

MINUTES
DALLAS AREA RAPID TRANSIT
BOARD OF DIRECTORS'
January 27, 2009

The Dallas Area Rapid Transit **Board of Directors'** meeting convened on Tuesday, January 27, 2009, at 6:30 p.m., at DART Headquarters, 1401 Pacific Avenue, Dallas, Texas, with Chair Chrisman presiding.

City of Dallas

Scott Carlson
Jerry L. Christian
Pamela Dunlop Gates – **Assistant Secretary**
Angel Reyes
Robert Strauss – **Vice-Chair**
William Tsao
William M. Velasco
Claude Williams

City of Garland

Tracey M. Whitaker

City of Irving

John C. Danish – **Secretary**

City of Plano

Loretta Ellerbe

Cities of Addison, Highland Park, Richardson, and University Park

Raymond Noah

Cities of Carrollton and Irving

Randall Chrisman – **Chair**

Cities of Dallas, Plano, Glenn Heights, and Cockrell Hill

Faye Moses Wilkins

Cities of Farmers Branch, Garland, and Rowlett

Mark C. Enoch

Tracey Whitaker was absent. Pamela Dunlop Gates, Robert Strauss, Faye Moses Wilkins excused themselves prior to the meeting convening due to inclement weather.

General Items:

1. **Approval of Minutes:** January 13, 2009

Mr. Williams made a motion to approve the January 13, 2009, Board of Directors' Meeting minutes with no corrections, deletions, or additions.

Mr. Carlson seconded the motion and it was approved unanimously.

Chair Chrisman stated that due to increasingly perilous road conditions, the Board consider its Action Items first and then proceed with any other outstanding business.

Consent Items:

Mr. Enoch made a motion to approve Consent Item 5. – 10.

5. **Contract to Rebuild Light Rail Vehicle (LRV) Parts**

Approval of Resolution No. 090002 that authorizes the President/Executive Director or his designee to award a two-year contract, subject to legal review, to rebuild light rail vehicle parts to Bombardier Transportation Holdings USA, Inc. in a total authorized amount not to exceed \$931,640.

6. **Exercise Contract Options to Rebuild Miscellaneous Bus Engine Parts**

Approval of Resolution No. 090003 that authorizes the President/Executive Director or his designee to execute a contract modification to rebuild miscellaneous bus engine parts with:

Section 1: Muncie Reclamation and Supply [Contract No. C-1011373-01] to exercise the one-year option and increase the not-to-exceed amount by \$466,497, for a new total authorized amount not to exceed \$1,368,688.

Section 2: Stewart & Stevenson, LLC, [Contract No. C-1011373-02] to exercise the one-year option and increase the not-to-exceed amount by \$83,576, for a new total authorized amount not to exceed \$301,555.

7. **Exercise Contract Option for Liquefied Natural Gas (LNG) Bus Engine Parts**

Approval Resolution No. 090004 that authorizes the President/Executive Director or his designee to execute a contract option for liquefied natural gas

bus engine parts with North American Bus Industries (NABI), Inc., [Contract No. C-1011805-01] to:

Section 1: Exercise the one-year option.

Section 2: Increase the not-to-exceed amount by \$132,452, for a new total authorized amount not to exceed \$382,231.

8. Exercise Contract Option for Janitorial Services for DART Operating Facilities

Approval of Resolution No. 090005 that authorizes the President/Executive Director or his designee to execute a contract option for janitorial services for the DART operating facilities with Oriental Building Services, Inc., [Contract No. C-1012301-02] to:

Section 1: Exercise the one-year option.

Section 2: Increase the not-to-exceed amount by \$591,036, for a new total authorized amount not to exceed \$1,745,676.

9. Contract for Bus Engine Lubricating Oils

Approval of Resolution No. 090006 that authorizes the President/Executive Director or his designee to award a two-year contract for bus engine lubricating oils to Jesse P. Taylor Oil Co. in a total authorized amount not to exceed \$1,244,600.

10. Contract for Bus Door and Bumper Components

Approval of Resolution No. 090007 that authorizes the President/Executive Director or his designee to award a two-year contract for bus door and bumper components to Prevost Car U.S., Inc., in a total authorized amount not to exceed \$507,367.

Mr. Carlson seconded the motion and it was approved unanimously.

Individual Items:

11. +Contract for Design-Build Services for the Rowlett Line Section (R-1)

Mr. Enoch made a motion to approve Resolution No. 090008 that authorizes the President/Executive Director or his designee to award a contract, subject to legal review, for design-build services for the Rowlett Line Section (R-1; Blue Line) to Austin Bridge & Road, LP, in the amount of \$193,019,007, plus

a supplemental work contingency of \$7,721,000 (4%) for unanticipated expenses, for a total authorized amount not to exceed \$200,740,007.

Mr. Noah seconded the motion and it was approved unanimously.

12. Contract for Bus Stop Concrete Benches

Mr. Carlson stated that this item had been considered and approved at the Operations Committee and at the Committee-of-the-Whole and **made a motion to approve Resolution No. 090009 that authorizes the President/Executive Director or his designee to award a two-year contract for bus stop concrete benches to Stromberg in a total authorized amount not to exceed \$793,500.**

Mr. Danish seconded the motion and it was approved by majority. (9/1; Mr. Williams voted against the item).

13. +Direct Report Performance Reviews – President/Executive Director, General Counsel, Director of Internal Audit, and Director of the Office of Board Support

Mr. Reyes stated that the Personnel Committee had reached a unanimous conclusion concerning the (respective) performance of each of the the Direct Reports and the matter had also secured unanimous approval at the Committee-of-the-Whole:

Mr. Reyes made a motion to approve Resolution No.'s 090010, 090011, 090012, 090013 that state:

Resolution No. 090010:

Section 1: The bi-weekly salary of Gary Thomas, President/Executive Director, is \$9,696.52 effective January 1, 2009; and

Section 2: Gary Thomas shall receive a one-time payment in the amount of \$33,574.16 within 30 days after this resolution is adopted.

Resolution No. 090011:

The bi-weekly salary of Albert Bazis, Internal Auditor, is \$5,623.80 effective January 1, 2009; and Mr. Bazis receive a one-time lump sum payment in the amount of \$5,000.

Resolution No. 090012:

The bi-weekly salary of Nancy K. Johnson, Director of the Office of Board Support, is \$3,592.96 effective January 1, 2009.

Resolution No. 090013:

The bi-weekly salary of Hyattye O. Simmons, General Counsel, is \$7,001.92 effective January 1, 2009.

Mr. Noah seconded the motion and it was approved unanimously.

Mr. Reyes and Mr. Christian excused themselves from the meeting at 6:34 p.m.

14. *Government Relations Update on 81st Session of the Texas Legislature, DART's Legislative Agenda and the Status of the Rail North Texas Initiative

This item was for consideration at the Committee-of-the-Whole only.

Chair Chrisman returned to Board's attention to hear the other business contained on the Agenda.

Other Items:

2. Public Comments

Chair Chrisman stated that he did not have any requests to address the Board. Mr. John Killian, a member of the general public, indicated that he did, in fact, wish to speak. Chair Chrisman allowed him to do so.

Mr. John Killian: Mr. Killian expressed his congratulations to the Board for selecting Austin Bridge Company as the contractor who will design and build the Rowlett line.

Chair Chrisman confirmed that no one else wished to address the Board and received no reply.

3. CAC Advisory Report

Mr. Claude Doane stated that the Committee's last meeting had included election of new Officers. Mr. Doane introduced Mr. Bob Ganson the Chair of the CAC. He went on to say Mr. Michael Moon was elected Vice-Chair and Ms. Phyllis Silver will act as the group's Secretary.

Mr. Doane said it had been a pleasure serving as Chair of the CAC and thanked the DART Board for their endeavors.

4. PAAG Advisory Report

- a. PAAG Advisory Report: Due to inclement weather, this Report was not presented.
- b. PAAG Most Valuable Driver of the Quarter: Mr. Victor Burke introduced Ms. Mary Buchanan who was honored as Most Valuable Driver of the Quarter for Paratransit activities. Mr. Burke said that Ms. Buchanan had demonstrated superlative safe driving efforts, excellent attendance, and noteworthy customer service. Mr. Burke presented Ms. Buchanan with a commemorative plaque and a monetary reward.

Ms. Buchanan expressed her appreciation for being given the opportunity and the recognition.

- c. PAAG Most Valuable Driver of the Year: Mr. Victor Burke introduced Mr. James Singleton as the Most Valuable Driver of the Year. Mr. Burke explained that Mr. Singleton had distinguished himself via demonstrating an excellent driving record, great attendance, and superior customer service. Mr. Singleton was presented a commemorative plaque and a monetary reward.

Mr. Singleton thanked Veolia Transportation for giving him the opportunity to do a good job for a company that values individual performance.

16. Adjournment

There being no further business to discuss, the meeting was adjourned at 6:41 p.m.

Gail Cook
Board/Committee Secretary

/glc

+ Same Night Item

* Briefing Item