RESOLUTION NO. 2010-18

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A REQUIREMENTS CONTRACT WITH PBS&J FOR AN AMOUNT NOT TO EXCEED $2,500,000 FOR PROGRAM CONTROL SERVICES FOR THE METRO SOLUTIONS PROGRAM; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, Program control services, including scheduling, cost control and estimating, are needed in support of METRO Solutions construction activities; and

WHEREAS, a request for proposals was issued and a staff evaluation committee has determined that the firm of PBS&J is most qualified; and

WHEREAS, the Board has reviewed the solicitation and concurs with staff's findings.

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to negotiate, execute and deliver a contract with PBS&J, in an amount not to exceed $2.5 million, to fund program control services through September 30, 2011.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

Gilbert A. Garcia
Chairman

ATTEST:

Assistant Secretary
RESOLUTION NO. 2010-19

A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A REQUIREMENTS CONTRACT, FOR AN AMOUNT NOT TO EXCEED $1,433,130 WITH NEON ELECTRIC CORPORATION FOR BUS PASSENGER SHELTERS; AND MAKING FINDING AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO requires fabrication, delivery and installation of bus passenger shelters; and

WHEREAS, A contract for the fabrication, delivery and installation of bus passenger shelters was competitively bid; and

WHEREAS, Neon Electric Corporation was determined to be the most responsive and responsible bidder; and

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to execute and deliver a contract with Neon Electric Corporation for an amount not to exceed $1,433,130 for the fabrication, delivery and installation of bus passenger shelters.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

Gilbert A. Garcia
Chairman
RESOLUTION NO. 2010 – 20

A RESOLUTION

APPROVING AND ADOPTING REVISIONS TO METRO'S FISCAL YEAR 2010 SECTION 5307 PROGRAM OF PROJECTS; APPROVING AND ADOPTING TENTATIVE PROJECTS FOR FISCAL YEARS 2011 AND 2012; AUTHORIZING THE PRESIDENT & CEO TO TAKE SUCH ADMINISTRATIVE ACTION AS NECESSARY FOR RECEIPT OF GRANT FUNDING; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO may apply for grant funding for various transit projects under Section 5307 of the Federal Transit Act; and

WHEREAS, a pre-requisite for receipt of Section 5307 grant funds is the designation of a Program of Projects for which the grant funds will be used; and

WHEREAS, METRO has agreed to share a portion of the fiscal year 2010 Section 5307 funds with Harris County and with Fort Bend County to support transit projects in their geographic regions; and

WHEREAS, by way of Resolution No. 2010 – 5, the Board of Directors adopted a fiscal year 2010 Program of Projects, including estimated project costs and approved tentative projects for fiscal years 2011 and 2012; and

WHEREAS, projects and cost estimates have been refined; and

WHEREAS, it is appropriate that the Program of Projects be revised to reflect these refinements;

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

Section 1. The Board of Directors hereby approves and adopts the revised fiscal year 2010 Section 5307 Program of Projects, as set forth in Attachment 1.
Section 2. The Board of Directors hereby approves the fiscal year 2011 and fiscal year 2012 proposed METRO Section 5307 Program of Projects identified in Attachment 2.

Section 3. The President & CEO is hereby authorized and directed to proceed with such administrative actions as are necessary for the preparation, submission and execution of grant agreements with the Federal Transit Administration for receipt of federal funding for the identified projects.

Section 4. This resolution is effective immediately upon passage.

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

ATTEST:

[Signature]
Assistant Secretary

Gilbert A. Garcia
Chairman
## ATTACHMENT 1
### FY2010 SECTION 5307

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>FY2009 ACTUAL</th>
<th>JAN 2010 ESTIMATE</th>
<th>APR 2010 ESTIMATE</th>
<th>FY2010 EST. DIFFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fort Bend County</td>
<td>$2,590,835</td>
<td>$3,460,742</td>
<td>$2,877,230</td>
<td>($586,512)</td>
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<tr>
<td>Harris County</td>
<td>$1,700,792</td>
<td>$2,584,123</td>
<td>$3,115,993</td>
<td>$531,870</td>
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<tr>
<td>SUBTOTAL OTHERS</td>
<td>$4,291,627</td>
<td>$6,044,865</td>
<td>$5,993,223</td>
<td>($51,642)</td>
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<tr>
<td>METRO</td>
<td>$64,322,947</td>
<td>$63,942,000</td>
<td>$61,721,961</td>
<td>($2,220,039)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$68,614,574</td>
<td>$69,986,865</td>
<td>$67,715,184</td>
<td>($2,271,681)</td>
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</tbody>
</table>
## ATTACHMENT 2

**METRO: FY2010 SECTION 5307**

**URBANIZED AREA FORMULA PROGRAM**

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>TYPE</th>
<th>SEC. 5307</th>
<th>LOCAL $**</th>
<th>TOTAL $</th>
<th>COMMENTS</th>
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<tbody>
<tr>
<td>Bus shelters</td>
<td>Capital</td>
<td>$677,152</td>
<td>$169,288</td>
<td>$846,440</td>
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<tr>
<td>Bus radio acquisition</td>
<td>Capital</td>
<td>$2,089,100</td>
<td>$522,275</td>
<td>$2,611,375</td>
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<tr>
<td>Purchase 75 METROLift vans</td>
<td>Capital</td>
<td>$5,057,759</td>
<td>$1,218,737</td>
<td>$6,276,496</td>
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<tr>
<td>METROLift van project mgmt</td>
<td>Capital</td>
<td>$1,995,000</td>
<td>$49,875</td>
<td>$2,044,875</td>
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<tr>
<td>Bus master capital lease payment</td>
<td>Capital</td>
<td>$140,502</td>
<td>$33,856</td>
<td>$164,358</td>
<td>40-foot buses</td>
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<tr>
<td>Bus master capital lease payment</td>
<td>Capital</td>
<td>$144,780</td>
<td>$34,887</td>
<td>$179,667</td>
<td>45-foot buses</td>
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<tr>
<td>Rail capitalized preventive maint</td>
<td>Capital</td>
<td>$5,347,330</td>
<td>$1,336,633</td>
<td>$6,684,963</td>
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<tr>
<td>Bus capitalized preventive maint</td>
<td>Capital</td>
<td>$41,500,000</td>
<td>$10,375,000</td>
<td>$51,875,000</td>
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<tr>
<td>METROLift support</td>
<td>Capital</td>
<td>$6,565,837</td>
<td>$1,641,459</td>
<td>$8,207,296</td>
<td>ADA service support</td>
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<tr>
<td>TOTAL FY2010</td>
<td></td>
<td>$61,721,961</td>
<td>$0</td>
<td>$61,721,961</td>
<td></td>
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January 2010 estimate $63,942,000
April 2010 estimate $61,721,961
Difference $2,220,039
A RESOLUTION

APPROVING REVISIONS TO METRO'S SMALL BUSINESS/DISADVANTAGED BUSINESS ENTERPRISE PROGRAM, TO ELIMINATE THE $100,000 MINIMUM PROGRAM-ELIGIBLE THRESHOLD FOR FEDERALLY FUNDED CONTRACTS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO's Small Business/Disadvantaged Business Enterprise Program provides for the establishment of participation goals for eligible contracts with a value of $100,000 or more; and

WHEREAS, METRO's Small Business/Disadvantaged Business Enterprise Program and Procedures are incorporated by reference into contracts that are federally funded; and

WHEREAS, the Federal Transit Administration has suggested elimination of the $100,000 minimum threshold for establishing participation goals for contracts for federally-funded projects; and

WHEREAS, elimination of the $100,000 minimum threshold will ensure consistency with federal guidelines; and

WHEREAS, METRO's Small Business/Disadvantaged Business Enterprise Program and Procedures should be changed to eliminate the minimum contract threshold amount for establishing Small Business/Disadvantage Business Enterprise goals for Federally funded projects; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:
Section 1. The Board of Directors hereby authorizes revisions to METRO's Small Business/Disadvantaged Business Enterprise Program and Procedures to eliminate the minimum $100,000 contract amount threshold for establishment of goals of Small Business/Disadvantaged Business Enterprise participation for federally-funded contracts.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

Gilbert A. Garcia
Chairman

Assistant Secretary
A RESOLUTION

AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED $6,700,000 FOR THE FACILITY PROVIDER'S COMMUNITY OUTREACH PROGRAM THROUGH SEPTEMBER 30, 2011; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO's Agreement with the METRO Solutions Facility Provider provides for a Community Outreach Program; and

WHEREAS, the Community Outreach Program will continue its outreach efforts in preparation for upcoming construction; and

WHEREAS, additional funding is needed so that residents are fully and timely informed of the progress of construction activities and the operation of transit services; and

WHEREAS, funding is needed for the additional community outreach activities through September 30, 2011.

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

Section 1. The Board of Directors hereby authorizes and approves funding in an amount not to exceed $6,700,000 to fund the Community Outreach Program for METRO Solution through September 30, 2011. Before the end of FY2010 staff will report to the Board on the Community Outreach Program activities.

Section 2. This Board Resolution is effective immediately upon passage.
RESOLUTION NO. 2010 - 22

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

Gilbert
A.
Garcia
Chairman

ATTEST:

Paul
Assistant Secretary

Gilbert A. Garcia
Chairman
A RESOLUTION

AUTHORIZING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH KINDER MORGAN LIQUIDS TERMINALS, LLC FOR AN AMOUNT NOT TO EXCEED $1,557,273 FOR DIESEL FUEL STORAGE SERVICES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is in need of storage facilities for its diesel fuel; and

WHEREAS, METRO solicited bids for diesel fuel storage services; and

WHEREAS, Kinder Morgan Fluids Terminals, LLC was determined the most responsive and responsible bidder.

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

Section 1. The Board of Directors hereby authorizes and directs the President & CEO to execute and deliver a contract with Kinder Morgan Fluids Terminals, LLC for an amount not to exceed $1,557,273 for diesel fuel storage services.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

Gilbert A. Garcia
Chairman
RESOLUTION NO. 2010-24

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE A MODIFICATION TO THE JOB ORDER CONTRACT WITH KBR, INCREASING THE CONTRACT AMOUNT TO AN AMOUNT NOT TO EXCEED $400,000; AND MAKING FINDINGS AND PROVIDING RELATIVE TO THE SUBJECT.

WHEREAS, METRO is in need of maintenance support of the METRONet Security and Surveillance System at its park and ride facilities; and

WHEREAS, METRO has a current job order contract with KBR and a work authorization providing maintenance support to the METRONet system; and

WHEREAS, additional funding is necessary to continue METRONet maintenance and support.

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

Section 1. The Board of Directors hereby authorizes the President & CEO to execute and deliver a modification to the work authorization for maintenance support of the METRONet Security and Surveillance System under the job order contract with KBR, increasing the work authorization amount by $200,000 for a total not to exceed amount of $400,000.

Section 2. This Board Resolution is effective immediately upon passage.

PASSED this 15th day of April, 2010
APPROVED this 15th day of April, 2010

ATTEST:

Assistant Secretary

Gilbert A. Garcia
Chairman