, Hoch & Associates with Texas Transportation Institute was found to have the most thorough management plan, best familiarity with the corridor, and lowest unit cost for staff hours allotted.

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

Section 1: The Executive Director be authorized to negotiate and execute and the Assistant Secretary to attest to an agreement with Beiswenger, Hoch & Associates/Texas Transportation Institute for Service and Methods Demonstration Evaluation of Contraflow.

Section 2: Total contract amount is not to exceed $30,000. Eighty percent (80%) of the cost is to be funded from Urban Mass Transportation Administration grant TX-06-0018-1.

Section 3: This resolution shall be effective immediately upon its passage.
PASSED this 10th day of September, 1980.
APPROVED this 10th day of September, 1980.

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Laurenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter Addison, Executive Director

APPROVED AS TO FORM:

Jonathan Day, Legal Counsel
RESOLUTION NO. 80-126

A RESOLUTION


WHEREAS, the Metropolitan Transit Authority Board desires to provide a continuation of and improved mass transit services to the area under MTA jurisdiction; and

WHEREAS, an agreement has been negotiated by representatives of the Metropolitan Transit Authority and representatives of the Transport Workers Union; and

WHEREAS, the agreement has been ratified by members of the Transport Workers Union, AFL-CIO, Local 260.

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

Section 1: The Executive Director be authorized to execute and the Assistant Secretary to attest to a Collective Bargaining Agreement, a copy of which is attached hereto and made a part hereof, with the Transport Workers Union of America, AFL-CIO, Local 260.

Section 2: Term of the agreement shall be two (2) years beginning August 1, 1980.

Section 3: This resolution shall be effective immediately upon its passage.
RESOLUTION NO. 80-126 (Page 2)

PASSED this 10th day of September, 1980.
APPROVED this 10th day of September, 1980.

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Laurenzo, Secretary

APPROVED AS TO SUBSTANCE:

Walter Addison, Executive Director

APPROVED AS TO FORM:

Jonathan Day, Legal Counsel
AUTHORIZING APPROVAL AND EXECUTION BY THE EXECUTIVE DIRECTOR OF AN EARNEST MONEY CONTRACT PURCHASE AGREEMENT FOR THE GULF FREEWAY CORRIDOR PARK & RIDE SITE WITH THE BERG COMPANIES, INC.

WHEREAS, Metro advertised for proposals for park & ride facilities, including the Gulf Freeway Corridor Park & Ride site, on July 14th, 1980; and

WHEREAS, The Berg Companies, Inc. submitted the most advantageous proposal for the Gulf Freeway Corridor Park & Ride site; and

WHEREAS, the Metro staff pursuant to the terms of the request for proposals, has negotiated an Earnest Money Contract Purchase Agreement in the form attached hereto with The Berg Companies, Inc; and

WHEREAS, Metro has met the notice and posting requirements of its statutory and Board approved procedures.

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

Section 1: The Earnest Money Contract Purchase Agreement by and between the Metropolitan Transit Authority and The Berg Companies, Inc., in the form attached hereto be approved.

Section 2: Funds are available under Line Item 63, Park & Ride Facilities Land Acquisition, in the Metro FY 1979-80 capital budget to cover the maximum amount payable of $3,259,041 under such Earnest Money Contract Purchase Agreement, and $3,259,041 is hereby allocated from such funds for the purchase of the Subject Property under such Earnest Money Contract Purchase Agreement.

Section 3: The Executive Director be authorized to execute, and the Assistant Secretary to attest to, the attached Earnest Money Contract Purchase Agreement.

Section 4: The Executive Director be authorized to take all necessary action on behalf of Metro to close without further Board action upon his satisfaction that the terms and conditions of the Earnest Money Contract Purchase Agreement has been met.
RESOLUTION NO. 80-127 (Page 2)

Section 5: The maximum amount payable by the Metropolitan Transit Authority under the attache Earnest Money Contract Purchase Agreement is $3,259,041, and incidental costs of closing as provided therein.

Section 6: This Resolution shall be effective immediately upon its passage.

PASSES this 10th day of September, 1980.
APPROVED this 10th day of September, 1980.

Daniel C. Arnold, Chairman of the Board

ATTEST:

Ninfa Lorenzo, Secretary

APPROVED (SUBSTANCE):

Walter J. Addisson, Executive Director

APPROVED (FORM):

Legal Counsel