

MINUTES
MEETING OF THE BOARD OF DIRECTORS
BUSINESS MANAGEMENT COMMITTEE
METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY
November 30, 2015

The Board of Directors Business Management Committee met on November 30, 2015 at 11:20 a.m. in the Board Room on the 6th Floor of the MARTA Headquarters Building, 2424 Piedmont Road, Atlanta, Georgia.

Board Members Present

Roberta Abdul-Salaam
Robert F. Dallas
Frederick L. Daniels, Jr., *Chair*
Jerry Griffin
Christopher Tomlinson

MARTA officials in attendance were: General Manager/CEO Keith T. Parker, AICP; Chief Operating Officer Rich Krisak; Chief Financial Officer Gordon L. Hutchinson; Chief Administrative Officer Edward L. Johnson; Chief of Staff Rukiya S. Thomas; Chief Counsel Elizabeth O'Neill; AGMs Wanda Dunham, Robin Henry, Ming Hsi, Ryland McClendon and David Springstead (Interim); Executive Director Ferdinand Risco; Sr. Director LaShanda Dawkins; Directors Lisa DeGrace, Johnathan Hunt and Donna Jennings; Managers Deloris Jacobs, Charlotte Quarles and James Sibert; Executive Manager to the Board Rebbie Ellisor-Taylor; Manager, Executive Office Administration Tyrene Huff; Finance Administrative Analyst Tracy Kincaid. Others in attendance Abebe Girmay, Kevin Gotell, Nicholas Gowens, Don Lawrence, Courtne Middlebrooks, LaTonya Pope, Jason Ward.

Consent Agenda

- a) Approval of the October 29, 2015 Business Management Committee Meeting Minutes
- b) Resolution Authorizing Award of a Contract for the Procurement of MARTA Police Department Uniforms and Equipment – Group 3, CP B34185A

On motion by Mr. Griffin seconded by Mrs. Abdul-Salaam, the Consent Agenda was approved with a vote 4 to 0, with 5 members present.

Mr. Dallas abstained.

Individual Agenda

Resolution to Award MARTA's On-Line Benefits Administration and Enrollment Services, Requests for Proposals P35714

Mrs. Dawkins presented this resolution for Board of Directors' approval authorizing the General Manager/CEO or his delegate to enter into a contract with Secova, Inc. for MARTA's On-line Benefits Administration and Enrollment Services.

On motion by Mr. Griffin seconded by Mrs. Abdul-Salaam, the Resolution was unanimously approved with a vote 5 to 0, with 5 members present.

On motion by Mr. Dallas seconded by Mr. Tomlinson, the Committee unanimously agreed to go into Executive Session at 12:13 p.m. to discuss a real estate matter.

On motion by Mr. Griffin seconded by Mr. Dallas, the Committee unanimously agreed to adjourn the Executive Session at 12:30 p.m.

Authorization to Execute Agreements with Trackside Partners, LLC for the Development of Property at Chamblee Station Parcel D3103

Mr. Ward presented this resolution for Board of Directors' approval authorizing the General Manager/CEO or his delegate to execute agreements with Trackside Partners, LLC for the development of property at Chamblee Station.

On motion by Mr. Griffin seconded by Mr. Dallas, the Resolution was unanimously approved with a vote 5 to 0, with 5 members present.

Resolution Authorizing Renewal of MARTA's Excess Operating Property and Liability Insurance Coverage

Mrs. Jennings presented this resolution for Board of Directors' approval authorizing the General Manager/CEO or his delegate to effect placement of MARTA's excess operating property and liability insurance coverage for a period of one year effective January 1, 2016 to January 1, 2017 based on the proposals received by MARTA's insurance broker of record, MARSH, for a total program cost not to exceed \$ 3,135,463.

On motion by Mr. Griffin seconded by Mr. Dallas, the Resolution was unanimously approved with a vote 5 to 0, with 5 members present.

Briefing – FY2016 September Budget Variance Analysis and Performance Indicators

Mr. Hutchinson briefed the Committee on the FY2016 September Budget highlights and select Key Performance Indicators.

- September Operations Performance – Net Profit \$2.1M
- Year-to-Date (YTD) Operations Performance – Net Profit \$7M
- YTD, Revenues were under budget by \$2.5M, primarily due to weaknesses in tax collections
- MARTA is positive with respect to Benefits expenditures
- Overtime experienced a negative variance
- Bus On-Time Performance (OTP) and Mobility OTP slipped below target for the month of September
- Bus Mean Distance Between Failure (MDBF) did not meet projections, but is moving in the right direction
- Rail OTP is doing better than last year and projections

Other Matters

Briefing – General Counsel and Other Legal Services, RFP P36180

Mrs. O'Neill provided an overview of General Counsel and other Legal Services, RFP P36180.

Areas of Service Requested

- Real Property
- Financing
- Governmental Practice
- Legislation
- Litigation

Business Management Committee
11/30/15
Page 4

- Employment and Labor Law
- Specific Public Transit Issues
- General Corporate Matters

Proposals Received

- Twenty-one (21) proposals received
- One proposal for General Counsel only
- Six proposals for one area only
- Fourteen (14) proposal for numerous areas
- Employment and Labor Law received most responses

Evaluation Criteria/Process

- Experience
- Key Personnel/Team to handle MARTA work
- References
- Cost
- Project Management Systems
- Diversity and Inclusion
- Review by Chief Counsel, Chief of Litigation, Chief of Corporate Law and Contract and Procurement

Litigation

- Current firms – Thomas Kennedy Sampson and Tompkins, Mabry and McClelland, Appelbaum and Henefield, Don Edwards
 - Will continue to handle current matters as well as new litigation
- New firms proposed to be added – Gray, Rust, St. Amand, Moffet, Briesbe
- Bryan Cave – commercial litigation

Specific Public Transit Issues

- Primary Focus – 13(c) labor issues

Business Management Committee

11/30/15

Page 5

- Current and Proposed – Thompson Coburn, Bryan Cave, Charles Pursley, Jay Levin – extensive MARTA history

Real Property

- Bryan Cave – Team including Charles Pursley
- Greenburg Traurig
- Lewis, Brisbois Bisgard and Smith – James Dearing (DBE Subcontractor)

Employment and Labor

- Wimberly and Lawson – current – familiarity with Labor Agreement
- Mozley, Finlayson and Loggins – current – employment discrimination matters
- Jackson Lewis
- Fisher Phillips

General Corporate Matters

- Bryan Cave
- Greenberg Traurig
- Holland and Knight

Legislation/Governmental Practice

- Holland and Knight
- Greenberg Traurig
- Bryan Cave

DBE Participation

- 10% Goal
- DBE Proposals received as both Prime Contractors and Subcontractors
- Total of nine DBE proposals
- Seven proposed DBE firms

The Committee was provided the FY2016 September Key Performance Indicators as informational only.

Adjournment

The meeting of the Business Management Committee adjourned at 12:31 p.m.