



BOARD OF DIRECTORS

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

THURSDAY, AUGUST 10, 2023

ATLANTA, GEORGIA

MEETING MINUTES

CALL TO ORDER AND ROLL CALL

Chair Thomas Worthy called the meeting to order at 1:35 P.M.

Board Members

Present:

Jim Durrett
William Floyd
Roderick Frierson
Russell McMurry¹
Al Pond
Kathryn Powers
Rita Scott
Thomas Worthy
Sagirah Jones

Board Members

Absent:

Stacy Blakley
Freda Hardage
Valencia Williamson
Jennifer Ide
Jacob Tzegaegbe
Jannine Miller

Staff Members Present:

Collie Greenwood
Melissa Mullinax
Raj Srinath
Rhonda Allen
Peter Andrews
George Wright
Chief Scott Kreher

¹ Russell McMurry is the Commissioner of the Georgia Department of Transportation (GDOT). Per the MARTA Act, he is a non-voting member of the MARTA Board of Directors.

Also in Attendance: Justice Leah Ward Sears
Jonathan Hunt
Paula Nash
Jacqueline Holland
Tyrene Huff
Kenya Hammond
Phyllis Bryant

PUBLIC COMMENTS (SUBMITTALS VIA TELEPHONE, U.S. MAIL AND IN PERSON)

Deborah [no last name] [via email]
Nakisha R. Hicks [via email]
Sherry Williams [in person]
Tracy Singletary [in person]
John Jones, Jr. [in person]
Beverly Miller [in person]

1. APPROVAL OF THE MINUTES

Approval of the July 13, 2023, Board Meeting Minutes

On a motion by Chair Worthy, seconded by Board Member Durrett, the motion passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

2. OPERATIONS & SAFETY COMMITTEE REPORT

Committee Chair Al Pond reported that the Committee met on July 27, 2023, and approved the following resolutions:

Committee Chair Report Operations & Safety

Approval of Operations & Safety Committee Resolutions 2a & 2b. On a motion by Board Member Pond, seconded by Board Member Durrett, the resolutions passed by a vote of 7 to 0, with 2 members abstaining and 9 members present.

3. BUSINESS MANAGEMENT COMMITTEE REPORT

Committee Chair James Durrett reported that the Committee met on July 27, 2023, and approved the following resolutions:

Committee Chair Report Business Management

Approval of Business Management Committee Resolutions 3a, 3b, 3c, & 3d. On a motion by Board Member Durrett, seconded by Board Member Floyd, the resolutions passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

4. PLANNING & CAPITAL PROGRAMS COMMITTEE REPORT

Committee Vice-Chair Katie Powers reported that the Committee met on July 27, 2023, and approved the following resolutions:

Committee Chair Report Planning & Capital Programs

Approval of Planning & Capital Programs Committee Resolutions 4a, 4b, 4c, 4d, 4e & 4f. On a motion by Board Member Powers, seconded by Board Member Frierson, the resolutions passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

5. EXTERNAL RELATIONS COMMITTEE REPORT

Committee Chair Rita Scott reported that the Committee met on July 27, 2023, and approved the following resolution:

Committee Chair Report External Relations

Approval of External Relations Committee Resolution 5a. On a motion by Board Member Scott, seconded by Board Member Durrett, the resolution passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

6. AUDIT COMMITTEE REPORT

Committee Chair Roderick Frierson reported that the Committee met on July 20, 2023.

Committee Chair Report Audit

No action items

7. RESOLUTION AUTHORIZING THE TENTATIVE SETTLEMENT OF THE LABOR AGREEMENT BETWEEN THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY [MARTA] AND THE AMALGAMATED TRANSIT UNION LOCAL 732 [ATU]

Approval of the Resolution Authorizing the Tentative Settlement of the Labor Agreement Between the Metropolitan Atlanta Rapid Transit Authority [MARTA] and the Amalgamated Transit Union Local 732 [ATU]

Approval of the Resolution Authorizing the Tentative Settlement of the Labor Agreement Between the Metropolitan Atlanta Rapid Transit Authority [MARTA] and the Amalgamated Transit Union Local 732 [ATU]. On a motion by Board Member Durrett, seconded by Board Member Powers, the resolution passed by a vote of 7 to 0 with 2 members abstaining and 9 members present.

8. RESOLUTION AUTHORIZING OCCUPANCY COSTS ASSOCIATED WITH THE LEASE AT 575 MOROSGO DRIVE NE, ATLANTA, GA 30324

Approval of the Resolution Authorizing Occupancy Costs Associated with the Lease at 575 Morosgo Drive NE, Atlanta, GA 30324

Approval of the Resolution Authorizing Occupancy Costs Associated with the Lease at 575 Morosgo Drive NE, Atlanta, GA 30324. On a motion by Board Member Durrett, seconded by Board Member Floyd, the resolution passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

9. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE MARTA SITE RELOCATION PROJECT, IFB B50324

Approval of the Resolution Authorizing the Award of a Contract for the MARTA Site Relocation Project, IFB B50324

Approval of the Resolution Authorizing the Award of a Contract for the MARTA Site Relocation Project, IFB B50324 On a motion by Board Member Durrett, seconded by Board Member Pond, the resolution passed by a vote of 8 to 0 with 1 member abstaining and 9 members present.

10. OTHER MATTERS

Chief Legal Counsel Peter Andrews read into the record the following settlement and resolutions emanating from Executive Session:

1. Approval of a Settlement – Bobby Brown vs. MARTA and Queen Gordon for \$500,000. On a motion by Board Member Durrett, seconded by Board Member Frierson, the motion passed by a vote of 8 - 0 with 1 member abstaining and 9 members present.
2. Approval of a Resolution Authorizing the Submittal of a Purchase Offer for 55 Peachtree, City of Atlanta, Fulton County, GA for the MARTA Police Department Five Points Precinct Relocation. On a motion by Board Member Durrett, seconded by Board Member Pond, the motion passed by a vote of 8 - 0 with 1 member abstaining and 9 members present.
3. Approval of a Resolution Authorizing the Execution of Agreements With Marta Hollowell Development, LLC for the Development of Parcel D5015 And Completion of Associated Station Improvements at Bankhead Station Request for Proposals P47501. On a motion by Board Member Durrett, seconded by Board Member Floyd, the motion passed by a vote of 8 - 0 with 1 member abstaining and 9 members present.

11. COMMENTS FROM THE BOARD

None

12. ADJOURNMENT

The Board of Directors meeting adjourned at 2:07 P.M.

Respectfully submitted,



Tyrene L. Huff
Assistant Secretary to the Board

YouTube: <https://youtube.com/live/Z0vGRzMgK48?feature=share>

August 10, 2023 Board Meeting Public Comments

Received via (404) 848-6000, marta.board@itsmarta.com, public@itsmarta.com

Summary: **Two (2) customers provided a public comment**

2 – Emails

0 – Voice Messages

1.) Message Date: Friday, August 04, 2023

7:30 p.m. (Via Board Email)

Deborah

robi1032@comcast.net

Good Morning MARTA Board of Directors,

As I could not locate individual emails, I am sending this all currently serving, specifically Mr. Jim Durrett and Mr. William Floyd. I am contacting you regarding the current state of MARTA as it relates to transit growth and the failure of promises kept to DeKalb County, specifically the Southern region.

I just viewed the upcoming development of service into the Beltline region of Atlanta, on local news, using funds from MARTA and while I am onboard with strengthening routes and service to residents, I am extremely dismayed at continued failure to meet the promises made to South DeKalb, one of the original two counties who supported your efforts when no one else, even those on the North side of Fulton would not.

Having insight as to the original plans for the Rail division as one of my parents retired from that entity and saw them approved, it infuriates me to see that we continue to provide financial support while you block projects and, when we complain you attempt to placate us by implementing a few more bus routes. Time and money appears to be, as usual, being spent on the few while the many continue to be left out. Your projects tend to lean toward Fulton, as if you all of the funding comes from them. We have been ignored for years and now we are past fed up with your failure as a whole.

I seriously hope that no monies from our budget go to build the new station(s) that will operate in the Beltline as they are not benefitting us now or in the future. Until the promise of service that extends down Interstate 20 into counties that wish to have it are met, future votes for support from me will result in a "NO" action and I suspect there are many more who feel the same way.

Deborah

South DeKalb Resident

2.) Message Date: Tuesday, August 08, 2023

11:4931 a.m. (Via Board Email)

Nakisha R. Hicks

nakishahicks3@gmail.com

Dear Board Members,

First, please allow me to start by saying that I am truly thankful for the opportunity afforded me to access Marta train and bus services. I am a frequent rider. Your company provides a consistent and reliable way for many passengers like me to report to work and travel to other places as needed. Your company provides transportation for the disabled and elderly to travel to doctor's appointments and prescription pick up. Despite the advantages and opportunities, we have been given as passengers for an elite establishment with Marta Bus and Rail services. There are still some concerns. The purpose of this email is to share the people's and my concerns.

Those concerns are as follows. The Marta bus stops are placed in areas that are not visible for passengers nor bus drivers. The Marta bus signs can use a makeover with vibrant colors that would stand out and be noticed. The invisibility of some Marta bus signs has caused Marta drivers to pass the stops of passengers onboarding and offboarding. Then passengers would have to walk to their destination longer than intended. Or pay for an Uber or Lyft, to be present and on time for work or appointments, Passengers have to crossroads without crosswalks being their guide and safety. Which is very hazardous and scary in the midst of heavy traffic.

These are the concerns which I have witnessed and heard the complaints of passengers boarding and waiting for Marta Bus's arrival. I believe if we were to upgrade the signs, repaint them with vibrant and visible colors, and relocate them to areas which are accessible with safety being the top priority. I am confident it would make a huge difference for your company, the public, the passengers, and the bus drivers. A passenger should not have to fear for his or her life while crossing a street without a crosswalk as his or her guide to board a bus or flag a bus down.

Which leads me to share my story. I am a resident in Tucker, Ga. I reside off of Lawrenceville Highway. I must cross the street in heavy traffic to board the bus on the other side from where I reside. I must admit I am very cautious and praying that I can cross over to board the bus on the other side of Lawrenceville Highway. The bus stop is in front of the Residential community where my home is. Bus drivers have missed the bus stop more than I can count. I literally have to stand a few bus stops before the driver comes near my preferred stop. So that I can remind the bus driver of my stop and not walk two bus stops from my preferred stop. The concerns I have shared are not just my concerns. These concerns are for the entire community as a whole to prevent any unsafe or harmful outcome for drivers, passengers, and pedestrians.

I do understand and empathize that some of the routes or bus stops missed are not intentional. I believe as we join together and promote and establish a change. The change will eliminate some unnecessary stress. The change will provide safety and security with onboarding and offboarding Marta bus and train services. I am willing to share more ideas with you and your company. I am open to any suggestions and input also. If you would like to contact me. My contact information is as follows. My email is nakishahicks3@gmail.com and my mobile number is 678-739-6402. I am looking forward to us developing a plan with a purpose and a resolution for your company, for the people and the community as a whole.

Respectfully,
Nakisha R. Hicks

3.) Message Date: Friday, June 30, 2023

12:40 p.m. (Via Public Email)

4.) Message Date: Monday, July 3, 2023

11:57 a.m. (Via Public Email)

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
BUS & RAILCAR DETERGENT/DEGREASER, IFB B50251**

WHEREAS, the Authority's Office of Bus Maintenance has identified the need for the Procurement of Bus & Railcar Detergent/Degreaser, Invitation for Bids Number B50251; and

WHEREAS, on January 9, 2023, the Metropolitan Atlanta Rapid Transit Authority duly sent notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notices of the said Invitation for Bids were advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, On March 15, 2023, at 2:00 p.m., local time, four (4) bids were publicly opened and read aloud; and

WHEREAS, the lowest bid submitted for Spenergy, LLC was determined to be responsive and responsible, and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation of Bids Number B50251 Procurement of Bus & Railcar Detergent/Degreaser between the Authority and Spenergy, LLC in the amount of \$722,950.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**AMENDED RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR MARTA BUSES
REQUEST FOR PROPOSALS NUMBER P50104**

WHEREAS, the Authority's Department of Bus Operations has identified the need for MARTA Buses, Request for Proposals Number P50104; and

WHEREAS, On November 8, 2023 the Metropolitan Atlanta Rapid Transit Authority duly sent to potential proponents notice of its Request for Proposals for the Procurement of MARTA Buses, RFP P50104; and

WHEREAS, notice of the said Request for Proposals was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to the proposal deadline; and

WHEREAS, all Proponents were given the opportunity to protest the proposal instructions, specifications, and/or procedures; and

WHEREAS, on February 16, 2023 at 2:00 p.m., local time, five (5) proposals were received; and

WHEREAS, the Authority's staff determined that New Flyer of America, Inc. submitted the most advantageous offer and other factors considered and is technically and financially capable of providing the services for thirty-five (35') foot CNG, forty-foot (40') CNG, sixty-foot (60') CNG), thirty-five (35') foot battery electric, forty-foot (40') battery electric, forty-foot (40') fuel cell transit, sixty 60') foot fuel cell transit.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is authorized to enter into contracts with New Flyer of America to provide thirty-five (35') foot CNG, forty-foot (40') CNG, sixty-foot (60') CNG), thirty-five (35') foot battery electric, forty-foot (40') battery electric, forty-foot (40') fuel cell transit, sixty 60') foot fuel cell transit and is authorized to assign tasks by negotiated work orders that will not exceed the amount of \$225,629,865.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR FINANCIAL
CAPACITY & SCENARIO PLANNING SERVICES, RFPP P50161**

WHEREAS, the Authority's Department of Chief Financial Officer/CFO has identified the need for Financial Capacity & Scenario Planning Services, Request for Price Proposals Number P50161; and

WHEREAS, on April 04, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent the Request for Price Proposal to the Contactor; and

WHEREAS, it is necessary to procure financial planning services that will estimate MARTA's projected capacity to equitably support More MARTA, SGR, City of Atlanta, and Clayton County capital programs; and

WHEREAS, the Department of Internal Audit will be requested to conduct a cost analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Interim General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Request for Price Proposal Number P50161, between the Authority and HDR Engineering, Inc., for Financial Capacity & Scenario Planning Services in the amount of \$336,600.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
SWIFTLY DATA PLATFORM ,
PRICE PROPOSAL NUMBER P50345**

WHEREAS, the Authority's Office of Information Technology has identified the need for the procurement of Swiftly Data Platform, Request for Price Proposal Number P50345; and

WHEREAS, on July 14, 2023, the Metropolitan Atlanta Rapid Transit Authority received a Request for Price Proposal from the Sole Source Proprietor; and

WHEREAS, it is necessary to procure Swiftly Data Platform; and

WHEREAS, the Department of Internal Audit was requested to perform a Price/Cost Analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Single Source Contract on substantially the same terms and conditions as contained in the Request for Price Proposal Number P50345, between the Authority and Swiftly, Inc., for the Swiftly Data Platform in the amount of \$560,241.30.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACTUAL
AUTHORIZATION FOR PROCUREMENT OF SPECIALIZED PROFESSIONAL
SERVICES, P47520**

WHEREAS, the General Manager entered into a Contract with NumbersOnly, Inc., Polaris Associates, Gantec Corporation, Axiom Corporation, HNTB Corporation, and Infosys Limited for Procurement of Specialized Professional Services, Request for Proposals P47520; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to increase the contract value to provide for additions to the contract for the Department of Information Technology; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the Department of Internal Audit will be requested to perform and cost/price analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to increase the authorization for Contract No. P47520 Procurement of Specialized Professional Services from \$25,500,000.00 to \$34,430,097.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACTUAL
AUTHORIZATION FOR RENEWAL OF MAINTENANCE SUPPORT FOR
TELEDRIVER 8.1.6 DRIVER MANAGEMENT SYSTEM, LOA L39961**

WHEREAS, on July 1, 2017 the General Manager entered into a Contract with Enghouse Transportation, LLC for Maintenance Support for Teledriver 8.1.6 Driver Management System, Letter of Agreement L39961; and

WHEREAS, on July 11, 2018 MARTA's Board of Directors authorized a modification to add additional funds in the amount of \$270,594.00 and to extend the contract for two (2) years; and

WHEREAS, on October 1, 2019 the General Manager/CEO's contingency of \$19,929.70 was requested and utilized; and

WHEREAS, on August 13, 2020 MARTA's Board of Directors authorized a modification to add additional funds in the amount of \$426,186.00 and to extend the contract for three (3) years; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the contract term for one (1) additional year with a one (1) year option and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the Department of Internal Audit will be requested to perform a Price/Cost Analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. L39961 Renewal of Maintenance Support for Teledriver 8.1.6 Driver Management System from \$844,709.70 to \$1,173,728.70.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing Execution of a License Agreement to support construction of the Brookhaven City Hall at MARTA's Brookhaven Station, Dekalb County, Brookhaven GA

WHEREAS, the Board of Directors (Board) of the Metropolitan Atlanta Rapid Transit Authority (MARTA) adopted on August 9th, 1982 a policy regarding the disposition of MARTA property rights; and

WHEREAS, MCCARTHY BARNESLEY A JOINT VENTURE III, the City of Brookhaven's contractor, is constructing the new Brookhaven city hall;

WHEREAS, the Contractor has requested a two (2) year license agreement with MARTA for an area equal to 279 parking spaces to be used as construction laydown and staging during construction of the Brookhaven city hall; and

WHEREAS, the Board has determined that a license agreement on the MARTA Parcel D3116Y will not interfere with rapid transit system construction, operation or maintenance; and

WHEREAS, Section 8(r) of the MARTA Act of 1965 as amended permits MARTA to dispose of property to municipalities and government agencies without seeking competitive bids, provided that the Authority receives consideration at least equal in value to the disposed interest, as established by independent appraisal; and

WHEREAS, parking on MARTA Parcel D3116Y has been valued for a total fair market value of \$368,280.00; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO (or his delegate) is hereby authorized to do all acts, perform all things, and execute on behalf of the Authority all instruments of conveyance, other instruments and agreements as necessary to effectuate the license of space on Parcel D3116Y to MCCARTHY BARNESLEY A JOINT VENTURE III for receipt of a license fee in the amount of \$368,280.00 equal to the appraised value of the property rights.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews 7/18/2023
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing the Disposal of Permanent Easements to the Georgia Department of Transportation (GDOT) for Road Widening along Northside Drive from Rhodes Street to MLK Jr. Drive in Fulton County, Atlanta GA

WHEREAS, the Board of Directors (Board) of the Metropolitan Atlanta Rapid Transit Authority (MARTA) adopted on August 9th, 1982 a policy regarding the disposition of MARTA property rights; and

WHEREAS, GDOT has requested permanent easements from MARTA in order to support road widening at various locations; and

WHEREAS, the Board has determined that permanent easements on the MARTA Parcel C2123B will not interfere with rapid transit system construction, operation or maintenance; and

WHEREAS, section 8(r) of the MARTA Act of 1965 as amended permits MARTA to dispose of property to municipalities and government agencies without seeking competitive bids, provided that the Authority receives consideration at least equal in value to the disposed interest, as established by independent appraisal; and

WHEREAS, MARTA Parcel C2123B has been appraised for a total fair market value of \$168,200.00; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate is hereby authorized to do all acts, perform all things, and execute on behalf of the Authority all instruments of conveyance, other instruments and agreements as necessary to effectuate the disposal of permanent easements on Parcel C2123B to the Georgia Department of Transportation upon receipt of \$168,200.00 equal to the appraised value of the property rights.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews 7/18/2023
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACTRACTUAL
AUTHORIZATION FOR ORACLE PRIMAVERA P6 CLOUD SERVICE, PRIMAVERA
UNIFIER CLOUD SERVICE AND PROFESSIONAL CONSULTING SERVICES, RFPP
P43333**

WHEREAS, on April 2019, the General Manager entered into a Contract with Oracle America, Inc. for Oracle Primavera P6 Cloud Service, Primavera Unifier Cloud Service and Professional Services, RFPP P43333; and

WHEREAS, on September 10, 2020, MARTA's Board of Directors authorized a modification to add additional funds in the amount of \$807,108.58 to increase the number of Oracle licenses; and

WHEREAS, in September 2022, the General Manager/CEO's contingency of \$60,536.81 was requested and utilized; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the contract term and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, The Department of Internal Audit has been requested to conduct a cost/price analysis to determine fair and reasonable pricing.

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to increase the authorization for Contract No. P43333 Oracle Primavera P6 Cloud Service, Unifier, and Professional Services from \$2,353,851.89 to \$5,308,423.25.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing Approval of Center-Running Bus Rapid Transit (“BRT”) with Flyover to Barge Road as the Amendment to the Locally Preferred Alternative (“LPA”) for the Campbellton Community Investment Corridor Project

WHEREAS, the subsequent 15th Amendment to the Rapid Transit Contract and Assistance Agreement (“RTCAA”) set forth various capital projects, including a City of Atlanta High Capacity Transit (“HCT”) option connecting Oakland City Station to Greenbriar Mall; and

WHEREAS, the City of Atlanta and MARTA agreed in the 15th Amendment to the RTCAA that the Campbellton Road HCT project shall be funded by the additional one-half penny sales tax and/or other non-sales tax funding sources; and

WHEREAS, the City of Atlanta and MARTA entered into the More MARTA Intergovernmental Agreement (“IGA”) for the planning, design, construction, and operations of the expansion and enhancement of the rapid transit system in accordance with the 15th Amendment More MARTA program; and

WHEREAS, the MARTA Board of Directors approved center running BRT as the Locally Preferred Alternative, July 2022; and

WHEREAS, following the Board’s approval of the LPA, planning process continued involving both technical analysis and key stakeholder engagement to refine the design options for optimal station locations, access and connectivity; and

WHEREAS, the access to the termini station, Barge Road Park n Ride, requires reconstruction of the existing roadway and disruption to rural residential area; and

WHEREAS, the current design has operations efficiency challenges at major intersections, Headland Drive and Langford Parkway; and

WHEREAS, an alternative design option, exclusive bus only, flyover from Greenbriar Parkway to the Barge Road station provides direct access, faster travel time, minimized right of way impacts, improves operation efficiencies and supports the “gold standard BRT” objective; and

WHEREAS, the flyover design provides a bridge over Highway 154 with a ramp to the Greenbriar Mall stop and a bridge over Interstate 285 with a ramp to the Barge Road, end of line station; and

WHEREAS, from the engagement with key stakeholders, further technical evaluation, the need for additional infrastructure to support the core center-running BRT, the City of Atlanta and MARTA have agreed to make additional improvements to the design of the Campbellton Community Investment Corridor that would benefit the community and the riders of the system; and

WHEREAS, pursuant to the IGA, the MARTA Board of Directors is the official policy making entity and will have the ultimate responsibility for decisions affecting the transit component of the program; and

WHEREAS, pursuant to the IGA the Program Governance Committee (“PGC”), at the request of the Program Management Team (“PMT”), will review all LPAs and subsequent amendments and recommend them to be forwarded to the City of Atlanta Subcommittee of the MARTA Board of Directors for recommendation prior to going before the full MARTA Board for approval; and

WHEREAS, the Office of the Mayor and affected council members are provided notice of recommended LPA amendment; and

RESOLVED THEREFORE, the MARTA Board of Directors approves the proposed flyover design option to connect the Greenbriar Mall BRT station to the Barge Road BRT station as the amended LPA for the Campbellton Community Investment Corridor Project, more particularly depicted on the map exhibit and corresponding narrative description in **Exhibit "A"** to this Resolution.

BE IT FURTHER RESOLVED that this LPA amendment is transmitted to the Federal Transit Administration, Atlanta-Region Transit Link and the Atlanta Regional Commission for incorporation into their programs and plans.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing Approval of Buford Highway Arterial Rapid Transit (ART) alignment running along Buford Highway starting at Lindbergh Rail Station and terminating at Doraville Rail Station as the Locally Preferred Alternative (LPA)

WHEREAS, the subsequent 15th Amendment to the Rapid Transit Contract and Assistance Agreement (RTCAA) set forth various capital projects, including Arterial Rapid Transit (ART) service on the Buford Highway corridor; and

WHEREAS, DeKalb County and MARTA agreed in the 15th Amendment to the RTCAA that the Buford Highway ART Project shall be included on the list of transit operational and service enhancements in DeKalb County and funded under the existing 1-cent sales tax and/or other non-sales tax funding sources; and

WHEREAS, DeKalb County and MARTA agreed in the 15th Amendment to the RTCAA to support the Buford Highway corridor with the implementation of the ART project as identified in DeKalb's 2019 Transit Master Plan; and

WHEREAS, Buford Highway host significant activity centers, and additional economic development potential exists along the corridor; and

WHEREAS, Route 39 is the number one ranking, highest ridership route of the MARTA bus service, serving 5,300 customers, on an average weekday and warranting higher capacity service in the form of Arterial Rapid Transit; and

WHEREAS, the Buford Highway ART Project has gone through the necessary planning, public engagement, and preliminary project development processes and has the requisite local funding required to design and construct; and

WHEREAS, it is the intention of MARTA to design and construct the Buford Highway ART project utilizing local funding coming from the existing 1-cent sales tax; and

WHEREAS, the MARTA Board of Directors is the official policy-making entity and will have the ultimate responsibility for decisions affecting the transit component of the program; and

WHEREAS, the affected DeKalb County Commission members are provided notice of the recommended LPA; and

RESOLVED THEREFORE, the MARTA Board of Directors selects the proposed alignment connecting the Lindbergh MARTA Rail Station to the MARTA Doraville Rail Station via Buford Highway as the Locally Preferred Alternative (LPA) for Buford Highway ART Project, more particularly depicted on the map exhibit and corresponding narrative description in **Exhibit "A"** to this Resolution.

BE IT FURTHER RESOLVED that this LPA is transmitted to the Federal Transit Administration, Atlanta-Region Transit Link Authority, and the Atlanta Regional Commission for incorporation into their programs and plans.

BE IT FURTHER RESOLVED that the MARTA Board of Directors approves the Buford Highway ART Project funding plan.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE SOLICITATION OF PROPOSALS FOR FINAL
DESIGN SERVICES OF THE SOUTH DEKALB TRANSIT HUB, RFP P50294**

WHEREAS, the Authority is authorized by Section 14(m) of the MARTA Act to procure goods and services without competitive bidding if it is impracticable to prepare adequate specifications and an adequate description on the basis of which to solicit competitive bids; and

WHEREAS, the General Manager/CEO has certified, in accordance with Section 14(m) of the MARTA Act, that the procurement of Final Design Services of the South DeKalb Transit Hub is impracticable through the solicitation of competitive bids; and

WHEREAS, award of a Contract for Final Design Services of the South DeKalb Transit Hub after the solicitation of proposals and selection of a preferred proponent pursuant to Section 14(m) of the MARTA Act, is subject to approval by the Board of Directors.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO, or his designee be, and hereby is, authorized to solicit proposals for Final Design Services of the South DeKalb Transit Hub by means other than competitive bidding, in accordance with Section 14(m) of the MARTA Act, through the use of Request for Proposals.

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Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING A MODIFICATION IN CONTRACTUAL
AUTHORIZATION FOR PROFESSIONAL SERVICES FOR HOMELESS OUTREACH,
LOA L47029**

WHEREAS, on August 20, 2020 the General Manager entered into a Contract with Travelers Aid of Atlanta, Inc. d/b/a Hope Atlanta for Professional Services for Homeless Outreach, Letter of Agreement L47029; and

WHEREAS, on August 11, 2022 the Board of Directors of the Metro Atlanta Rapid Transit Authority authorized the General Manager/CEO or his delegate to increase the contractual authorization to add additional funds for Professional Services for Homeless Outreach, Letter of Agreement L47029 in the amount of \$468,000.00; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the contract term and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the Department of Internal Audit will be requested to perform a cost/price analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta

Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. L47029 Professional Services for Homeless Outreach from \$936,000.01 to \$1,918,800.01.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel,
Metropolitan Atlanta Rapid Transit Authority**

**RESOLUTION APPROVING THE TENTATIVE SETTLEMENT
OF THE LABOR AGREEMENT BETWEEN THE
METROPOLITAN ATLANTA RAPID TRANSIT
AUTHORITY(MARTA) AND THE AMALGAMATED TRANSIT
UNION LOCAL 732 (ATU)**

WHEREAS, MARTA and the ATU had previously executed a labor agreement for the period of February 2, 2019 through December 31, 2021; and

WHEREAS, MARTA and ATU through a Memorandum of Understanding agreed to a one-year extension to extend the labor agreement through December 31, 2022; and

WHEREAS, pursuant to the terms of that agreement it remained in force and effect until such time as a new agreement is reached between MARTA and the ATU; and

WHEREAS, MARTA and the ATU have engaged in negotiations regarding the terms of a new Labor Agreement beginning May 31, 2022 and continuing since such time; and

WHEREAS, as of June 2023 the parties had over 30 tentative agreements with four proposals outstanding; and

WHEREAS, on June 25th the MARTA negotiating team presented ATU its last best and final offer on the four outstanding proposals inclusive of all tentative agreements reached through that point in time between ATU and MARTA, a summary of which is annexed hereto as Exhibit 1; and

WHEREAS, the tentative agreement was ratified by the members of the ATU on July 17, 2023.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the Tentative Agreement reached between MARTA and the ATU is hereby approved and the General Manager or his delegate is hereby authorized to execute such agreement on behalf of the Authority.

DocuSigned by:

Peter J. Andrews

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Approved as to Legal Form

EXHIBIT 1

SUMMARY OF TENTATIVE AGREEMENT BETWEEN MARTA AND ATU LOCAL 732

MARTA and the Amalgamated Transit Union Local 732 (ATU) opened contract negotiations on November 2, 2017. Fifteen bargaining sessions were held before the parties were advised of the need to halt negotiations on or about March 2 to allow the ATU International to reconduct the election of officers for Local 732. Negotiations resumed on July 25, 2018 and continued through the calendar year. Commencing in January 2019, a reconfigured management negotiation team worked aggressively with the ATU to reach tentative agreement on the parties' priority proposals. The following summary will outline the economic and non-economic items that comprise the terms that constitute the negotiated terms of the Labor Agreement between MARTA and the ATU, effective January 1, 2019 – December 31, 2021.

Economic Proposals:

1) Wages:

- A. Three Percent (3%) across the board wage increases for all represented employees on the following schedule: Upon ratification, 2019; Ratification anniversary 2020; and Ratification anniversary 2021.
- B. Longevity premium of \$0.25 per hour for all represented employees with 20+ years of service.
- C. Implement one-time parity pay adjustments effective March 1, 2019 for a defined group of positions at the following rates:
FT/PT Bus and Rail Operators: \$0.50/hour
Maintenance Positions (specified): \$1.00/hour
- D. Retro/Ratification payment of \$1000 paid to each full-time represented employee and \$500 paid to each part-time represented employee, less regular deductions, contingent upon ratification of the contract on or before March 1, 2019.

2) Group Insurance:

- A. Full-time Represented Employees and Retirees prior to attaining the age of 65 will have increased life insurance coverage from \$40,000 to \$45,000. Part-time Represented Employees will have increased life insurance coverage from \$10,000 to \$15,000. Retirees after attaining the age of 65 will have increased life insurance coverage from \$10,000 to \$15,000.
- B. The parties clarified the contract language that addresses the purpose of the employer/union advisory committee.
- C. Represented Employees will be reimbursed for any increases in healthcare plan rates during July 1, 2018 through June 30, 2019.

- D. Two Percent (2%) increase in the employee contribution toward the cost for Full-time Employees' cost of their HMO and/or POS healthcare plan from 15% to 17%, effective July 1, 2019 and thereafter. Two Percent (2%) increase in the employee contribution toward the cost for Part-time Employees' cost of their HMO healthcare plan from 10% to 12%, effective July 1, 2019.
- E. Increase in deductibles for all full-time employees, retirees with a regular, disability, or early (unreduced) retirement pension, and their dependents beginning July 1, 2019 and thereafter as follows: Employee only from \$100 to \$200; Employee plus one from \$400 to \$500; Employee plus family from \$600 to \$650.
- F. Increase in the Represented Employee Co-Pay for Emergency Room Visits from \$150 to \$300.
- G. Incorporated language that allows MARTA the right to offer additional group insurance plan choices to the Active Employees.

Non-Economic Proposals:

- 3) **Complaint provisions of paragraph 80:** Incorporated language that increase the time period for employee notification of a complaint and clarified when the investigation clock will commence.
- 4) **Funeral Leave:** Incorporated legal foster parents, legal foster children, and legal guardian relationships as approved relationships covered under the funeral leave provisions.
- 5) **Seniority List:** Incorporated language to clarify that the provision will be applied in compliance with the Americans with Disabilities Act and all other applicable laws.
- 6) **Station Agents:** Incorporated language to clarify the staffing of relief positions and reassignment of Station Agents.
- 7) **Sick Leave:**
 - A. Incorporated language that would create a Sick Leave Pool that allows eligible Full-time Represented Employees to donate sick leave to eligible represented employees through the pool or specified individual donations of time. The program is designed to benefit represented employees have exhausted his or her own sick hours due to a disabling illness or long-term incapacitation or must be off from work due to a disabling illness or long-term incapacitation, supported by medical documentation.
 - B. Incorporated language to clarify availability of vacation time picked at the annual Vacation Markup.
- 8) **Leave of Absence for Union Business:** Incorporated language to expand the universe of represented employees who qualify for union business leave of absence from officers and committee members to any union member in good standing.
- 9) **Rail Systems Maintenance Department:** Incorporated language to clarify that all Rail Car Maintenance crafts are Journeyman and standardize the language with all maintenance departments. Incorporated language to expressly state the Offices under the Rail Systems Maintenance Department.

10)Infrastructure Department: Incorporated language to allow employees with prior construction experience to bid on Track Maintainer position. Incorporated language to expressly state the Offices under the Infrastructure Department. Revised language in paragraph 214, to clarify that all crafts in the Infrastructure Department are classified as Journeyman, and under the same pay scale.

New Contract Provisions:

11)Expedited Arbitration: Included a provision that allows the parties to mutually agree to submit any unresolved grievance to an expedited arbitration process.

12) Technological and Mechanization Changes: Included a provision to provide the Union advance notice when technological and mechanization changes are being considered.

13) Inclement Weather Pay: Included a provision that expresses the expectation that MARTA Represented Employees will make all efforts to report to work safely during inclement weather, and outlines guidelines regarding work hours and pay during periods of inclement weather.

**RESOLUTION AUTHORIZING OCCUPANCY COSTS ASSOCIATED WITH THE LEASE AT
575 MOROSGO DRIVE NE, ATLANTA, GA 30324**

WHEREAS, during its September 8, 2022, meeting, the MARTA Board of Directors approved the execution of a lease agreement (the "Lease") with the owners of 575 Morosgo Drive, Atlanta, GA 30324 ("Morosgo"); and

WHEREAS, section 16(g) of the MARTA Act of 1965 as amended permits MARTA the power to acquire property, both real and personal, or rights of easement therein, or franchises necessary or convenient for the purposes of the Authority, by gifts, purchase, lease (as lessee) or contract; and

WHEREAS, the Lease is for four (4) floors for approximately 132,209 square feet was executed in December 2022 to house employees for a three (3) year term with two (2) one-year options; and

WHEREAS, the Lease contemplated the design and buildout of the space as well as the acquisition of cubicles are by the landlord and reimbursed by MARTA; and

WHEREAS, the September 8, 2022, board approval only contemplated the costs associated with the lease payments and did not include the then unknown buildout costs; and

WHEREAS, the cost for design, interior construction at 575 Morosgo, including cubicles total \$6,100,000.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate is hereby authorized to do all acts, perform all things, and execute on behalf of the Authority all instruments of conveyance, other instruments and agreements and make payments as necessary for MARTA's occupancy of space at 575 Morosgo Drive, Atlanta, GA 30324.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel,
Metropolitan Atlanta Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE MARTA
SITE RELOCATION PROJECT, IFB B50324**

WHEREAS, during its September 8, 2022, meeting, the MARTA Board of Directors approved the execution of a lease with the owners of 575 Morosgo Drive, Atlanta, GA 30324 ("Morosgo"); and,

WHEREAS, some 500 MARTA employees will be relocated to the fourth, fifth, sixth, and seventh floors of Morosgo; and,

WHEREAS, the Authority's Department of Capital Programs has identified the need for the procurement and installation of fiber backbone and data cabling at 575 Morosgo Drive, Invitation for Bids Number B50324; and

WHEREAS, on June 7, 2023, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, the installation of an enterprise network is necessary for daily operations; and,

WHEREAS, on July 11, 2023 at 2:00 p.m. local time no bids were received; and,

WHEREAS, In accordance with Section 14(k) of the MARTA Act, "If the Authority then fails to receive at least one bid that conforms to the terms of its invitation for bids

and which is also reasonable in price, then the Authority may negotiate an acquisition, disposition or contract where the amount involved is \$5,000 or more.”; and,

WHEREAS, MARTA entered into negotiations with Cleveland Electric Company for the MARTA Site Relocation Project contract; and,

WHEREAS, the Department of Internal Audit will be requested to perform a Cost Analysis to determine fair and reasonable pricing; and,

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B50324, MARTA Site Relocation Project between the Authority and Cleveland Electric Company, in the amount of \$396,386.52.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel,
Metropolitan Atlanta Rapid Transit Authority**