OFFICIAL BOARD POLICIES

of the

DALLAS AREA RAPID TRANSIT

Board of Directors

Updated - 2020
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Revised 1/16/2009 10:56 AM
## Reference Table

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<tr>
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| Transit Fuel/Engines | DART Clean Fleet Vehicle Policy  
Policy No. - **III.12**  
(Operations) |
| Transit Oriented Development | Transit Oriented Development Policy  
Policy No. - **IV.03**  
(Planning) |
| Transportation System Management Program | Financial Standards Policy  
Policy No. - **II.02**  
(Finance)  
Street Repair Policy  
Policy No. - **III.03**  
(Operations) |
| Women-Owned Business | Disadvantaged Business Enterprise and Minority and Women-Owned Business Enterprise Programs Policy  
Policy No. - **I.04**  
(Administration) |
Section 1: The following Policy Statements will be incorporated into and become the basis of DART’s Administrative Employment Manual, in accordance with existing modification procedures which provide for employee review and comment:

1. Dallas Area Rapid Transit (DART) will comply with all applicable federal and state employment-related legislation, executive orders and regulations. These laws prohibit discrimination, provide selection of qualified individuals with disabilities for employment and requires posting of notices of employees rights and agency compliance.

2. All DART personnel have the responsibility for ensuring the safety of passengers, employees, property and the general public that come in contact with the system. Employees will carry out their daily work assignments in a safe manner and will abide by all DART procedures relating to security and safety and shall not engage in any conduct which poses a threat to themselves, other employees, the general public or DART property.

3. In accordance with the annual budget approved by the Board of Directors, the President/Executive Director determines staffing levels, employs, sets terms and conditions of employment and resolves employment disputes for salaried, exempt and non-exempt employees. The President/Executive Director shall insure all employment activities such as promotions, terminations, reductions in force, assignments, compensation comply with these policy statements.

4. Employees and supervisory staff are encouraged to work in a positive fashion to achieve individual and organization goals. However, in the event regular communication between an employee and supervisor does not resolve a question, issue or concern, it becomes necessary for a third party to facilitate a solution. To that end, DART utilizes a three step process for concerns involving disciplinary action. If the concern involves the application or interpretation of a policy, a two step process is used with the President/Executive Director determining the ultimate resolution.

5. Employees terminated by a reduction in force will receive a 30-day notice, four weeks severance and in addition one week’s pay per year of service. Service of the reduction in force will receive a 30 day notice, four weeks severance and in addition one week’s pay per year of service.

Section 2: The President/Executive Director, or his designee, is authorized to submit the revised Resolution Process Governing General and Group Complaints to the Department of Labor for their review and approval, in accordance with DART’s current 13c arrangement.

Section 3: Hourly employees will continue to be covered by the DART Personnel Policy Manual adopted in 1988.
At-Will Employment Status for Assistant Vice Presidents Level or Higher, Attorneys and Internal Auditor

DATE ISSUED: July 25, 1995
Resolution No.: 950175
Policy No.: I.02 (Administration)

The following Policy Statements will be incorporated into and become the basis of DART's Administrative Employment Manual for Salaried Employees, in accordance with existing modification procedures which provide for employee review and comment:

Section 1: An employee classified as an Assistant Vice President level or higher, an attorney, or an internal auditor is exempt from the dispute resolution process set out in the DART (Dallas Area Rapid Transit) Administrative Employment Manual. Such an employee retains his or her status as an "at-will" employee and may be subject to termination with or without cause as may be determined by the President/Executive Director, the General Counsel, and the Director of Internal Audit in respect to employees under their supervision. The President/Executive Director, General Counsel, and Director of Internal Audit shall have final approval of employment actions for employees under their supervision.

Section 2: Following are minimum guidelines pertaining to severance benefits for employee actions based on "at-will" status:

- 30 Day Notice
- Attorney & Internal Auditor - 2 months pay
- Assistant Vice President - 3 months pay (includes attorneys/internal auditors classified as AVP)
- Vice Presidents & above - 4 months pay (includes attorneys/internal auditors classified as VP)

The foregoing benefits do not apply in the event of termination for cause or misconduct.
The following policy statements, to the extent they are consistent with Federal and State law, will serve as a basis of DART’s Administrative Employment Manual for Salaried Employees and DART’s Hourly Employment Manual, and where required, will be in accordance with existing modification procedures which provide for employee review and comment:

Section 1: Dallas Area Rapid Transit (DART) will comply with all applicable federal and state employment-related laws, executive orders and regulations. These laws prohibit discrimination, retaliation and harassment in employment and require posting of notices of employee rights.

Section 2: DART will select employees strictly in accordance with the requirements of the job. DART is committed to hiring, promoting and retaining the best qualified persons in all positions and, to the extent permitted by federal and/or Texas law, DART will not discriminate on the basis of race, color, religion, national origin, sex, age, disability, genetic information, veteran status, sexual orientation, gender identity or any other characteristic protected by law. Nothing in this paragraph extends any employee benefits to any individual who is ineligible for these benefits under any other provision of DART’s Administrative Employment Manual for Salaried Employees and DART's Hourly Employment Manual, any provision of an employee benefit plan and/or program or under any state or federal law or under any rule or regulation adopted pursuant to any state or federal law.

Section 3: Nothing herein diminishes DART’s retention of management rights granted to it under Texas law. Similarly, nothing herein shall be construed as a waiver of DART’s immunity from lawsuit or liability unless said waiver has been made by clear and unambiguous federal or Texas law.
Section 1: DART has a compelling interest and a policy to provide remedies for the ongoing effects of past and present discrimination that have resulted in discrimination against minority and women owned business in the provision of goods and services to DART.

Section 2: DART has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation and a Minority and Woman-Owned Business Enterprise (M/WBE) Program in accordance with applicable local and State law.

Section 3: DART seeks to:
(a) Ensure nondiscrimination in the award and administration of DART contracts;
(b) Create a level playing field and foster equal opportunity for DBEs and M/WBEs so that they can compete fairly for DART contracts;
(c) Ensure that its DBE Program and M/WBE Program are narrowly tailored in accordance with applicable law;
(d) Ensure that only DBEs and M/WBEs that fully meet the eligibility standards are permitted to participate as DBEs and M/WBEs;
(e) Help remove barriers to the participation of DBEs and M/WBEs in DART contracts; and
(f) Assist the development of firms that can compete successfully in the marketplace outside the DBE and M/WBE Programs.

Section 4: This Policy shall be distributed Agencywide and shall be made available to the entire D/M/WBE and non-D/M/WBE business communities that participate in DART contracts.

Section 5: The Board of Directors shall regularly, at least every six (6) years, determine whether there is a continuing need for the DART DBE and M/WBE Programs.

Section 6: The responsibility for implementing all aspects of the DBE and M/WBE programs rests with DART's President/Executive Director.
Section 1. Definition of DART Records

All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by DART or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of DART and shall be created, maintained, and disposed of in accordance with the provisions of this Policy or procedures authorized by it and in no other manner.

Section 2. Additional Definitions

2.1 "Department Head" means the individual in charge of an office of DART that creates or receives records.
2.2 "Permanent Record" means any record of the DART for which retention period on the Records Control Schedule is given as permanent.
2.3 "Records Management" means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records, control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other records storage systems.
2.4 "Records Liaison Officers" mean the persons designated under Section 10 of this policy.
2.5 "Records Management Officer" means the person designated in Section 5 of this policy.
2.6 "Records Management Plan" means the plan developed under Section 7 of this policy.
2.7 "Retention Period" means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.
2.8 "Essential Record" means any record of DART necessary to the resumption or continuation of operations of DART in an emergency or disaster, to the recreation of the legal and financial status of DART, or to the protection and fulfillment of obligations.
2.9 "Records Control Schedule" means a document prepared by or under the authority of the Records Management Officer listing the records maintained by DART, their retention periods and other records disposition information that the Records Management Program may require.
2.10 "Records Management Committee" means the committee established in Section 6 of this policy.

Section 3. DART Records Declared Public Property

All DART records as defined in Section 1 of this Policy are hereby declared to be the property of DART. No DART official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The
unauthorized destruction, removal from files, or use of such records is prohibited.

Section 4. Policy

It is hereby declared to be the policy of DART to provide for efficient economical and effective controls over the creation, distribution, organization, maintenance, use and disposition of all DART records through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Texas Local Government Records Act and accepted records management practice.

Section 5. Designation of Records Management Officer

The President/Executive Director of DART shall designate an individual, employed by DART, to serve as Records Management Officer for DART. In the event of the resignation, retirement, dismissal, or removal by action of the President/Executive Director of DART, the President/Executive Director shall promptly designate another individual to serve as Records Management Officer. The individual designated as Records Management Officer shall file his or her name with the Director and Librarian of the Texas State Library within thirty days of the date of designation, as provided by state law.

Section 6. Establishment of Records Management Committee; Duties

6.1 A Records Management Committee consisting of the President/Executive Director of DART, General Counsel of DART, Director of Internal Audit of DART and Chief Financial Officer of DART or their designees is hereby established.

6.2 The Committee shall:
   a. assist the Records Management Officer in the development of standard operating procedures governing the records management program;
   b. review the performance of the program on a regular basis and propose changes and improvements if needed;
   c. review and approve the Records Control Schedule submitted by the Records Management Officer;
   d. give final approval to the destruction of records in accordance with the approved Records Control Schedule; and
   e. actively support and promote the records management program throughout DART

Section 7. Records Management Plan to be Developed; Approval of Plan; Authority of Plan

7.1 The Records Management Officer and the Records Management Committee shall develop a Records Management Plan for DART. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of recordkeeping to adequately protect the essential records of DART, and to properly preserve those records of DART that are of historical value. The Plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this Policy effectively.

7.2 The Records Management Plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, committees, or similar entities of DART and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the Plan.

7.3 State law relating to the duties, other responsibilities or record-keeping requirements of a Department Head do not exempt the Department Head or the records in the Department Head’s care from the application of this Policy and the Records Management Plan adopted under it and may not be used by the Department Head as a
basis for refusal to participate in the records management program of DART.

Section 8. Duties of Records Management Officer

8.1 In addition to other duties assigned in this policy, the Records Management Officer shall:

a. Administer the records management program and provide assistance to Department Heads in its implementation;

b. Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;

c. In cooperation with Department Heads identify essential records and establish a disaster plan for each DART office and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;

d. Develop procedures to ensure the permanent preservation of the historically valuable records of DART;

e. Establish standards for filing and storage equipment and for recordkeeping supplies;

f. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for DART;

g. Provide records management advice and assistance to all DART departments by preparation of a manual or manuals of procedure and policy and by on-site consultation;

h. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and DART's Record Control Schedule are in compliance with state regulations;

i. Disseminate to DART and Department Heads information concerning state laws and administrative rules relating to local government records;

j. Instruct Records Liaison Officers and other personnel in policies and procedures of the Records Management Plan and their duties in the records management program and Records Management Plan;

k. Direct Records Liaison Officers or other personnel in the conduct of records inventories in preparation for the development of the Records Control Schedule as required by state law and this Policy;

l. Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of DART record is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;

m. Maintain records on the volume of records destroyed under approved Records Control Schedule, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;

n. Report annually to the DART Board of Directors and the Records Management Committee on the implementation of the Records Management Plan in each department of DART, including summaries of statistical and fiscal data compiled under Subsection (13); and

o. Bring to the attention of DART's President/Executive Director and the Records Management Committee non-compliance by Department Heads or other DART personnel with the policies and procedures of the records management program or the Local Government Records Act.

Section 9. Duties and Responsibilities of Department Heads

9.1 In addition to other duties assigned in this Policy, Department Heads shall:

a. Cooperate with the Records Management Officer in carrying out the policies and procedures established in DART for efficient
and economical management of records and in carrying out the requirements of this Policy;
b. Adequately document the transaction of DART business and the services, programs, and duties for which the Department Head and his or her staff are responsible; and
c. Maintain the records in his or her care and carry out their preservation, microfilming, destruction or other disposition only in accordance with the standard operating procedures of the records management program of DART and the requirements of this Policy.

Section 10. Designation of Records Liaison Officers

Each Department Head shall designate a member of his or her staff to serve as Records Liaison Officer for the implementation of the records management program in the department. If the Records Management Officer determines that in the best interests of the records management program more than one records liaison officer should be designated for a department, the Department Head shall designate the number of records liaison officers specified by the Records Management Officer. Persons designated as records liaison officers shall be thoroughly familiar with all records created and maintained by the department. In the event of the resignation, retirement, dismissal, or removal by action of the Department Head of a person designated as a records liaison officer, the Department Head shall promptly designate another person to fill the vacancy. A Department Head may serve as records liaison officer for his or her department.

Section 11. Duties and Responsibilities of Records Liaison Officers

11.1 In addition to the other duties assigned in this Policy, Records Liaison Officers shall:
a. conduct or supervise the conduct of inventories of the records of the department in preparation for the development of the Records Control Schedule;
b. in cooperation with the Records Management Officer coordinate and implement the standard operating procedures of the records management program in their departments; and
c. disseminate information to department staff concerning the Records Management Program.

Section 12. Records Control Schedule to be Developed; Approval; Filing with the State

12.1 The Records Management Officer, in cooperation with Department Heads and Liaison Officers, shall prepare a Records Control Schedule listing all records created or received by each department and the retention period for each record. The Records Control Schedule shall also contain such other information regarding the disposition of DART records as the Records Management Plan may require.

12.2 The Records Control Schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedule issued by the state and that it continues to reflect the recordkeeping procedures and needs of the records management program of DART.

12.3 Before its adoption, the Records Control Schedule must be approved by the members of the Records Management Committee.

12.4 Before its adoption, the Records Control Schedule must be submitted to and accepted for filing by the Director and Librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the Records Control Schedule to the Director and Librarian.
**Section 13. Implementation of Records Control Schedules; Destruction of Records Under Schedule**

13.1 The Records Control Schedule that has been approved and adopted under Section 12 shall be implemented by Department Heads and Records Liaison Officers according to the policies and procedures of the Records Management Plan.

13.2 A record whose retention period has expired on the Records Control Schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending lawsuit, or the Department Head requests in writing to the Records Management Committee that the record be retained for an additional period.

13.3 Prior to the destruction of a record under the approved Records Control Schedule, unanimous authorization for the destruction must be obtained by the Records Management Officer from the Records Management Committee.

**Section 14. Destruction of Unscheduled Records**

A record that has not yet been listed on the approved Records Control Schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under the approved Schedule.

**Section 15. Records Center**

A records center, developed pursuant to the Plan required by Section 7, shall be under the direct control and supervision of the Records Management Officer. Standard operating procedures regulating the operations and use of the records center shall be contained in the Records Management Plan developed under Section 7.

**Section 16. Micrographics**

All microfilming of records will be centralized and under the direct supervision of the Records Management Officer. The Records Management Plan will establish standard operating procedures for the microfilming of DART records, including policies to ensure microfilming is done in accordance with standards and procedures for the microfilming of local government records established in rules of the Texas State Library and Archives Commission. The Plan will also establish criteria for determining the eligibility of records for microfilming and protocols for ensuring that a microfilming program that is exempted from the centralized operation is, nevertheless, subject to periodic review by the Records Management Officer as to cost-effectiveness, administrative efficiency and compliance with commission rules.
Section 1: Purpose

To ensure that DART’s substance abuse program is in compliance with all applicable federal regulations in establishing and maintaining its drug and alcohol-free workplace.

Background:

The current Federal Transit Administration (FTA) regulations regarding abuse of alcohol and drugs are outlined in Chapter 10 of the DART Personnel Policy Manual (DPPM) for hourly employees, and Chapter 8 of the Administrative Employment Manual (AEM) for salaried employees.

On June 13, 1995, the DART Board adopted Policy Statements for Salaried Employees that include a safety policy requiring all employees to ensure the safety of passengers, employees, property and persons who come in contact with the DART system (Resolution No. 970140).

On January 27, 1998, DART’s Board adopted a subsequent policy statement affirming its overall goal to make safety its number one priority by achieving a drug and alcohol-free workforce in the interest of the health and safety of our employees, customers and the general public (Resolution No. 980021).  

On April 28, 1998, DART’s Board adopted an additional resolution modifying DART’s Substance Abuse Policy, as implemented in DART’s substance abuse program, that affirms the agency’s priority to establish and maintain a workplace that is free from the sale, use, manufacture or distribution of illegal drugs and alcohol (Resolution 980021).

Section 2: Policy Statement

1. All employees are strictly prohibited from the non-prescriptive use, sale, possession, distribution, dispensation, manufacture or transfer of controlled substances or alcohol on DART property or other worksites, on or off duty.

2. DART shall establish and maintain a drug and alcohol-free workplace which complies with the applicable regulations as identified in 49 Code of Federal Regulations (CFR, 49 CFR part 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Program), and the Drug-Free Workplace Act of 1988.

Specific program components will be documented in the relevant sections of the DART Personnel Policy Manual (DPPM) for hourly employees and in the Administrative Employment Manual (AEM) for salaried employees. In addition to the FTA requirements, employees who do not perform safety-sensitive functions shall be subject to the same regulations stated above, except for regulations governing random testing.

3. In addition to the FTA requirements, employees who do not perform safety-sensitive functions shall be subject to the same regulations stated above as they pertain to pre-employment drug testing prior to employment and reasonable suspicion drug and alcohol testing.

4. The Employee Assistance Program that is made available to all regular employees and their families to assist them with personal problems shall include a component that addresses controlled substance abuse and alcohol misuse issues. Employees may be eligible for a one-time rehabilitation opportunity in accordance with the components of the substance abuse program as defined in the respective manuals.
Introduction
The nature of contracting, particularly on large and complex projects, is such that modifications to the contract are often necessary. One of the most important features of public sector contracts that distinguishes them from many private sector contracts is the right of the public agency to unilaterally direct changes to the contractor as authorized by the Changes clause of the contract and to require the contractor to continue performance of the contract as so changed. Because of the unique aspect of public contracting, it is important to carefully define the delegations of authority relative to changes and often contract modifications while maintaining the appropriate checks, balances, and controls.

Additionally, in order to avoid delays and excess contracts costs, it is important to establish a policy relating to Supplemental Work Contingencies for contract modifications and that the Authority to administer the contingency allowance be delegated to the Executive Director and his staff.

In accordance with the procurement policy established by the Board of Directors in the DART Procurement Regulations, there are two major types of contract modifications: bilateral modifications and unilateral modifications. As indicated in the definition set forth below, a change order is one type of unilateral modification. Further, it is the policy of the Authority that as long as the interests of the Authority would not be adversely affected, contract modifications, including changes that could be issued unilaterally, shall be priced before their execution. This policy reflects the preference of both the contractor and the Authority that monetary impacts relating to changes to the contract be agreed upon prior to the work being accomplished while still recognizing the public policy right of the Authority to direct that the work be accomplished without that prior agreement and ensuring that the contractor continues performance of the contract as changed by the change order.

The delegation of authority policy proposed by this Board action is consistent with Section 8-304 (4) of the Procurement Regulations which provides that "Change orders shall be issued only by the Contracting Officer except when authority to issue such orders has been delegated in writing to another (emphasis added)."

Definitions
"Contract Modification" means any written change in the terms of a contract. Contract modifications fall into two major categories:

1. "Change order" means a written order, signed by the Contracting Officer, directing the contractor to make a change that the Changes Clause authorizes the Contracting Officer to order, without the contractor's consent - i.e., unilaterally.

2. "Supplemental agreement" means a bilateral modification of the contract that is accomplished by the mutual action of the parties.

"Supplemental Work Contingency" is an authorization of money that funds the costs of modifications to a contract. This amount is not included in the contract at the time of initial award, but is approved by the Board for staff administration and management.
Contract Modification Authority

The Delegation of Authority for Engineering and Construction projects can be found in Table - 1. In addition to the positions and levels of authority identified in Table -1, to maintain appropriate levels of checks and balances, a monthly project status report will be distributed to the Board of Directors outlining progress, cost and schedule status, upcoming events, contingency drawdown, and contract modification activity.

Supplemental Work Contingencies

At the time a specific contract is submitted to the Board of Directors for approval to award, staff will request Board authorization for a Supplemental Work Contingency. The amount of the Supplemental Work Contingency will be established at 5% to 15% of the contract value.

Staff will advise the Board of Directors when "draw down" against the Supplemental Work Contingency reaches 80% of the authorized amount. If it is determined that additional contingency amounts are required to complete the project, staff will request authorization for increasing the Supplemental Work Contingency amount.

[Table -1 of Resolution No. 920010 has been amended from time to time. The most current table is included with this policy and the resolutions which have changed that table are included in the amendments listed at the top of this document.]

Note: Wording located in brackets ([] ) indicates information which has been added for clarification purposes only.
## CONTRACT MODIFICATION AUTHORIZATION LEVELS

### Table - 1 - Revised February 14, 2017

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<td>AVP Streetcar/Systems Engineering</td>
<td>Vacant</td>
</tr>
<tr>
<td>Up to $40,000</td>
<td>Director Mobility Capital Projects</td>
<td>Ali Rabiee</td>
</tr>
<tr>
<td>Up to $40,000</td>
<td>Director Construction Safety and Certification</td>
<td>John Gault</td>
</tr>
<tr>
<td>Up to $40,000</td>
<td>Senior Manager Quality and Records Management</td>
<td>Tiffany Hail</td>
</tr>
<tr>
<td>Up to $40,000</td>
<td>Senior Manager Systems Integration and Start Up</td>
<td>David Tim Brown</td>
</tr>
<tr>
<td>Up to $40,000</td>
<td>Chief Engineering Officer TRE</td>
<td>Annka Robinson</td>
</tr>
<tr>
<td>Up to $25,000</td>
<td>Design and Construction Managers Project Managers (PM)</td>
<td>Reza Shirmanesh, George V. Avalos, John Hoppie, Philip Johnson, Ernie Martinez, Kay Shelton, Teruka Jimenez, Tan Dao, Gary Copeland, Robert Parks, Julia Casarez, Claude Smith</td>
</tr>
<tr>
<td>Up to $25,000</td>
<td>Manager Environmental Compliance Projects</td>
<td>Steven Griffin, Jon (Tad) Heimburger, Jeffrey M. Haynes</td>
</tr>
<tr>
<td>Up to $25,000</td>
<td>Manager Utilities</td>
<td>Leticia Delgado</td>
</tr>
</tbody>
</table>

### Limitations of Authority

The authority to issue contract modifications does not include the following actions, which are reserved for the Contracting Officer:

- Issuance of Termination Notices pursuant to the “Termination for Convenience” or “Default” clauses of the General Provisions of the Contract.
Use of DART Vehicles Policy

DATE ISSUED:     August 25, 2020
Resolution No.:   200088
Amended by Resolution:  
Policy No.:       1.08 (Administration)

The following policy statements, to the extent they are consistent with Federal and State law, will serve as a basis of Dallas Area Rapid Transit’s (DART) Use of DART vehicles when mutual aid is requested.

Section 1: DART has a long history of working to remove barriers to transportation, employment and business opportunities. DART’s commitment to diversity and inclusion has been and remains a core part of our identity as a public transportation agency. In 2009, DART commemorated Rosa Park’s decision to keep her seat on a city bus, with the installation of two plaques at DART’s Rosa Parks Plaza in downtown Dallas. To date the plaza is the only civil rights monument downtown.

Section 2: DART has an Emergency Operations Plan (EOP) or similar document that integrates emergency preparedness and responses with the local and regional emergency response community. DART’s EOP emphasizes coordination of emergency operations with other governmental entities in disaster situations.

Section 3: DART recognizes the obligations and benefits of mutual aid between governmental agencies but wants to establish the limits of such cooperation.

Section 4: Vehicle means any non-DART police department vehicle whether or not it is identified with the DART name or logo. This definition does not preclude the use of a bus to transport person(s) in custody who seek or require transportation for a disability or impairment.

Section 5: DART seeks to:
(a) Ensure that any EOP or similar document has no language that authorizes the use of DART vehicles for non-DART Police housing or transporting of mass arrests when mutual aid is requested;
(b) Ensure that no internal operational directive or order authorize the housing or transportation of non-DART Police detainees, prisoners or mass arrest on DART vehicles when mutual aid is requested;
(c) Ensure that during times of mutual aid and cooperation, DART’s vehicles will be utilized in a manner that is consistent with DART’s mission and values;
(d) Ensure that when called upon to provide mutual aid, DART will delineate the scope of use for DART’s vehicles and reserve the right to retrieve or recall the vehicle when such scope is exceeded.

Section 6: The President/Executive Director or his designee is authorized to implement this policy and to issue more instructions or procedures to facilitate implementation of this policy, as needed. Any changes to this policy shall be considered by the Board for its revision.
The Board shall review and approve a set of Financial Standards each year as part of the Budget and Financial Plan approval process. The Financial Standards shall be divided into three sections:

1. General Financial Standards - The purpose of the general standards is to ensure that DART prudently manages its financial affairs and establishes appropriate cash reserves to be able to meet its future financial commitments.

2. Debt Financial Standards - The purpose of the debt standards is to limit the level of debt that may be incurred and to ensure that debt assumptions used in the Financial Plan are based on financial parameters similar to (or more conservative than) those that would be placed on DART by the financial marketplace. Actual debt covenants may differ from these standards. Where this occurs, the Financial Plan may reflect the actual covenants in the Board-approved debt instruments.

3. Business Planning Parameters - The purpose of the Business Planning Parameters is to provide management with a framework for developing the following year's budget and the twenty-year Financial Plan and establish future business targets for management to achieve.

Approval or amendment of this policy and of DART's Financial Standards will require an affirmative vote of two-thirds of the appointed and qualified Board members.
Section 1: SCOPE
Dallas Area Rapid Transit (DART) shall utilize those investment strategies and procedures that most effectively accomplish the following goals in order of priority: (1) preservation of capital; (2) liquidity to meet all obligations in a timely manner; and (3) maximization of earnings from the full investment of all available funds. DART funds will be invested and managed in compliance with Section 452.102 of the Texas Transportation Code, the Public Funds Investment Act (Chapter 2256, Government Code), DART's Investment Policy, and internal procedures as documented in DART's Funds Administration Procedures Manual. The funds as listed in the Investment Strategy Guidelines shall be subject to these requirements.

Section 2: DEFINITIONS
Defined terms shall, for all purposes of this Investment Policy, have the meanings set out below unless otherwise expressly provided or unless the context clearly requires otherwise.

2.1 Aggregate Portfolio
Combined assets held in all investment portfolios managed by DART, including, but not limited to, General Operating Fund, Insurance Reserve Fund, Capital Reserve Fund, Financial Reserve Fund, DART Commercial Paper and Bonds System Expansion & Acquisition Funds, Debt Service Funds (Senior Lien and Senior Subordinate Lien), and State or Local Government-Provided Funds.

2.2 Approved Security
Security or obligation which falls within the definitions of investment securities legal for DART under the Public Funds Investment Act (PFIA) or Section 452.102 of the Texas Transportation Code and which are specifically included in the Investment Policy as approved by the Board of Directors. DART is not required to liquidate investments that were authorized investments at the time of purchase, but may no longer be authorized due to regulatory changes.

2.3 Arbitrage Regulations
Regulations issued by the IRS limiting ability of municipalities to take advantage of, or arbitrage, the rate differential between their own tax-exempt securities and taxable securities such as U.S. Treasury Notes. One method of yield restriction to comply with regulations is investing proceeds in other municipal securities.

2.4 Banker's Acceptance
Negotiable time draft, typically arising from letters of credit issued in a foreign trade transaction, drawn on and accepted by a bank which adds its credit to that of an importer of the merchandise. Prime Banker's Acceptances are those, which are liquidated at maturity from proceeds of the sale of goods, distinguishing these self-liquidating instruments from those used only to finance inventory.
2.5 **Certificate of Deposit**
Interest bearing negotiable time deposit of fixed maturity at a bank or trust company organized under the laws of Texas or national banking associations.

2.6 **Money Market Mutual Funds**
Mutual fund of money market instruments, which is no-load, regulated by the Securities and Exchange Commission, has a dollar-weighted average stated maturity of 90 days or fewer, and includes in its investment objectives the maintenance of a stable net asset value of $1 for each share.

2.7 **Commercial Paper**
The promissory note or draft of a corporation, government agency, or bank holding company, usually unsecured but backed by unused bank credit lines and issued for short-term credit needs with a maturity of up to 270 days.

2.8 **Corporate Securities**
Corporation-issued debt instruments as opposed to securities issued by a government agency or a municipality.

2.9 **Financial Institutions and Authorized Broker/Dealers**
Financial Institutions and Authorized Broker/Dealers means qualified financial institutions and broker/dealers authorized to engage in the purchase and sale of obligations of the U.S. Government, its agencies or other approved investments to DART. The Investment Committee will review, revise and adopt the list on an annual basis. Such selection shall include but not be limited to the following criteria:

* Certification with the Financial Industry Regulatory Authority or be subject to regulation by the U.S. Comptroller of the Currency.
* Certification to DART as required under Section 2256.005(k) of the Public Funds Investment Act, as amended.

* Proven access to new issue market for government securities, suitable for DART’s approved strategies.

2.10 **F.D.I.C.**
Federal Deposit Insurance Corporation - Established in the U.S. in 1933 to insure accounts at commercial and mutual saving banks and thus protect depositors.

2.11 **Federal Agency Securities**
Debt instruments issued by federal agencies that carry a high safety rating because they are government sponsored. These agencies include, but are not limited to: Federal Agricultural Mortgage Corporation, Federal Home Loan Banks, Federal Farm Credit Banks, Federal Home Loan Mortgage Corporation, Federal National Mortgage Association, Government National Mortgage Association, and the Tennessee Valley Authority.

2.12 **Floating Rate Securities**
Securities which change coupon rate periodically based on changes in specified benchmarks. Unless there is a cap on the amount of change allowed at each reset, these securities will move with the current market and maintain a price close to par. Although these securities have a final stated maturity, the maturity date for purposes of liquidity analysis is the next reset date.

2.13 **Funds Administration Procedures Manual**
The manual maintained by DART’s Treasury Division which provides detailed procedures and guidelines for investing and controlling DART funds and which is subject to review and approval by the Investment Committee, consisting of representatives from the Finance, Legal, and Executive Departments.

2.14 **Futures Contracts/Options Contracts**
Agreements executed on the floor of a commodity exchange, to sell or buy a specific amount of a commodity or security at a specific
INVESTMENT POLICY

price and time, and options on futures contracts which provide the buyer the right, but not the obligation, to exercise the option by the exercise date.

2.15 Hedge
Establishment of a position on a commodity or financial futures or options market, which is equal and opposite to a transaction made on an actual or physical market.

2.16 Investment Committee
Nine-member committee consisting of the five Board-approved Investment Officers and four additional employees as designated by the President/Executive Director.

2.17 Investment Officers
Staff to be authorized by Board Resolution to invest and manage DART funds. The Board of Directors may authorize persons in the following positions as Investment Officers: Executive Vice President/Chief Financial Officer, Vice President/Finance, Treasurer, Assistant Treasurer, and Treasury Operations Manager. In order to assure quality and capability of investment management, the Investment Officers shall possess sufficient working knowledge of economics and securities markets, as well as the supervisory experience and judgment necessary to carry out the responsibilities outlined in this Policy.

2.18 Municipal Securities
Debt instruments issued by a city, state, or other governmental entity with interest paid to holders being exempt from federal income tax.

2.19 Prudent Person Rule
The standard to be applied to Investment Officers stated as follows: Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

2.20 Rating (of Securities)
The determination of an issuing company's financial strength and stability, based on the company’s management ability, debts, and payment history. The highest rating for notes/bonds is AAA; for commercial paper A1+ or P1; and for variable rate notes MIG-1.

2.21 Repurchase Agreement
An agreement in which an investor sells an investment to another investor with the provision that the first investor will buy it back for a specific price by a specific date, with the difference between the amount received and the final amount paid representing the interest.

(a) Direct Repurchase Agreement
An agreement for sale of securities by a broker/dealer under the provision that the buyer will sell them back at a predetermined date for a specific price.

(b) Master Repurchase Agreement
An agreement between the customer and the financial institution setting out the conditions under which repurchase or reverse repurchase transactions may be negotiated and executed, including requirements for delivery, default provisions, and collateral value of underlying securities.

(c) Reverse Repurchase Agreement
An agreement for sale of securities to a broker-dealer under the provision that the seller will buy them back by a predetermined date for a specific price.

II.04 Finance
2.22 Security Agreement
An agreement between DART and a Depository Bank governing the pledging of collateral against deposits held by the bank.

2.23 Swap Agreement
An agreement to exchange one stream of payments for another, such as floating interest rate payments for fixed rate payments or payments in one currency for payments in another.

2.24 U.S. Government Securities
U.S. government debt instruments, such as Treasury bills, notes, and bonds, payable by the U.S. government and which carry the full faith and credit of the U.S. government.

Section 3: DELEGATION OF AUTHORITY
The Investment Officers shall have the authority without further Board review to purchase or sell any Approved Security, without limitation as to dollar amount, through Financial Institutions and Authorized Broker/Dealers and subject to DART's Investment Policy. All securities, other than money market mutual funds and investment pools, must be purchased or sold on a delivery versus payment basis.

Section 4: STANDARD OF CARE

4.1 Prudent Person Rule
The standard of care to be applied to the Investment Officers shall be the Prudent Person Rule as defined herein and stated in Government Code, Section 2256.006, taking into consideration the investment of all funds over which the Officer has responsibility rather than consideration as to the prudence of a single investment.

4.2 Personal Responsibility
The Investment Officers, acting in accordance with DART's Investment Policy and exercising due diligence, shall not be held personally responsible for changes to a specific security's credit risk or market price, provided that appropriate actions are taken to report and control adverse developments as provided in DART's Funds Administration Procedures Manual.

4.3 Ethics Disclosure and Conflicts of Interest
An Investment Officer must file a disclosure statement with the Texas Ethics Commission, the Board of Directors, and with the General Counsel of DART if:

1. The Investment Officer has a personal business relationship, as defined under Section 2256.005(i) of the Public Funds Investment Act, with businesses offering to engage in investment transactions with DART; or

2. The Investment Officer is related within the second degree of affinity or consanguinity, as determined under Chapter 57 of the Texas Government Code, to an individual seeking to transact investment business with DART.

Section 5: INVESTMENT GUIDELINES
Investment decisions of the Investment Officers shall be made within the following guidelines:

5.1 U.S. Government Securities are not restricted to any minimum or maximum limitation.

5.2 Federal Agency Securities issued by any single issuer shall not exceed 25% of the Aggregate Portfolio at the time any part of the holding was purchased. Agency securities, which meet the criteria set out in Section 6, Prohibited Investments, shall not be purchased for any portfolio and shall not be accepted as collateral for repurchase agreements or certificates of deposit.

5.3 Municipal Securities with a Rating of A or better from a nationally recognized rating agency may be purchased as needed to comply with Arbitrage Regulations applicable to proceeds of DART debt issues. Total securities of a single
Municipal Issuer shall not exceed 10% of funds subject to the Arbitrage Regulations.

5.4 Repurchase Agreements and Reverse Repurchase Agreements covering U.S. Government Securities or Federal Agency Securities, may be executed with a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in the State of Texas which has entered into a written Master Repurchase Agreement with DART. All Repurchase Agreements will require that securities purchased be pledged to DART, held in DART’s name, and deposited at the time the investment is made with DART or with a third party selected and approved by DART’s Executive Vice President/Chief Financial Officer. All repurchase agreements must be collateralized by U.S. Government Securities at a level of at least 101% initially and monitored on a daily basis for potential collateral adjustments. The term of any reverse repurchase agreement may not exceed 90 days, and proceeds may not be used to acquire investments maturing beyond the expiration date of the reverse repurchase agreement. No more than 5% of the Aggregate Portfolio should be loaned to any one dealer in a reverse repurchase situation at the time the holding was loaned. Total Repurchase Agreement transactions shall not exceed 50% of the Aggregate Portfolio at the time the holding was loaned.

5.5 Money Market Mutual Funds may be purchased primarily for purposes of liquidity or timing of investments.

5.6 Commercial Paper may be used for matching cash flow of expenditures, but must be rated either A1 or P1 or an equivalent rating by at least two nationally recognized credit rating agencies and have a maturity of 270 days or less. Total commercial paper from a single issuer shall not exceed 5% of the Aggregate Portfolio at the time any part of the holding was purchased.

5.7 Banker’s Acceptances may be used for matching cash flow of expenditures, but must have a stated maturity of 270 days or less, be deemed as eligible collateral for borrowings from the Federal Reserve Bank, be designated as "prime" or self-liquidating at maturity, and be accepted by a bank organized under the laws of the United States or any state. The short-term obligations of the accepting bank (or of the bank holding company of which the bank is the largest subsidiary) must be rated not less than A1 or P1 or an equivalent rating by at least one nationally recognized credit agency. Total Banker’s Acceptances from a single bank shall not exceed 5% of the Aggregate Portfolio at the time any part of the holding was purchased.

5.8 Certificates of Deposit may be purchased through a Financial Institution or Authorized Broker/Dealer approved by DART’s Investment Committee that has its main office or branch office within the DART Service Area and that contractually agrees to place the funds in federally-insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Act. Good-faith efforts will be made to encourage the participation of minority and women-owned financial institutions in the placement of Certificates of Deposit.

5.9 Any programs for Futures Contracts, Options Contracts, and Swap Agreements will require prior Board approval before being implemented to Hedge against security market losses or unfavorable movements in interest rates, currency exchange rates, fuel prices, and other areas of identified risk, where prudent.

5.10 Local Government Investment Pools may be purchased primarily for the purposes of liquidity or timing of investments, must maintain a AAAm or equivalent rating by a nationally-recognized rating agency, comply with the Public Funds Investment Act, and be individually approved by the Board of Directors.
Section 6: PROHIBITED INVESTMENTS
The following government securities are not allowable investments: (1) obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal; (2) obligations whose payment represents the principal stream of cash flow from the underlying mortgage backed security collateral and bears no interest; (3) collateralized mortgage obligations that have a stated final maturity date of greater than 10 years; and (4) collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

Section 7: INVESTMENT STRATEGY
A brief investment strategy statement shall be developed for each fund established by the Board of Directors to ensure investment holdings have the required credit quality, diversification, volatility characteristics, yield, and maturity structure to satisfy the stated objectives and cash flow of each fund. Notwithstanding any specific strategic criteria, no security may be purchased in any fund with a maturity in excess of ten years from the settlement date of its purchase. The use of any structured product, not prohibited above, must add value to the total portfolio on a risk-adjusted basis while keeping the total portfolio in compliance with the guidelines.

Section 8: COMPETITIVE BIDDING
Security transactions will be executed on the basis of a competitive bid or offer from three Authorized Broker/Dealers. Exceptions are:

1. Transactions with money market mutual funds and local government investment pools;
2. Treasury and Agency Securities purchased at issue through an Authorized Broker/Dealer; or
3. Fully insured Certificates of Deposit placed in accordance with the conditions prescribed in Section 2256.010(b) of the Act.

Section 9: SALE OF SECURITIES
DART’s policy is to hold securities to maturity. However, securities may be sold:

1. in order to minimize the potential loss of principal on a security whose credit quality has declined;
2. in order to reposition the portfolio for the purpose of improving the quality, yield, or target duration of the portfolio; or
3. in order to meet unanticipated liquidity needs of the portfolio.

Section 10: REPORTING REQUIREMENTS
The Board of Directors will be provided detailed information at least quarterly on DART’s Aggregate Portfolio and by Fund, covering maturity structure, average yield, diversity, market value, portfolio changes from the prior period, and demonstrating compliance with each fund’s objectives and investment strategy. Market prices of securities for recording and reporting purposes must be verified from independent sources, such as The Wall Street Journal, Bloomberg, or written bids from Eligible Financial Institutions. The portfolio’s performance measure shall be the weighted average yield to stated final maturity date. The Report must meet all requirements of the Act.

Section 11: POLICY REVIEW
The Board of Directors will review and adopt DART’s Investment Policy and the Statement of Investment Strategy for each fund not less than annually.
Section 12: ANNUAL POLICY
COMPLIANCE AND CONTROL REVIEW
The external auditors, in conjunction with the annual audit, shall review management’s controls, the quarterly investment reports prepared to comply with PFIA, and adherence to the investment policy. The results of the review will be reported to the Board of Directors as part of their regular audit report.

Section 13: INVESTMENT TRAINING
All Investment Officers must attend a minimum of ten hours of investment training during a two year period that begins on the first day of DART’s fiscal year and consists of the two consecutive fiscal years after that date. Such training must be from an independent source and be approved by DART’s Investment Committee and include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Public Funds Investment Act. Newly appointed Investment Officers must, within twelve months after taking office, attend at least one training session specifically relating to responsibilities under the Public Funds Investment Act.

Section 14: SAFEKEEPING AND CUSTODY
Safekeeping and custody of investment securities shall be in accordance with applicable law and accounting standards. Investment securities will be held by a third-party custodian designated by DART, and will be required to issue safekeeping receipts clearly detailing that the securities are owned by DART. Pledged securities serving as collateral will be held by a third-party custodian designated by DART, and pledged to DART as evidenced by safekeeping receipts of the institution with which the securities are deposited.

Section 15: SECURITIES ACCEPTED AS COLLATERAL
Securities pledged in accordance with Chapter 2257 of the Government Code, Collateral for Public Funds to secure DART’s various deposits to the extent not protected by F.D.I.C. insurance shall be limited to: (1) U.S. Government Securities; (2) Federal Agency Securities; and (3) Municipal Securities as defined in Section 2 of this Investment Policy. A third-party custodian shall hold securities, and the market value of such securities shall be monitored using an independent pricing source. Acceptance, substitution, valuation, and release of securities shall be controlled by the terms of a pledge agreement to be executed between DART and the depository institution(s). DART requires that all uninsured collected balances plus accrued interest, if any, in depository accounts must also be collateralized.

Section 16: MONITORING OF RATING CHANGES
DART will periodically monitor investment ratings of all investments in its portfolio. DART will take all prudent measures to liquidate an investment when its current rating falls below the minimum required rating.
Section 1: Introduction
Section 452.102(b)(2) of the Texas Transportation Code authorizes DART to enter into an interest rate exchange (swap) or similar agreement. The purpose of this Policy is to provide guidelines for evaluating potential interest rate exchange transactions as a tool to enhance the Agency's ability to manage debt expense. This Policy establishes guidelines for the execution and management of the Dallas Area Rapid Transit (DART) interest rate exchange program. Resolutions passed by the DART Board providing for the execution and delivery of interest rate exchange transactions and related agreements (Rate Agreements) shall be approved on a case-by-case basis. These resolutions are expected to permit DART to enter into various interest rate exchange agreements from time to time in an expeditious manner and allow DART to better manage assets and liabilities and take advantage of market conditions to lower overall costs and reduce interest rate risk. DART is committed to sound financial and risk management practices. DART Staff shall review this Policy annually and recommend amendments to the Board, as necessary.

Section 2: Philosophy Regarding Use of Interest Rate Exchange Transactions
2.1 Interest rate exchange transactions can be an integral part of DART’s asset/liability management program. When properly used, an interest rate exchange transaction can increase DART’s financial flexibility and provide opportunities for interest rate savings, enhanced investment yields, or reduced risks. Furthermore, interest rate exchange transactions will allow DART to actively manage asset and liability interest rate risk, take advantage of market conditions to lower the overall cost of debt, balance financial risk, and synthetically achieve debt management goals and objectives such as the appropriate levels of variable rate debt exposure.

2.2 DART shall not enter into interest rate exchange agreements for speculative purposes. Under this Policy, speculation shall mean taking additional financial risks in an effort to increase returns that are not related to DART’s business objectives.

Section 3: Stated Objectives
An interest rate exchange transaction may be used to achieve specific objectives consistent with DART’s overall financial policy and business plans.

Section 4: Permitted Instruments
4.1 DART may consider using the following financial products after identifying the specific financial objective to be realized and assessing the attendant risks:

(a) Interest Rate – Immediate or forward-startings may be used to capture financial market advantages or reduce rate exposure.

(b) Interest Rate Caps – Financial contracts (caps, collars, floors) may be used to limit or bind exposure to interest rate volatility.

(c) Options on – Sales or purchases of options may be used to commence or cancel interest rate.

(d) Basis – Basis may be used to manage basis or tax risk and change the basis on which cash flows are determined.

(e) Rate Locks – These are often based on interest rate and may be used to hedge an upcoming fixed rate bond issue.

(f) Total Return – These may be used to manage credit and market risk of securities.
INTEREST RATE EXCHANGE POLICY

4.2 DART may use financial products identified in this subsection to produce a result not otherwise available in the cash market (lack of advance refunding/non-callable debt) or provide a higher level of savings, lower level of risk, greater flexibility, or other direct benefits related to the debt obligation with which the product is associated.

Section 5: Prohibited Instruments
DART may not use interest rate exchange transactions that create extraordinary leverage or financial risk, lack adequate liquidity to terminate at market, or provide insufficient price transparency to allow reasonable valuation.

Section 6: Management and Risk Analysis
6.1 The Agency shall assess and evaluate the unique risks associated with each contemplated interest rate exchange transaction and its impact on DART’s overall financial position before entering any such transaction.

Section 7: Risk Limits
7.1 The transaction may not exceed the term of the debt obligation associated with the agreement.

7.2 The total notional amount of the transaction must not exceed the total par amount of the debt obligation associated with the agreement.

Section 8: Procurement and Execution
8.1 DART shall procure all services related to interest rate exchange transactions in a manner consistent with applicable law and DART’s standing practices for procuring investment banking and other similar services. DART may negotiate or competitively bid an interest rate exchange transaction based upon a review of the market impact of such transaction. DART reserves the right to award all or a higher percentage of a particular transaction to the qualified counterparty based upon the nature of the innovation demonstrated.

8.2 In the case of a pure negotiated transaction, DART shall rely on the Financial Advisors to negotiate the price and render a “fair pricing opinion.”

8.3 The Financial Advisors will be required to serve as advisors only to DART in the negotiations and...
INTEREST RATE EXCHANGE POLICY

section 9: counterparty policy
9.1 dart shall enter into interest rate transactions only with qualified counterparties. to qualify as a counterparty under this policy, at the time of entry into a transaction, a selected provider shall meet the following requirements:

(a) be rated at least aa-/a3/aa by at least two of the three nationally-recognized credit rating agencies (standard & poor's, moody's, or fitch ratings, respectively) and have a minimum capitalization of $50 million;

(b) be rated at least a3/a by two of the three nationally-recognized credit rating agencies and provide a credit support annex (csa) to the schedule to the international swap & derivatives association (isda) master agreement that shall require such party to deliver collateral for the benefit of dart:

1. that is of a kind and in such amounts as are specified therein and which relate to various rating threshold levels of the counterparty or its guarantor, from aa-/a3/aa- through a/a3/a; and

2. that, in the judgment of the president/executive director, in consultation with dart’s financial advisors, is reasonable and customary for similar transactions, taking into account all aspects of such transaction including without limitation the economic terms of such transaction and the creditworthiness of the counterparty or, if applicable, its guarantor; or

(c) obtain credit enhancement from a provider with respect to its obligations under the transaction that satisfies the requirements of clause (i) of this paragraph.

9.2 derivative product companies (dpcs) could terminate their existence upon short notice to bond issuers, such as dart, with no penalty, so special analysis is necessary in cases where the counterparty is a "terminating" dpc. if dart enters into a contract with a terminating dpc, rating agencies could assume that termination of the hedge could occur at any time during the life of the transaction. therefore, executing a contract with a counterparty rated lower than a/a2 long term and/or a-1/p-1 short term or with a terminating dpc has credit ramifications which should be carefully examined prior to execution of any agreement.

9.3 if the maximum notational limit for a particular counterparty is exceeded solely by reason of merger or acquisition involving two or more counterparties, dart shall expeditiously analyze the exposure, but shall not be required to "unwind" existing transactions unless dart determines such action is in its best interest, given all the facts and circumstances.

9.4 limitations on transfer with a particular counterparty should be carefully analyzed. if the counterparty unilaterally restricts transfer, then dart should have the ability to terminate the interest rate exchange agreement without penalty if the transaction is transferred or the counterparty is merged with another entity that changes the credit profile of the counterparty.

9.5 the counterparty must make available audited financial statements and rating reports of the counterparty or any guarantor or credit enhancer and, in accordance with industry-accepted accounting practices, must identify the amount and type of derivative exposure, and the net aggregate exposure to all parties, along with relevant credit reports at the time of entering into an interest rate exchange transaction and annually thereafter unless the counterparty, guarantor, or credit enhancer is under credit or regulatory review and in that case immediately upon notice by the appropriate agencies to the entity.
Section 10: Active Management and Reporting Requirements
10.1 DART will seek to maximize the benefits it accrues and minimize the risks it bears by actively managing its interest rate exchange program. This will entail continuous monitoring of market conditions such as current interest rates, credit ratings, or the parties to a transaction, and other relevant factors, in conjunction with the counterparty and DART’s advisors, for emergent opportunities and risks. Active management may entail modifications of existing transactions including:
   (a) Early termination of an agreement;
   (b) Shortening or lengthening the term of an agreement;
   (c) Sale or purchase of options; and
   (d) Application of basis-related transaction.

10.2 Each proposed modification must be consistent with this Policy and should be expected to further the goals of the interest rate exchange program.

10.3 The President/Executive Director or his designee will be required to report the status of all interest rate exchange agreements to the DART Board at least on a quarterly basis and shall include the following information:
   (a) Status reports shall provide the market to market value of each of DART’s interest rate exchange agreements.
   (b) For each counterparty, the President/Executive Director or his designee shall provide the total notional amount position, the average life of the term of each interest rate exchange agreement, the available capacity to enter into a transaction, and the remaining term of each interest rate exchange agreement.

Section 11: Documentation
11.1 DART will use the standard ISDA documentation. The documentation may include the following terms:
   (a) Provisions related to early termination, rating downgrade, and collateral requirements, if
any, and other key provisions should be the same for both counterparties.
   (b) Narrowly drafted specified indebtedness rated to credit events in the Master Agreement.
   (c) Limit eligible collateral to Treasuries, Agencies, and cash.
   (d) Termination value should be determined by “market quotation” methodology.
   (e) ISDA Master
   (f) Schedule to the ISDA Master
   (g) Credit Support Annex to the ISDA Master
   (h) Credit Enhancement Documentation (Insurance)

Section 12: Exit Strategy
The President/Executive Director or his designee, in consultation with DART’s Financial Advisors, shall develop an exit strategy for each transaction to be implemented if the guidelines under the Counterparty Policy have been triggered or breached or if adverse financial conditions occur.

Section 13: Board Approval
The DART Board must approve each interest rate exchange transaction. Each transaction must be consistent with DART’s objectives and financial standards. Board approval shall be in the form of a Parameters Resolution that includes the specific terms of the transaction being approved, including termination or modifications thereeto. The DART Board may consider whether transactions that do not meet the requirements of this Policy are appropriate and should be approved.
Section 1: It is the policy of the Dallas Area Rapid Transit Board of Directors that fair and equitable fares shall be charged for all public transportation services operated by the agency. A fare structure establishing the base fare, categories of prepaid fares, special fare programs, and the pricing of such fares and programs, shall be adopted by the Board of Directors and reviewed every two years at a minimum.

Section 2: DART’s fare structure shall be designed with a primary goal of encouraging ridership. Evaluation criteria shall also include: (1) customer convenience and perceived economic value; (2) impact on operations and maintenance; and (3) efficiency of implementation and administration. The efficiency of the fare structure shall be measured by the subsidy per passenger ratio, which reflects changes in ridership, operating revenues, and operating expense.

Section 3: DART’s fare structure will comply with all Federal and State regulatory requirements including fare pricing for the disabled and the senior citizens, and may reflect the Board’s concern for environmental improvement and congestion mitigation within the service area.
Signboard Policy

DATE ISSUED: October 25, 1994
Resolution No. 940299
Policy No. III.02 (Operations)

Section 1: Any Signboard permitted or allowed on DART property shall not interfere with the current or future use of the property for any purpose authorized by [Chapter 452 of the Texas Transportation Code] as solely determined by DART.

Section 2: Any Signboard permitted to remain on DART property shall currently comply with federal and state laws and municipal ordinances, rules and regulations of the municipality in which they are located. (Non-conforming or grandfathered signs will not be permitted to remain on DART property.)

Section 3: The placement, replacement, relocation or continuation of any signboard as permitted in paragraph one (1) and two (2) above on DART property is contingent upon:

a) Owner(s) compliance with all applicable federal and state laws and municipal ordinances, rules and regulations of the municipality in which such signboard is to be located; and

b) Issuance of all required permits and licenses by applicable federal, state and the municipal authority of the location in which the sign will be placed.

Section 4: Subject to the terms of paragraph 3 above, DART will allow the relocation of legal off-premise signs within the same project area from which they were removed after the completion of construction of mass transit facilities.

Section 5: Income from the right-of-way, including the income from signboards, should go to the general operating account for DART.

Note: Text enclosed in brackets ( [ ] ) indicates information which has been added for clarification.
DART’s participation in repairs to streets in member cities shall be limited to damages caused solely by DART buses. The determination as to whether damages were caused by DART buses shall be made through DART’s planning and engineering investigations. Funding for street repairs shall be solely through the established Transportation System Management (TSM) program. The level of funding for the TSM program shall continue to be subject to annual budget considerations and Board approval.
1. DART will fund 16.7% of the construction costs of interim/immediate HOV transitway projects that are included in DART's Transit System Plan.

2. DART will fund 10% of the construction costs of permanent HOV transitway projects that are included in DART's Transit System Plan.

3. For the construction of the permanent LBJ, Stemmons, and North Central Expressway HOV transitway projects, as described in the 1989 Transit System Plan, DART is committed to funding these projects, and these projects only, at up to 100% of the original construction cost estimate of $375 million (in 1989 dollar). In determining the extent of participation, DART will consider whether the following factors have been met:
   
   A. Federal Highway Administration (FHWA), State or other Federal funding is not available.
   
   B. Member cities, the Texas Department of Transportation (TxDOT), the North Central Texas Council of Governments (NCTCOG) and the Regional Transportation Council (RTC) have made every effort to obtain FHWA, State or other Federal funds.
   
   C. All of the FHWA, State or other Federal funds are programmed for projects that are more highly ranked than these HOV transitway projects.

4. DART's share of HOV transitway capital costs may be funded in whole or in part by debt financing.

5. DART will, with its own staff or through contracts, operate and enforce the following interim/immediate HOV transitways: East R.L. Thornton; South R.L. Thornton/Marvin D. Love; LBJ; Stemmons; and North Central Expressway. Responsibility for operating and enforcing other interim/immediate HOV transitways will be addressed when such facilities are added to the Transit System Plan.

6. DART or its contractors will operate and enforce permanent HOV transitways.

7. DART's will seek to recover costs associated with HOV transitway facilities through congestion or value pricing strategies, changes in State law, agreements with other governmental entities, or other mechanisms that facilitate cost sharing, revenue collection, or the receipt of fines collected from citations issued for traffic violations in or on the HOV transitways.

8. If DART determines through traffic engineering studies that a higher vehicle occupancy level is warranted, DART will, in consultation with the Texas Department of Transportation, seek to increase vehicle occupancy requirements.

9. Any modification of this policy shall require an affirmative vote of two-thirds of the number of appointed and qualified members of the Board.
1. Purpose. DART seeks to promote and encourage multimodal commuting, including Biketrans Commuting, as an alternative to single-occupancy vehicle travel. Biketrans Commuting is the use of a bicycle and one or more modes of public transportation to complete a trip between a point of origin and a destination. Biketrans Commuting may include parking the bicycle at a transit facility or transporting the bicycle aboard a bus or rail vehicle.

2. Bicycle Parking Racks. Bicycle parking racks at DART facilities may be used by DART passengers for parking bicycles at no charge on a space-available basis. Overnight or long-term parking of bicycles at such racks is not allowed.

3. Bicycle Storage Lockers. DART passengers may use bicycle storage lockers at DART facilities for parking bicycles subject to the following conditions:

3.01. Each person who wishes to use a bicycle locker shall execute a Bicycle Locker Use Agreement and pay a non-refundable locker fee of $15.00.

3.02. Each person who does not hold a valid current annual or monthly transit pass shall pay an additional fee for the use of a bicycle locker. The fee shall be:
   a. $15 for a three-month use agreement
   b. $25 for a six-month use agreement
   c. $45 for a twelve-month use agreement.

3.03. Each person who holds a valid current annual or monthly transit pass shall pay an additional fee for use of a bicycle locker for so long as the person holds a monthly transit pass. The fee shall be:
   a. $15 for a three-month use agreement
   b. $25 for a six-month use agreement
   c. $45 for a twelve-month use agreement.

3.04. When demand for bicycle lockers exceeds availability, priority shall first be given to holders of an annual transit pass in order of application, then to the holders of a monthly transit pass in order of application, and then to all other applicants in order of application.

4. Bicycles on Transit Vehicles:

4.01. Bicycles allowed on Buses. DART passengers who wish to transport a bicycle on a DART bus during a transit trip may use a bicycle rack that is mounted on the bus at no charge on a space-available basis. When rack space is not available, bicycles that are clean and free from excess grease, dirt or mud are permitted on DART buses when space is available. Bicycle commuters must consider the number of passengers on a bus and the impact the presence of the bicycle will have on the safety of other passengers before bringing the bicycle on board.
4.02. Bicycles allowed on Rail Vehicles. Bicycles that are clean and free from excess grease, dirt or mud are permitted on DART Light Rail Vehicles and on Trinity Railway Express vehicles when space is available. Bicycle commuters must consider the number of passengers on a rail vehicle and the impact the presence of the bicycle will have on the safety of other passengers before bringing a bicycle on board a rail vehicle.

4.03. Obstructions not allowed. DART staff, including vehicle operators, DART Transit Police, Fare Inspectors, and supervisors, may relocate or remove any bicycle that obstructs or has a negative impact on DART operations or passengers. DART shall provide information to assist bicycle commuters in determining which transit routes or trips may not readily accommodate bicycles.
ADVERTISING AND CONCESSIONS POLICY

DATE ISSUED: September 9, 1997
Resolution No. 970175, 030046, 110067, 150034
Policy No. III.06 (Operations)

Section 1. Sale and Display of Commercial Advertising

DART may sell and display commercial advertising on DART property including the exteriors of vehicles in the revenue and non-revenue vehicle fleets, and in fixtures/spaces specifically provided for that purpose, from which DART will receive all or a portion of the revenues. Advertising, including advertising on digital display systems, may be placed in the interiors of buses and rail cars, on the exterior of bus and rail cars, and in displays at rail stations, transit centers, and transfer centers. Staff will also actively encourage private concerns to place paid advertising in appropriate DART publications. Revenues received from these concession advertising contracts and agreements may be earmarked -- subject to annual budget review by the Board -- to offset the direct costs of DART promotional/advertising programs. The leasing of billboards along DART-owned right-of-way, and the revenues received there from, are not covered by this Policy. All advertising on DART property and vehicles will comply with applicable statutes, regulations, ordinances and community standards. The advertising of beer and wine is allowed only on revenue vehicles and subject to the requirements of this policy.

Section 2. Naming Rights Agreements

DART may add the name of a business, product or service to DART assets and property including rail lines, light rail stations, commuter rail stations, transit centers and transfer centers as part of a revenue-producing agreement that is approved by the DART Board of Directors.

Section 3. Promoting DART Services

3.1 DART will promote its services in the most effective advertising media, including, but not limited to, newspapers, magazines, television, radio, internet, outdoor billboards, telephone directories, and other special business and civic publications. The primary purpose of this advertising will be to promote greater utilization of DART services and to convey positive messages about DART products and activities. The cost of such advertising will be paid by DART from budgets established and approved by the Board for that purpose and procured as a standard commercial product.

3.2 All advertising, paid or gratis, must appear in an approved advertising medium that targets a specific audience and delivers an appropriate DART message. DART reserves the right to decline to advertise in any medium or sponsor any event or activity unrelated to DART or to DART's published Board goals, management objectives or strategic initiatives; or to advertise in religious publications. All advertising placed by DART will comply with applicable statutes and ordinances imposed by local jurisdictions. All advertising placed by DART will comply with applicable statutes, ordinances and community standards. The advertising of beer and wine will be allowed subject to the above.

Section 4. Retail Concession Agreements

4.1 DART will explore all available opportunities and enter into various retail concession agreements with private concerns that could result in the receipt of additional income to the Agency. The primary goal of such agreements is to generate revenues to help offset capital and operating expenses.

Operations III.06
4.2 Subject to annual budget review by the Board, all net revenues paid to DART through contracts and agreements pertaining to retail vending concessions at DART customer facilities (rail stations, transit centers and transfer centers) may be allocated to offset the direct costs of cleaning and maintaining those facilities.

4.3 Revenues paid to DART through contracts and agreements pertaining to vending machines at DART operating facilities (headquarters, operating divisions and maintenance facilities) will be allocated to help underwrite employee events. Vending and concessions contracts will be brought to the Board according to standard procurement procedures.

Section 5. DART Merchandise

DART may produce and merchandise DART specialty items to the general public as a means of enhancing the Agency's image and generating revenue.

Section 6. Implementation

The President/Executive Director or his designee is authorized to implement this policy and to issue more detailed procedures to facilitate implementation of the policy, as needed. Any deviations from these approved policies will be brought back to the Board for review and possible policy revision.
DART Services Outside the Service Area Boundary

DATE ISSUED: April 25, 1995
Resolution No. 950097
Amended by Resolution: 970226, 040098, 110037, 130023, 150123
Policy No. III.07 (Operations)

Section 1.

Except for Charter and Special Events services as authorized by separate policy and other services as described in this policy, DART transit service will not extend beyond the boundaries of the DART Service Area. For the purposes of this policy, D/FW Airport is considered to be part of the DART Service Area.

Section 2.

Existing bus routes may be extended to service any publicly-funded, post-secondary educational institution whose campus is contiguous to the DART service area when the extension does not involve operation over the streets of a non-member jurisdiction and the institution enters into an interlocal agreement to pay DART the fully allocated cost of such service.

Section 3.

3.01 DART shall consider providing rail, bus or paratransit service outside the DART Service Area under one or more service agreements.

3.02 A service agreement under this section must be approved by the DART Board of Directors, shall not adversely impact or delay any transit service that is included in the then-current Transit System Plan and Twenty Year Financial Plan and shall not be inconsistent with any DART policy or program for paid parking at DART facilities. A service agreement under this section shall include the following elements:

   a. Funding for the service shall be sufficient to pay for the fully burdened operating and capital cost of the service being provided for the duration of the contract.

   b. The agreement shall require payment of a fee reflecting the value of any connection to the DART service area consumed by the non resident patrons and intangibles provided by DART to the contracting entity as approved by the DART Board of Directors.

   c. The agreement shall require payment of an impact fee if the contracted service causes DART to incur additional direct operating or capital costs to accommodate patrons who live outside of the DART Service Area.

Within the first 36 months of service between DART and a municipality or county, DART shall prepare a transit system plan and a supporting financial plan for the municipality or county that includes projected costs and revenues and also includes a plan for becoming a DART member; the municipality or the county shall provide ½ of the funding for such transit system plan and supporting financial plan with payment of ¼ of the estimated cost to be paid upon commencement of the work and the remaining balance of ½ of actual expense upon completion of the work. In the event that a municipality or county fails or refuses to agree to the plan to become a DART member and provide all or portion of the funding for the development of a transit system plan and twenty year financial plan, the service agreement shall terminate within thirty (30)
days and DART shall cease service in the municipality or county being provided under the agreement.

3.04 Such service may be provided directly by DART or through a DART local government corporation in compliance with the transit system plan and twenty year financial plan prepared for the municipality or county.
DART shall retain all existing railroad corridors with at least a 100-foot width where possible.

The corridors should be managed to:

1. Maintain flexibility for any future transit use;

2. Generate revenues from the corridors by receiving fair consideration for other public and private uses that are not inconsistent with future transit use, provided that non-longitudinal utility crossings by member jurisdictions will be at no cost, and utilization of a corridor or a portion of a corridor for hike, bike transportation, or recreational purpose will be covered by DART’s Hike and Bike Policy.

3. Reduce the number of public and private at-grade crossings by closure of the street crossing or elimination of railroad activity.
DART-owned rights-of-way may be made available to other governmental entities for utilization as hike, bike transportation, or recreational use under the following conditions:

1. On rail corridors that are on DART’s Service Plan for transit use in the near future, hike, bike transportation, or recreational uses of the corridor compatible with transit, will be evaluated by DART during the preliminary engineering and environmental assessment phase of the development of the corridor.

2. On rail corridors that are within DART’s service area, a hike, bike transportation, or recreational use of the corridor compatible with existing rail/freight operations will be allowed, provided the governmental entity agrees to:
   a. Maintain fully the entire width of the corridor where the facility is located;
   b. Indemnify DART for the use of the corridor; and
   c. Vacate the corridor if and when DART wishes to use the corridor for its purposes.

3. For rail corridors outside the DART service area, a hike, bike transportation, or recreational use of the corridor compatible with rail/freight operations will be allowed, provided the governmental entity agrees to:
   a. Maintain fully the hike or bike path;
   b. Compensate fairly DART for the use of the property;
   c. Indemnify DART; and
   d. Vacate the corridor if and when DART wishes to use the property for its purposes.

On all rail corridors owned by DART, DART will cooperate with other private and public bodies to find alternative funding sources for development by other governmental entities of the corridor for hike, bike transportation, or recreational use of the corridor.

DART is not obligated to provide any additional funding for development of hike, bike transportation, or recreational use of the corridor.
Section 1. Purpose

1.1 To establish performance measures to guide DART Staff in evaluating route and service performance.

Section 2. Background

2.1 In 1991 the Board adopted the original Policy on Service Standards. This policy has since been amended to modify the number of route categories and to clarify the reporting of the Route Performance Index (RPI).

2.2 The addition of new, non-traditional services has generated the need for additional service standards.

Section 3. Policy

3.1 Fixed-route bus service will be evaluated using three performance metrics, Subsidy per Passenger, Passengers per trip and Passengers per Revenue Hour.

3.2 Standards for each metric will be established annually for each of six route categories, Crosstown, Express, Local, Rail Station Feeder, Site-Specific Shuttle and Transit Center Feeder routes. The performance of each route will be indexed quarterly against the standard set for its classification and the three indexes will be averaged to produce the route's RPI. Site-Specific Shuttles will be evaluated using the standards set for Rail Station Feeder Routes.

3.3 Two service classifications, DART on Call and Flex Routes will be evaluated using a Service Performance Index (SPI). The SPI will be calculated using two performance metrics, Subsidy per Passenger and Passengers per Revenue Hour. Performance of individual DART on Call zones and Flex Routes will be calculated and indexed against standards set for their classification and the two indexes will be averaged to produce the SPI.

3.4 An RPI or SPI of 0.6 is defined as acceptable performance with routes or services falling below that point being targeted for improvement or elimination. A set of corrective actions, including targeted marketing, service frequency changes, service period and service day adjustments, rerouting, rescheduling, elimination of non-productive route segments, consolidation of segments into other routes, replacement of fixed routes with DART on Call zones or Flex Routes, and elimination of the route, will be used to improve performance.

3.5 Performance will be reported to the Board quarterly.

3.6 Light Rail Loading - The standard loading for DART Light Rail trains during the morning and afternoon peak periods on weekdays will be 150 percent of seating capacity based on average train loads throughout the period. A loading standard of 175 percent of seating capacity will be established for the peak one hour, based on average loads.
It is the policy of the Dallas Area Rapid Transit Board of Directors that interface between the DART bus and rail systems shall be governed by specific guidelines. These guidelines address the issues of bus rerouting, the development of new routes, optimization of travel time for passengers, coordination of schedules and regular review of feeder bus service. These guidelines will be used to develop the network of routes serving Light Rail and Commuter Rail stations.

The scheduling of bus interface with rail will have bus arrival/departure times scheduled to coincide with the predominant passenger flow. When the flow is bus-to-rail, buses will, to the extent practical, arrive at stations ahead of scheduled train departures. When the predominant movement is rail-to-bus, buses should be scheduled to depart after the train arrival.

Access between bus and rail will be maximized while the access time is minimized. Directness of routing will be emphasized as is providing the majority of passengers transferring from bus-to-rail with improved travel time over the former bus-only alternative.

Routes which terminate near rail stations will be extended to the stations; parallel routes will be diverted to stations when the bus/rail connection improves the speed and quality of service for passengers. New routes should be developed when they do not duplicate existing route coverage.

These guidelines will be used to develop the network of routes serving Light Rail and Commuter Rail stations.

BUS/RAIL INTERFACE GUIDELINES

A. Functions Provided at Bus/Rail Interface Stations

Functions relating to bus/rail stations can be placed in three categories: train operation, bus operation and other uses (joint development). Bus operation is discussed in detail below:

1. Bus Operation Functions

Functions relating to bus operation at bus/rail stations fall into three categories: boarding and alighting, waiting times, and bus layover.

2. Scheduling Bus Interface

During peak periods, the bus arrival/departure times should be governed by the rail arrival/departure times when predominant movement is from bus-to-rail. During off-peak times, feeder lines with service frequencies that are 20 minutes or greater and terminate at a rail station should be scheduled to arrive 2-3 minutes before departure of the rail service. When predominant passenger directional movement is from rail-to-bus, terminal buses should be scheduled to depart 2-3 minutes after the scheduled arrival of the rail service. Every attempt should be made to make similar connections as mentioned above with through routed bus lines that serve rail stations.
Service Standards: Bus/Rail Interface Guidelines

B. Bus System Modification Criteria

1. Service Guidelines
   Access between rail and bus systems should be maximized, and access time should be minimized. Furthermore, impacts on non-rail bus riders (i.e., through bus riders) should be minimized. Bus-to-rail access time should be minimized by diverting appropriate bus routes from their previous routes to stops near rail station entrances. Bus lines should not be diverted when:
   - Bus route diversion (circuitous routing) time is greater than walking time from the closest stop on the existing route to the rail station entrance.
   - Travel time on bus to access rail exceeds 30 minutes for the majority of the passengers.
   - Overall travel time (bus/rail) exceeds the existing bus travel for the majority of the passengers.
   - The street system, traffic patterns, and limited curb space for stops limits physical access.
   - The negative impacts for through bus riders are greater than the benefits gained by connecting riders (measured in time).

Competing parallel express or limited stop service should be discontinued when duplication exists. The rail service should be considered a replacement for the deleted portion of these bus lines. Connections to the rail service can be provided by the former local service portion (if any) of the discontinued express or limited stop service.

C. Application of Guidelines
   The following outlines the practical application of these policies:

1. Terminating Lines
   Bus lines that end within one mile of a rail station should be extended to terminate at that station. Lines that terminate at distances greater than one mile from a rail station should be extended to the station if the rerouting establishes a valuable link in the overall transportation network by providing a connection to a major traffic generator, or by realizing a reduction in travel time for a significant number of riders.

2. Through Lines
   Through lines with respect to rail service are routes that run parallel to or intersect the rail route, and then divert to serve some other area. The extent to which a through bus line will be diverted to serve a rail station is dependent upon the type of bus interchange facilities that are provided, and upon the density of ridership in proximity to the station.

3. Parallel Lines
   A bus route that runs parallel to the rail line can be diverted to serve the rail stations if the following criteria are met:
   - The route can be used as a line-haul route in case of an interruption of service on the rail line.
   - Walking distance from the closest stop on the route to the rail station entrance is greater than 1/4 mile.
   - Total bus diversion time in one direction is five minutes or less.
   - Average peak period load at the point of diversion is less than 50% of seated capacity.
Service Standards: Bus/Rail Interface Guidelines

- There is sufficient curb space available for arriving and departing buses.
- Access to the station stops can be obtained without circuitous routing.

4. Intersecting Lines
   A bus route that intersects a rail line can be diverted to serve the closest rail station, provided the following criteria are met.
   - Total bus diversion time in one direction is five minutes or less.
   - Average peak period load at the point of diversion is less than 75% of the seated capacity.
   - There is sufficient curb space available for arriving and departing buses.
   - Access to the station stops can be obtained without circuitous routing.

D. New Lines
   An entirely new feeder service can be implemented to serve one or more rail stations if a particular need can be demonstrated, and if an area is not within 1/3 mile of an already existing bus line.

E. Review of Route Changes
   After implementation of the new rail service and rerouting of the bus lines to serve the stations, usage of the rerouted services should be monitored at six-month intervals. If a diverted route is not meeting the minimum standards for its category as identified in the Service Standards after two years, with attempts for improvements, it should be considered for rerouting back to its original and direct route.

F. Service Level Modification
   Bus routes that run parallel to and within 1/4 mile of a rail station and which are determined to be competitive with the rail service should initially be implemented at a reduced service, commensurate with an appropriate schedule analysis of projected passenger impacts.

Three months, six months, and 23 months after implementation, a schedule check and re-evaluation of the currently service should be undertaken. Thereafter, an annual evaluation should be conducted.

Routes that run perpendicular to a rail line and are modified to serve a station, should maintain current service levels unless there is a growing demand for transfer to rail. If there is a growing demand for transfer to rail, then levels of service will likely need to change to reflect that demand. A re-evaluation of service levels should take place at three-month intervals during the first year, biannually during the second year and annual intervals thereafter.
1. Purpose. The Dallas-Fort Worth area is a federally designated nonattainment area for the pollutant ozone and air quality impacts the public and economic health of the entire region. A large percentage of the nitrogen oxide (NOx) emissions in the Dallas-Fort Worth nonattainment area come from on-road vehicles. DART supports transportation plans and improvement programs that will assist in the conformance with the applicable air quality implementation plans for the region. DART desires to set achievable goals; to provide workable, cost effective solutions that improve the Dallas-Fort Worth Metropolitan Area air; and to implement such measures as soon as practicable to improve air quality.

2. Definitions.
   a. NCTCOG - North Central Texas Council of Governments, designated by the Governor of the State of Texas as the Metropolitan Planning Organization for the Dallas-Fort Worth metropolitan area.
   b. RTC - Regional Transportation Council is the regional transportation policy body associated with the NCTCOG and is comprised primarily of local elected and/or appointed officials.
   c. Clean Fleet Vehicle (CFV) – all on-road motorized vehicles, both revenue and non-revenue, operated by DART either directly or via a contractor, except those vehicles classified as emergency response or which must comply with National Fire Protection Act requirements.

3. Acquisition.
   a. For fleet expansion or replacement of vehicles, DART shall acquire the newest model year or engine standard available at the time of acquisition.

4. Operations. DART shall operate its CFVs in a manner consistent with this policy.
   a. Vehicles shall be allowed to idle only in the following circumstances: when operationally necessary; required by current traffic conditions; for the safety of the public and employees; in emergency situations or in response to an emergency; when required for vehicle maintenance; when required for equipment activity; for warm-up; or as recommended by the manufacturer.
   b. Vehicles with the lowest NOx emissions that are available for use and capable of performing the required operational demands shall be driven the most miles.
   c. DART shall limit use of non-essential vehicles to the extent practicable during identified ozone days.

b. DART may take advantage of aftermarket technologies when expanding or replacing fleet vehicles only if the aftermarket technology is verified or certified as technology equivalent or better by the Environmental Protection Agency (EPA) or the California Air Resources Board (GARB), or approved by NCTCOG, and both conversions and aftermarket technologies are compatible with Texas Low Emission Diesel Program (TxLED) requirements.

c. DART may take advantage of conversions when expanding or replacing fleet vehicles only if the conversion complies with the provisions of EPA Memorandum 1A dated June 25, 1974 and Addendum Revision dated June 1, 1998.

d. DART shall assess, evaluate or consider participation in programs to test, commercialize or demonstrate new technologies to improve efficiency, reduce emissions, and/or increase fuel efficiency that meet DART operational and assessment requirements.

e. All vehicles shall have their safety inspection and/or emission testing stickers removed prior to disposal.
DART Clean Fleet Vehicle Policy

or below the posted speed limit and without rapid acceleration.
e. All operators of DART vehicles shall be trained on appropriate operational requirements for air quality.

5. Maintenance. DART shall maintain its CFVs in a manner that is consistent with this policy.
a. DART shall perform all State mandated emission and safety inspections on all applicable vehicles.
b. DART shall use appropriate commercially available methods to ensure proper operation of emissions control devices for vehicles with no state mandated emissions inspection requirement.
c. All emissions systems of all vehicles with more than twice the cumulative vehicle miles of the initial vehicle or engine manufacturer’s emissions control warranty shall be inspected no less than semi-annually.
d. DART shall perform all manufacturer’s recommended emissions systems maintenance on all DART CFVs at the intervals prescribed by the vehicle manufacturer.
e. DART may participate in emissions inspection or maintenance programs, test programs or pilot programs. Participation in such programs may be contingent on funding by NCTCOG or other entities.

6. Compliance Verification. At the request of NCTCOG, DART shall provide information that may be necessary to verify compliance with this policy.

7. Effective Date. This policy shall be in effect immediately upon its adoption.
Charter Bus Policy

DATE ISSUED: November 13, 1984
Resolution No. 840094 (11-13-84-02)
Amended by Resolution: 930108, 090090 (July 7, 2009)
Policy No. III.13 (Operations)

Section 1. Authority to Provide Charter Bus Service

1.1 DART shall provide charter bus service only to the extent that such service does not detract from fixed route service, and such service is within the boundaries of the DART Service Area. For the purposes of this Policy, the DART Service Area includes DFW International Airport.

Section 2. Compliance with Federal Regulations

2.1 In providing charter bus service, DART shall comply with all applicable laws and regulations, including 49 CFR Part 604, et seq., Charter Service and with any amendments and with all relevant decisions of the FTA Administrator concerning 49 CFR Part 604 Charter Service.

Section 3. Rates for Charter Bus Service

3.1 DART shall not provide any "free of charge" or donated charter bus service under this policy for any purpose.

3.2 The standard charter bus service hourly rate shall be the prevailing National Transit Database (NTD) hourly rate, plus 10% as a contribution to general and administrative agency costs.

3.3 The charter bus service hourly rate for qualified human service organizations, government agencies (excluding cities in the DART Service Area and DFW International Airport), and non-profit organizations is the prevailing NTD hourly rate, plus 5% as a contribution to general and administrative agency costs.

3.4 The charter bus service hourly rate for cities in the DART Service Area and DFW International Airport is the prevailing NTD hourly rate.

Section 4. Operating Procedures Required

4.1 The President/Executive Director or his designee is authorized to prepare and to periodically review standard operating procedures that implement this policy and that insure compliance with applicable laws and regulations.
Vehicles

New, used or remanufactured vehicles that are purchased or leased by DART or its contractors for the purpose of providing transportation services shall be accessible to, and usable by, persons with disabilities as required by the Accessibility Specifications for Transportation Vehicles contained in the Department of Transportation (DOT) rule implementing the transportation provisions of the Americans with Disabilities Act (ADA).

Facilities

Construction or alteration of any DART facility utilized by the general public shall be accessible to, and usable by, persons with disabilities as required by the Accessibility Guidelines for Buildings and Facilities contained in the DOT rule implementing the transportation provisions of the ADA.

Complementary Paratransit Services

DART's Complementary Paratransit Services will be provided from origin to destination and from curb to curb. Door to door service will be provided only in limited circumstances. Service will comply with the Service Criteria for Complementary Paratransit contained in the DOT rule implementing the transportation provisions of the ADA with respect to service area, response time, fares, trip purpose restrictions, hours and days of service, capacity constraints, and additional service. DART will also provide subscription service as allowed by the DOT rule implementing the transportation provisions of the ADA.

AVAILABILITY. DART’s Complementary Paratransit Services will be available to persons who are functionally unable to use part or all of DART's otherwise accessible fixed-route public transportation system as required under the ADA. The availability of services will be determined by the capacity of DART's system at the time service is requested. As deemed acceptable by the FTA, no more than five percent of requests for service will be denied.

ELIGIBILITY. Eligibility will be determined in compliance with Eligibility Criteria under the ADA. Eligibility for Paratransit Services shall be strictly limited to those trips for which the individuals can clearly demonstrate they are prevented from functionally using an accessible fixed-route system, due to limitations in their physical or cognitive abilities. Paratransit Service will be suspended, as allowed under the ADA, for individuals who establish a pattern or practice of missing scheduled trips. An individual with a disability may be refused service if that individual engages in violent, seriously disruptive, or illegal conduct as allowed under the ADA.
It is the policy of the Dallas Area Rapid Transit Board of Directors that bus service will be provided to school-aged students as part of DART’s regular fixed route network, but that DART will not provide modified-route tripper service which is principally intended to serve school transportation requirements. Modified-route tripper service is defined as limited-trip service, operating on a unique alignment, which is designed to serve students of a particular school.

Public and private schools within the DART Service Area will continue to be considered as important sources of transit ridership when evaluating regular fixed route service. All requests for consideration of fixed route service which would be intended to meet the needs of students will be coordinated with the responsible authority of the affected School District.

DART’s service to school-aged students will continue to comply with all Federal and State regulatory requirements and will reflect the Board’s concern for safety in the provision of such service. DART buses and vans will continue to use “flashing” lights when stopping to board or alight passengers and will continue to place a sign on the rear of all buses and vans warning other motorists that “Children may be exiting”.

DART will seek to partner with Service Area school districts, private schools and public safety agencies in promoting safe utilization of public transit service by school-aged students, through the training and education of students, bus drivers and general motorists.
Site Specific Shuttle Service Policy

Section 1:

1.1 It is the policy of the DART Board to consider partial funding (up to 50%) of circulator/distributor shuttle services (bus or van) which connect to rail stations or transit centers and are operated by employers or other private entities. In order to be considered for funding, such services must enhance the DART system and must meet Board adopted standards for performance of circulator/distributor service (as provided for in the adopted Service Standards, Policy III.11). DART participation in support of such services should be commensurate with the degree of enhancement to the DART system. A process diagram is shown in Attachment 1.

1.2 Service proposals brought to the Board for consideration under this section of the Policy should at minimum, include:

A. A projection of new riders (passenger trips) attracted to the DART system through the provision of the proposed service. Evaluation of the degree to which a proposed service is an enhancement to the DART system will primarily be determined by the calculated subsidy per new rider.
B. A description of DART's participation in the solicitation and selection of the contractor or operator of the proposed service.
C. The proposed routing and scheduling of the service (including how the service interfaces with DART rail or DART Transit Centers).
D. The proposed fare and fare media for the service.
E. Indemnification of DART relative to the liability associated with operation of the proposed service.
F. Proposed service quality standards, as well as a methodology for assuring attainment of standards.
G. Proposed service identification (identification of the service as being partially DART sponsored).
H. A description of how accessibility of the service will be provided.

1.3 A proposal for a service agreement with a college or university located within the DART Service Area and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools that is brought to the Board for consideration under this section may include, as part of the consideration for entering the agreement, access to the DART fixed-route system for students, faculty and staff of the college or university.

Section 2:

2.1 Further, it is the policy of the DART Board to consider the initiation or continuation of DART-operated circulator/distribution shuttle services (bus or van) which connect to rail stations or transit centers where performance of the service is marginal, but where an employer or other entity agrees to subsidize the service. The amount of the subsidy will be determined in accordance with the performance standards for the Circulator/Distributor category of service as established within DART's adopted Service Standards.

2.2 In keeping with the adopted Service Standards, route performance will be measured by three indicators; passenger/mile, passengers, trip and subsidy per passenger, and indexed within each service category. Service will only be initiated or continued under this section of the Policy if the subsidy provided by the employer or other entity results in the route meeting the minimum required performance level (an indexed score of 0.6, when all three performance indicators are considered). Performance of each route will be evaluated on a quarterly basis and adjustments made in the subsidy requirement, as necessary, to comply with the performance threshold established by the Service Standards. The route performance process is shown in Attachment 2.

2.3 This policy is intended to supplement DART initiated services and not limit the provision of any DART initiated services.

2.4 DART's financial participation in services would be paid for through the incremental bus operations funding included in the financial bus plan. New service proposals under this policy will only be considered where "currently approved" funding exists to support them.

Operations III.16
Site Specific Shuttle Policy

Section 1

**Initiation of Process**
Employer or Private Entity Approaches DART with Shuttle Proposal

**Staff Evaluates Proposal**

1. Will Service Enhance DART System?
2. Does Service Comply with Service Standards?

**DART Board Considers Proposal with Staff Recommendation of Funding Level**

**PROPOSAL INFORMATION**
- Subsidy/New Rider Route/Schedule
- Proposed Selection of Operator
- Proposed Fare
- Indemnification
- Service Quality Standards
- Accessibility

**Submit Letter of Refusal to Employer or Private Entity Requesting Service**

**YES**

**INITIATE SERVICE**
Evaluate Service Against Performance Standards Quarterly; Evaluate continued Benefit to DART Annually.

- If service fails to meet performance standards, discontinue participation
- If enhancement to the DART System diminishes/increases, DART's participation will be adjusted.
Site Specific Shuttle Policy

Section 2

DART Feeder/Distributor Route Initiated

Evaluate Route Performance Quarterly

- Below Standard
- > 0.6 RPI
- < 0.5 RPI

- If less than 24 Months, Apply Development Standard
- Recommend Corrective Actions up to Service Elimination
- If Employer or Other Entity is willing to Subsidize, Continue Service
- Continue to Evaluate Route Performance and Adjust Subsidy as Necessary

- Exceeds Standard
- Continue Service Without Changes
- Continue to Monitor Service Quarterly
1. This policy provides for the protection of DART property through the registration of DART service marks and the enforcement of these registered marks through appropriate administration and licensing of use by others.

2. DART has adopted and registered service marks to promote recognition and a favorable image of the transit services it provides. Protection of these service marks enhances DART’s ability to maintain and improve its image and creates opportunities for revenue generation through licensed use of such service marks.

3. The President/Executive Director or his designee is authorized to enter into service mark licensing agreements, which further the purpose of the policy.

4. The President/Executive Director shall cause guidelines and procedures to be prepared in conformity with applicable law, this and other Board policies to implement this Policy.

5. Revenue from service mark license agreements shall be earmarked to help offset the direct costs of DART promotional and advertising programs, subject to annual budget review by the Board.

6. The President/Executive Director shall cause to be prepared and maintained a descriptive record of all licenses entered into pursuant to this Policy and report annually to the Board such information, along with an accounting for revenues generated pursuant to such licenses.

7. Any proposed deviation from this policy will be returned to the Board for review and consideration for approval.
SECTION ONE
GENERAL STATEMENT

A. Establishment of Purpose.

The policies established herein shall be administered in a manner consistent with, and in complete compliance with, Title VIII of the Act of April 11, 1968, P.L. 90-284, (the Civil Rights Act of 1968); Title VI of the Civil Rights Act of 1964; Chapter 452, Texas Transportation Code (the "Code"); The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646, 42 U.S.C. 4601 et seq. (the "Uniform Act"), Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs (49 C.F.R. Part 24) (the "Federal Regulations"); Federal Transit Administration ("FTA") Circular FTA C 5010.1C; Texas Property Code, Chapter 21; and Texas Local Government Code, Chapter 272, as each may from time to time be amended, (together, the "Applicable Laws"). Any inconsistency between these policies and Applicable Laws shall be resolved in favor of the Applicable Laws.

SECTION TWO
ADMINISTRATION

A. Authority to Acquire or Sell.

1. Prior Board approval is required for any purchase, sale, lease, or joint development of real property by the Authority.

2. Prior Board approval is not required for securing a temporary easement, a right of entry permit, a right of use agreement, or granting a right of entry permit, right of use or license that meets the standards established by these policies.

B. Persons Authorized to Sign Real Estate Documents.

Any document required to carry out the Board authorized purchase, sale or lease of real property, and any license or Right of Entry Permit may be signed on behalf of the Authority by either the President/Executive Director, the Executive Vice President or any Vice President or Assistant Vice President designated by the President/Executive Director.

C. Guidelines and Procedures.

The President/Executive Director is authorized to prepare guidelines and procedures in conformity with Applicable Law, these and other Authority policies for the operation of the Real Estate Division.

D. Periodic Review of Real Property.

1. Roster of Real Property.

The President/Executive Director shall cause to be prepared and maintained a descriptive roster of all real property owned by the Authority which shall show whether the real property was or was not purchased, at least in part, with Federal funds.

2. Excess Real Property Inventory and Utilization Plan.
a. The President/Executive Director shall cause to be prepared and maintained the *Excess Real Property Inventory and Utilization Plan* as required by, and in accordance with, FTA Circular C 5010.1C Chapter II § 2.c (1).

b. If the President/Executive Director concludes that one or more parcels of real property are no longer needed for the purposes of the Authority, he shall report such conclusion to the Board, together with an analysis of the property, including zoning, land uses, improvements and any development potential in the vicinity, together with his recommendation for disposition thereof.

**SECTION THREE**

**ACQUISITION OF REAL PROPERTY**

It is the policy of this Board that, except as specifically supplemented by this Section Three, all real estate acquisition by the Authority shall be carried out in accordance with the provisions of the Applicable Laws.

A. Acquisitions from railroads, utilities and governmental entities are excluded from this Section.

B. Section 24.102(c) of the Federal Regulations is hereby supplemented by adding the following provision:

Only one appraisal shall be required, regardless of the value of the property in accordance with FTA Circular C 5010.1C; PROVIDED, HOWEVER, that an additional appraisal may be secured if the Real Estate division finds the valuation problem complex and deems a second appraisal to be appropriate.

C. Section 24.102(d) of the Federal Regulations is hereby supplemented by adding the following provisions:

1. When the reviewer’s recommended offer of just compensation exceeds $250,000.00, or where acquisition of a property valued in excess of $250,000.00 must be resolved through eminent domain proceedings, prior FTA concurrence is required, as provided in FTA Circular C 5010.1C, EXCEPT in those instances where neither the property nor the segment is Federally funded.

2. Before an offer of just compensation is presented to a land owner, the President/Executive Director shall make a recommendation of just compensation to the Board to:

   a. adopt a resolution authorizing the acquisition of the property, including the exercise of the power of eminent domain if no agreement on just compensation can be reached with the land owner, or if title to the property is so defective that it can only be cured through the exercise of the power of eminent domain; and

   b. approve the amount of the offer of just compensation

3. Before initiating eminent domain proceedings for the acquisition of a parcel, the Authority shall make a final written offer to the owner or owners as they appear from the title commitment furnished to the Authority. If no agreement is reached after the final offer, the Authority’s Office of General Counsel shall proceed with the acquisition of the property in accordance with the Applicable Laws, which includes approval of each proposed eminent domain acquisition by the governing body of the municipality in which the parcel is situated, or, if the parcel is in an unincorporated area, by the commissioner’s court of the county in which the parcel is located.

D. Section 24.102 (i) of the Federal Regulations is hereby supplemented by adding the following provisions:

1. The President/Executive Director may approve an administrative settlement where the settlement amount exceeds the
Real Estate Policy

approved offer of just compensation by 30% or less, not to exceed $49,999.99.

2. Any administrative settlement which exceeds the amount of just compensation offered by $50,000.00 or more must be approved by the Board after recommendation by the President/Executive Director and, if Federal funds are involved, prior concurrence of FTA as provided in FTA Circular C 5010.1.C.

SECTION FOUR
DISPOSITION OF REAL PROPERTY

No real property, or any interest therein, owned by the Authority shall be sold or otherwise disposed of without the prior approval of the Board following recommendation by the President/Executive Director.

A. Disposition of Property Acquired with Federal Funds. Disposition of any interest in real property owned by the Authority which was purchased in whole or in part with Federal funds shall be in accordance with the requirements of 49 C.F.R. Part 18, FTA Circular C 5010.1C Chapter IIc(1), as well as Texas. Local Government Code Chapter 272 and the Code.

B. Incidental Use of Property. Incidental uses of real property purchased with Federal funds, including but not limited to connector fees and sales and leases of air rights, shall not be considered as disposition of excess property and such incidental uses shall be carried out in accordance with FTA Circular C 5010.1C Chapter II§.b and the Code.

C. Disposition of Property Not Acquired with Federal Funds. The disposition of any interest in real property owned by the Authority and not funded in whole or in part with Federal funds, shall be governed by Texas Local Government Code, Chapter 272 and the Code.

D. Disposition Procedures. The President/Executive Director is hereby directed to adopt suitable procedures for the disposition of real property determined by the Board to be surplus. Such procedures shall carefully conform to Applicable Laws and these Policies.

SECTION FIVE
RELOCATION

All relocation of displaced persons and businesses shall be carried out by the Authority in compliance with all Applicable Laws as the same may from time to time be amended. These relocation policies shall apply to all tenants affected by the Authority's land acquisitions from railroads, utilities and governmental entities except those tenants that are themselves railroad, utility or governmental entities.
Art and Design Program

DATE ISSUED: December 8, 1987
Resolution No. 870103
Amended by Resolution: 900086
Policy No. IV.02 (Planning)

Be it resolved by the Dallas Area Rapid Transit Board of Directors that the revised DART Art and Design Program, as described in Attachment 1, is approved, and the Executive Director or his designee is authorized to implement it.
DALLAS AREA RAPID TRANSIT

THE DALLAS AREA RAPID TRANSIT (DART)

ART AND DESIGN PROGRAM

JUNE 1990
DALLAS AREA RAPID TRANSIT ART AND DESIGN PROGRAM

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EXECUTIVE SUMMARY

On December 8, 1987, the DART Board of Directors approved a plan for the development of a comprehensive art and design program. This plan entitled "Guidelines for the Establishment and Implementation of a Dallas Area Rapid Transit (DART) Art and Design Program" made the following recommendations:

1) the appointment of an Art and Design Committee to review art and design issues transit systemwide, and make recommendations to the Board;

2) provide staff support to the Art and Design Committee, and solicit supplemental funding as appropriate;

3) the establishment of Site Specific or neighborhood Committees; and

4) the allocation of funds to finance the Program from existing transit facility budgets as well as any supplemental sources that could be secured.

Over the past few years, an ad hoc committee of DART Board members and staff have overseen the project development and installation of art in several transit centers, with plans to provide art in subsequent centers. The ad hoc committee was replaced by the permanent DART Board Art and Design Committee when the Program was passed in 1987. The original guidelines for the Program did not include provisions for art in these transit centers, park and ride...
lots, and commuter rail stations. This Program has been revised to correct this oversight and other omissions by:

1) Redefining the role of the DART Board Art and Design Committee;

2) Defining the role of DART staff, the art consultant, and project artists;

3) Including Art Projects for all transit facilities; and

4) Establishing a basic program budget for both the rail transit facilities and bus transit facilities which is incorporated into the overall transit system project budget.
PROGRAM OVERVIEW

Art is an integral component of our society and its constructed environment. DART is building a transit system to link communities of this region, and it can also structure a Public Art Program which enhances these linkages.

The sensitive use of art and design in transit systems has been recognized as a method which gives vibrancy to public spaces and presents images of the local culture and architectural heritage. Transit systems of cities in other countries such as Amsterdam, Paris, Seoul, and Stockholm as well as Atlanta, Boston, Pittsburgh, and Buffalo here in the United States illustrate the contribution of Public Art as a tool in establishing relationships with the community. The procedure for and review of Public Art gives citizens an avenue for participation in the project development process. The community, by becoming invested in the project, works as a partner toward implementing rather than opposing the system. In addition, as citizens become more involved in the development process of Public Art, they become more responsive to their visual world and begin to accept more responsibility for its design.

Many major transit systems have established art programs and commissioned artists to produce artworks. Research into the strengths and weaknesses of these programs indicates that separating the artists and the art program from the rest of the system design process creates major coordination and installation problems. This Program, therefore, proposes that artists lend their vision to the
total project at the beginning of the process by being assigned to positions of equal membership on the design team. When art is applied as an afterthought, there is limited success.

This Program requires that artists, architects and engineers collaborate at the beginning of the design process, which will eliminate the problem of retrofitting art in a completed space by incorporating its installation during the construction of the facility. Funding and budgeting can then be structured in a more cost effective way, because locations for art may be provided during the design and construction stages. This collaboration may not always result in an art "object," but through the integration and incorporation of the artistic influence on materials selection, spatial considerations, and overall design approach, the facility as a whole can become a greater work of art than it might otherwise have been.
A HISTORY OF PUBLIC ART IN TRANSIT

Public Art has been an integral part of the construction of new transit systems in the United States and other countries for many years. Artists were invited to participate in the construction of the Stockholm, Sweden underground tunnel in 1956 and have been involved in every stage since then, influencing 94 stations and 60 miles of tunnel.

Arts on the Line, the United States government’s pilot program for Public Art In Transit was founded in 1977. Through this program 20 works of art were incorporated into the design of 4 new subway stations on the Red Line of the Massachusetts Bay Area Transit Authority (MBTA). Other art programs have been developed during the past 10 years in connection with new transit construction in many United States cities including Los Angeles, San Francisco, New York, Buffalo, Seattle, Miami, Pittsburgh, and Atlanta. These art programs have been organized in a variety of ways with their success differing from city to city. While these programs vary, an idea that surfaced consistently was summarized in a report that the Cambridge Arts Council prepared for the Arts on the Line Program.
That idea being, "The ideal system would involve the artist from the earliest design phase as a co-designer with the architect." The DART Art and Design Program has continuously based this artist/architect partnership approach through development and implementation. Figure A, A Comparison of Art Programs in five United States Cities, illustrates the contrast in program concepts and implementation for Buffalo, Atlanta, Pittsburgh, Seattle, and Boston.
I. MISSION STATEMENT

The Art and Design Committee, being established by the DART Board, recognizes the arts as an important component of DART facilities and sees its mission as not only creating more art for public places, but also as the art of creating public places themselves. Rather than standing apart, art will thus become more a part of the community it serves. To this end the Committee establishes these following objectives:

1. Integrate art as an important component of public transit design.

2. Enhance the public involvement process through art.

3. Create the opportunities for maintenance savings through reduced vandalism.

4. Encourage both private and public funding sources to contribute to the quality of DART facilities.

The goal of realizing this mission has been the basis to defining this Art and Design Program.

II. DART ART AND DESIGN PROGRAM COMMITTEES

There are three committees for the DART Art & Design Program which have been organized to provide the broadest range of community input and support. The Board Art and Design Committee is comprised entirely of DART Board of Directors's members. These members are assigned to the committee by the DART Board chairperson for the duration of their term. The Art Advisory Committee is comprised of...
experts in the art and/or design field such as artists, curators, educators and administrators, architects, urban designers, art or design critics and community/business representatives, etc. Art Advisory Committee members will be appointed by the DART Board for a one-year term. The Site Specific Committee is comprised entirely of residents, educators, neighborhood representative or business persons for the area in which a facility is located. These Committee members are appointed by the Mayor (or City Council) of their respective cities and DART Board member(s). Figure B, Relationship of the DART Art & Design Program Committees and Staff, delineates the organizational structure of the program.

Figure B
ORGANIZATIONAL CHART
Relationship of the
DART Art and Design Program Committees and Staff

- DART Board
- Board Art and Design Committee
- Art Advisory Committee
- DART Staff
- Site Specific Committees
A. Board Art and Design Committee:

The purpose of the Board Art and Design Committee is to maintain and implement a systemwide Art and Design Program. The responsibilities of this Committee are:

1. Recommend to the DART Board long-range and short-term guidelines for the Art and Design Program;

2. Review the overall expenditures for the DART Art and Design Program;

3. Review concepts for Art Project proposals;

4. Review staff recommended project designs and make recommendations to the DART Board where appropriate;

B. Art Advisory Committee:

The primary purpose of the Advisory Committee is to provide professional expertise to DART. This Committee will serve as an advisory group and, as such, will have no policy making authority. The size and membership of the Advisory Committee will be determined by the Board Art and Design Committee. The responsibilities of this committee are:

1. Review the DART Art and Design Program from an area-wide perspective and give special attention to system aspects and continuity of the individual Art Projects; and

2. Advise the Board Art and Design Committee, DART staff, and Site Specific Subcommittee in collaboration with the Art Project
Selection Panel on proposals received for individual facility Art Projects.

C. Site Specific Committees:
The purpose of Site Specific Committees is to ensure maximum community participation in the Art and Design Program for the facility in their neighborhood or area. The responsibility of this Committee are:

1) to select the theme and concept of the Art Project for a specific facility within budget, operational, engineering, and maintenance constraints;

2) review proposals that are submitted for a project; and

3) approve the selection of artist(s) for the project which are recommended by staff in conjunction with advice from the Advisory Committee.

III. ROLE OF DART STAFF:
Support for the DART Art and Design Program is a team effort. The Public Information, Facilities Planning, and Engineering staffs each have an area of responsibility which ensures the successful completion of each project.

A. Public Information Staff:
Community participation in the Art and Design Project is developed and coordinated by DART's Education and Special Projects Section of the Public Information Division. This
includes the establishment of and staff support for the Site Specific Committees, including:

1) Contacting and briefing Committee members after they have been designated by Mayors and Board members, to serve on the committee.

2) Scheduling all Committee meetings, preparing agendas and reports, coordinating the meeting schedules with committee members and technical staff.

3) Working with Committee members on background tours of the facilities, as well as preparing and distributing background and support materials for all meetings/tours.

4) Assisting in the community's project definition of the facility Art Project and participating on the artist selection panel.

5) Working with the community on the facility Art Project when identified (i.e., the schools, students, etc. which including all contact, coordination and follow-up). This also could include special tours and community recognition events.

6) Planning and implementing the Grand Opening of the facility when the Art Project is completed and installed (including the development of the commemorative poster,
invitations, event agenda and program, etc.) in cooperation with the Site Specific Committee.

B. Facilities Planning Staff:
The identification of appropriate Art Projects for each DART facility is the major responsibility of the Facilities Planning Section for the Transit System Development Division of DART. The staff works with the Site Specific Committees and the Art Advisory Committee to address the unique opportunities for Art Projects within constraints of the overall facility development. Once the Art Project is identified, Facilities Planning staff, working with DART Procurement staff, prepare the Scope of Work for the Art Project and participate in the solicitation process to select the artist. The Art Project is monitored by the Facilities Planning staff in conjunction with Engineering staff through project development and installation.

C. Engineering Staff:
DART Engineering staff coordinates the design consultants, construction contractors and other DART staff engineers to ensure the successful integration of the Art Project into the overall facility construction schedule and budget. Engineering staff will supervise the identification of potential Art Projects in the Light Rail Transit (LRT) starter system from the earliest design stages along with Facilities Planning and the Principal Section Designer ART Consultant. Engineering
staff will also assist in the identification of areas where art could be used to provide successful environmental mitigation.

Art Projects have the potential to serve as effective mitigation measures for environmental impacts for the facility. The Engineering staff will assist in identification of Art Projects to be used as mitigation measures such as noise attenuation barriers, visual impact barriers, construction site barriers, and other means.

The major responsibility for support of the Board Art and Design Committee is under the Assistant Executive Director of Transit System Development, or his designee. Support work for the Committee is contributed by all members of the team as appropriate.

IV. ROLE(S) OF THE ARTIST(S)

Artists from a variety of sources will be involved in the implementation of the Art and Design Program. It will be necessary to coordinate each participant in the facility design process. Each of the artists will have a separate and distinct role in the Program.

DART's objective is to establish and maintain an effective transit Art and Design Program. To accomplish this objective, the Principal Section Designer (PSD) and the several Section Designers (SD) will be required to include an Art Consultant on each of the professional design teams to participate in design elements of the overall system design, the corridor design, and specific facility designs.
The Principal Section Designer (PSD) is an architectural/engineering firm under contract to DART to oversee all engineering and design work on the light rail transit (LRT) facilities and system design. As such, the PSD is responsible for the (long-term) and (day-to-day) coordination of design development which involves several architectural firms, the Section Designers. The PSD has, as part of its professional team an Art Consultant who will be responsible for working with other consultants at the beginning of the design process. The PSD Art Consultant will start working to develop a prototype for the LRT stations which identifies intrinsic design opportunities in the prototype design. The prototype type station design is a design solution that has general application throughout the system and does not reflect any site specific conditions.

The PSD will coordinate with a series of Section Designers (SD) who will have the responsibility of developing engineering and design for a the section of a LRT corridor. A section is defined as part of a corridor of the overall LRT network. It has specific boundaries and includes a part of the system rail alignment and certain LRT facilities. The SD will have on its team an Art Consultant who will work with the PSD Art Consultant and have the role of identifying Art Project opportunities as the facility design moves from the general
prototype level to a more tailored design addressing site specific facility conditions. The SD Art Consultant will use the prototype design opportunities identified by the PSD Art Consultant as a reference.

The three primary responsibilities of the PSD Art Consultant would be:

1) to investigate possible systemwide approaches and opportunities for Art Projects that could be incorporated into prototypical elements;

2) to identify the prototypical elements that might be modified to give site specific identity to each station; and

3) to assist in the involvement of the community in the design facility process.

The artist(s) will be expected to identify opportunities that enhance the facility's capital budgets for Art Projects through careful review of budgeted line items for the facility. For example, a floor or wall in the facility budget could become an Art Project and be developed from the overall facility budget and not Art Project funds.

Specific project artists would be selected to create and install Art Projects, once proposals for final design are developed and approved by the Site Specific Committee, and the Board Art and Design Committee. These artists would work with the PSD and SD design teams as well as the Art Advisory
Committee during the project development design phase of the facility. The usual procurement process to involve the artists will be used.

B. Project Artist(s)

The Project Artist's role will be distinctly different from the PSD and SD Art Consultants. The Project Artists will be under direct contract to DART for implementation of the Art Project in the LRT, commuter rail, and bus transit center facilities. The Project Artists will submit proposals in accordance with the Request for Proposals (RFP) process which will be reviewed by the selection panel. The proposals will also be reviewed by the Art Advisory Committee, who will provide timely input to the selection panel prior to the recommendation. The panel will then select a recommended proposal which will be reviewed by the Site Specific Committee, Art Advisory Committee, and Board Art and Design Committee. The Project Artist will have drawn upon the Art Project opportunities as completed by the PSD and SD Art Consultant in developing and presenting their proposals. Unless the project is specified by the committees, the Project artist will work with the engineering team to coordinate the installation of the Art Project into the construction of the facility. This group of artists will develop and install their work under a direct professional services contract with DART and will be responsible for adhering to the terms of the contract as any other contractor.

Artists who enter into a contract with DART understand that the
Art Project produced becomes the property of DART and will be maintained by DART over the life of the facility. DART will also retain the rights of ownership and reproduction of the Art Project in accordance with standard provisions of the contract.

C. Transit Center/Park and Ride Facility Artists

Artists who execute Projects for the bus transit centers and park and ride facilities are operating under a variation of this Program. Since the design for the transit center facilities is further advanced than the design of the LRT stations, Art Projects in these facilities are retrofitted to a pre-designed, and in many cases, an already constructed facility. The role of the transit center artist is similar to the Project Artist described above in that the artist actually designs, constructs and installs the Art Project. The transit center artists will develop a proposal in response to a specific transit center project that is defined by the facility's Site Specific Committee. This group of artists will also have a direct professional services contract with DART.

D. Artist Notification and Art Bank

DART will to establish an artist's registry, the Art Bank, to assist in the notification and selection of the Project Artists. It is recommended that the first project notification for the lead Project Artist be well publicized locally. Artists should be informed in the initial solicitation that an Artbank of slides, resumes, and Letters of Interest will be
established by DART to be used in the selection of future artists to work on the Project. All those applying for the Project Artist position would automatically have their materials included in the Artbank. Artists not interested in the lead position but wanting to be considered for future sub-consultant positions would be asked to send their application materials to the DART artbank.

E. Artists Application Materials -

Materials to be submitted by the artists for inclusion in the Artbank should include:

1) No more than ten slides of their artwork. Slides should be submitted in a clear plastic sheet. Each slide should be numbered and labeled with the artist's name. Each slide should have the title of the work, date, medium, size and location indicated.

2) A resume or background information on the artist.

3) A brief Letter of Interest highlighting particular qualifications for the position. Issues to be addressed should include design team participation, collaborative design experience, artwork in transit systems, and availability to work in Dallas.

4) The slides will be permanent entries into the Artbank and will not be returned.
V. ARTIST SELECTION PROCESS

Art Projects for the LRT facilities, commuter rail facilities, and the bus transit facilities will be selected and evaluated in similar ways. To review, the Art Project has been defined by the facility Site Specific Committee. From their discussions a project description is developed to be included by the DART Contracts staff in a Request for Proposals (RFP). The detail of the project description is determined by the Site Specific Committee who may be either very specific in the description of the Art Project sought or very general to allow maximum flexibility for the proposing artists. An initial announcement of the Art Project will be made by the Contracts Department. Respondents to this announcement will be invited to a pre-proposal conference to discuss any details that may require clarification for the artists that anticipate proposing for the project. After the pre-proposal conference, proposals will be received by DART Procurement staff. Each conforming proposal will be reviewed and evaluated by a selection panel of DART staff from Facilities Planning, Public Information, Contracts, and Engineering divisions of the DART organization. The Art Advisory Committee will also review the proposals and provide written comment to the DART selection panel. The panel will then numerically evaluate the proposals and recommend one of the proposals to the Art Advisory Committee, the Site Specific Committee, and later to the Board Art and Design Committee for concurrence. Each Committee will review the selection panel recommendation and respond with either concurrence and/or concerns regarding the recommended proposal. Once the approvals of the various committees has been gained.
negotiations and contracting steps will be conducted by the Contracts staff and a Notice to Proceed will be issued.

The selected Project Artist will be bound by the elements of the contract which will include project completion schedule, project budget, payment schedule, and ownership and reproduction rights.

VI. ARTIST SELECTION CRITERIA

The overall objective of the Art and Design Program is to secure appropriate Art Projects for DART public transit facilities. The art should be responsive to local values while upholding a high standard of creative design and should "fit" successfully into the facility environment. With this objective, the review of the recommended proposal becomes a critical coordination point for all committees involved. The goal is to select, contract, and implement quality art, and not compromise for a less expensive proposal. Budget parameters will be set for each Art Project and will be considered as an evaluation factor for each proposal. Flexibility, however, in regard to these parameters is expected in order to allow for the selection quality Art Projects.

The selection panel should select finalists to be interviewed based on the quality of their artwork as exhibited in slides and other relevant application materials. The finalists will be evaluated by the panel using the following criteria:

1. Artist's Work Habits and History
   a) Resume
   b) Ability to think conceptually
   c) Problem solving abilities
   d) Ability to meet deadlines
2. Artist's Collaborative Abilities
   a) Ability to work as a member of a team
   b) Communication skills
   c) Flexibility

3. Artist's Approach to Project
   a) Perception of Project
   b) Awareness of community attitudes and concerns
   c) Familiarity with project design
   d) Ability to understand and accept the timeline

4. The ability to work in Dallas, as additional consideration will be given to local artist.

Additional specific neighborhood or community criteria might be suggested through the Site Specific Committee. Such criteria might include type of artist, i.e., design team or an artist who works in a specific medium; residency requirement, i.e., local, state, national; desired image, etc.

DART criteria will address aspects of the Proposal relating to issues of safety, operational requirements, and maintenance.

Each panelist should have one vote, and no panelist should have the right of veto. The panel should have the option to make no selection if there is no proposal or artist judged to be of sufficient merit.

Artists are recommended to be included in the design process to enhance the integration of art and facility architecture. For this reason, it is proposed that DART not simply establish an Art
Program, but rather set up an Art and Design Program to allow the organized review of the aesthetic and design issues of DART’s built environment.

VII. ART PROJECT INTEGRATION SCHEDULE

In order to insure that the Art Project(s) for the LRT stations are carefully coordinated with the various phases of the facility development, an integration schedule has been developed. The objective is to match the development of the facility design and construction with the stages of the development of the Art Project for those facilities. The objective of the Art and Design Program is to define and develop Art Projects at the most critical and effective point of the facility design development process and integrate the project into the space and constructed elements of the facility. Therefore, adherence to a schedule as comprehended and used by all facility design and construction participants is mandatory. The integration schedule for the light rail transit facilities and other bus transit support facilities will differ due to the differing stages of design and project construction schedules. The schedule outlined in Figure C, Art Project Integration Schedule, Light Rail Transit (LRT) Station Development, illustrates the relationship of the project definition, design development, and participant’s schedules.
## Figure C

**ART PROJECT INTEGRATION SCHEDULE**

**LIGHT RAIL TRANSIT (LRT) STATION DEVELOPMENT**

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### Principle Section Design Consultant

#### Criteria
- Developed by Arch/Eng/Art Team

#### Standards
- Line/Station Definition
- (0-20% Design)
- Design Reviews

Prototypic of Art & Design Developed

### Section Design Consultants

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<th>CBD</th>
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### Site-Specific Artists

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<th>Creative/ Install</th>
<th>Selections</th>
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### Arts Advisory Committee

- Through Project Definition
- 0-20% Design

### Site-Specific Committee

- For Each Site/Station/Etc. through 100% Design
Developing and implementing Art Projects, as previously discussed, are intrinsic to the facility and require precise coordination of several art consultants at key points in the facility design development. Figure D, Art Program Coordination Schedule, presents a simple diagram of the design phase advancement and the key periods of the art consultants.

Figure D
ART PROGRAM COORDINATION SCHEDULE

Integration of Art into Architectural Design

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- Art Consultant
- Art Consultant
- Artist
- Concept Development
- Determine Art Project
- RFP
- Assisted by Art Consultant
- Artist
- Finish Work

VIII. FUNDING FOR THE ART AND DESIGN PROGRAM

Light rail transit and commuter rail stations in particular need to have an identity or a "sense of place," so that users can orient themselves while traveling through the system. Because of the significance of each LRT station, and the objectives of the Art and
Design Program, a minimum expenditure for Art Projects by facility is appropriated through this Art and Design Program. These budget figures are guideline amounts only and not requirements for expenditure.

A. PROGRAM BUDGET

The budget to develop and implement Art Projects for the Light Rail Transit stations is based upon an assessment of $50,000 per station or facility. The per facility amount may be summed by each transit corridor to produce a Total Corridor Budget which will be distributed for Art Projects at stations and other facilities within that Corridor. The overall budget for the revised Program contrasts significantly with the budget of the previous plan. The 1987 program called for a minimum expenditure of $50,000 for Art Projects at each facility while this revised Art and Design Program recommends a maximum DART expenditure of $50,000 per facility. The $50,000 budget assessment per station/facility will be adjusted annually to respond to inflation in accordance with budget adjustments made for other components of the system implementation.

Distribution of the Total Corridor Budget funds will be a function of the station Art Project(s) as defined by:

1) The project definition as developed by the Site Specific Committee.
2) The Art Project budgets submitted in response to the Requests for Proposals, and

3) The approval of the Board Art and Design Committee.

Figure E. ART AND DESIGN PROGRAM BUDGET - LIGHT RAIL TRANSIT SYSTEM, illustrates the rail transit starter system budget.
B. SUPPLEMENTAL FUNDING

In order to enhance the Art and Design Program budget, funds external to LART revenues will be sought by both staff and the committees. These external funds will be through local and national private foundations, as well as joint development contributions as related to LRT station facility development, in addition to other federal funds such as National Endowment for the Arts (NEA), etc.

Where an Art Project, that is defined by the Site Specific Committee reviewed by the Art Advisory Committee, and approved by the Board Art and Design Committee, results as being an element that would normally be part of the station facility, coordination of funds from capital line item budgets will be utilized to implement Art Projects. This close coordination will occur between the Board Art and Design Committee, DART Facilities Planning staff, and Engineering staff.

Utilizing funds for Art Projects which were originally line items of the facility construction budget will require both coordination and scheduling. An example of utilizing construction funds for the implementation of an Art Project would be if the Site Specific Committee identified an Art Project they wanted as a wall with special treatment and, if a wall was already part of the facility program and included in the facility construction budget, then the funds originally reserved for the construction of the wall would be used for the Art Project to fund and implement both the facility program required wall and the Art Project. This would allow those funds designated as exclusive Art Project funds to be
reassigned to other facilities within the corridor. Other examples of this interchangeability of funds could be floor treatments, column designs, etc.

The Art and Design Program must be able to rely on a guaranteed funding source. However, additional funds may be solicited in order to carry out activities such as:

- Documentation of the facilities Arts Projects - visual and written
- Publicity and Public relations such as posters, brochures, openings
- Temporary Art for construction mitigation and short-term installations
- Performing Art such as temporary use of a transit facility for performing artists
- Other activities to be defined.

It is also possible to have artists develop Art Project proposals that could be added if additional funding were available. For instance, in Seattle artists were selected to develop proposals for street clocks. Two artists were commissioned to carry out their proposals as part of the Art Program. It was suggested that the proposals which were not selected be assembled in a portfolio and taken to developers and property owners along the project alignment who might be willing to commission one of the clocks in order to have it in front of their property. The Art Program, in Pittsburgh, in connection with the light rail transit system, was able to raise approximately $200,000 from foundations and local industries.
The art programs for Atlanta's rail system and Boston's Red Line Extension were substantially funded by the Urban Mass Transportation Administration (UMTA). The National Endowment for the Arts (NEA) granted funds to the transit systems in Buffalo, Pittsburgh, Boston, Seattle, and other cities to carry out transit related Art Projects and programs. It must be noted that NEA grant maximums are $80,000 a year and must be applied for one year in advance.

DONATIONS
Over time, DART may receive offers of donations of artwork. Donors should be referred to the Art and Design Committee to discuss the nature of the gift and DART procedures for review and approval. The Board Art and Design Committee should review the proposal/donation and recommend consideration or rejection of the offer. If the design team for the recommended facility or the Site Specific Committee is in existence, they should first be consulted by the Board Art and Design Committee.

GRANTS
Staff supporting the various committees and the implementation of the Art and Design Program will seek to identify and apply to grant sources which will either supplement the Art and Design Program funds or allow for the development of new, previously unfunded art programs. Staff will work with planning and engineering to closely track the design development of the facility and seek to encourage funds from private sources, for example; private foundations and/or contributions from private developers to enhance the joint
development qualities of a facility and provide Art Projects. All efforts to see private grants will be done by DART staff through coordination with the committee structure of the Program.

IX. COMMUNITY ARTS PROJECTS

A. Design Competitions

Special projects may be identified through the planning and construction of DART's transit project that are suited to professional or student design competitions. Local and regional artists and/or architects and students in accredited programs in either discipline will be encouraged to compete. These may range from using landscaping and art to address problem solving of special mitigation issues. These projects will be identified by DART staff and consultants and approved by the Board Art and Design Committee.

B. Mitigation Art

While mitigation normally is an engineering function that evolves through professional construction practices, occasionally mitigation issues will be identified that lend themselves to a creative art solution. These may range from special sound walls, berms, portals, or parking/open space visual impact improvements. These special opportunities will be identified by DART's staff and consultants and approved by the Board Art and Design Committee. Local Site Specific Committees may also be involved once a mitigation issue is identified and approved for a potential art solution.
C. Children's Art Projects

Special projects may be identified that provide the opportunity to involve school children in grades 1-12 in The Art and Design Program. These types of programs have been successful in other projects. Examples include using temporary construction mitigation techniques such as walls, barriers, etc., as Art Projects involving neighborhood school children. This will provide DART with the opportunity to educate area schools about the safety features surrounding construction and the benefits of the LRT project.

Other projects could involve poster and bus banner art, emphasizing various DART milestones or services. These special Art Projects will be coordinated to reinforce DART's relationship with its future and current young riders.

These children's Art Projects and other similar opportunities will be approved by the Board Art and Design Committee prior to implementation.

X. OWNERSHIP & MAINTENANCE

Ownership of Art and Design Program Art Projects

Once the Art Project has been installed, and a final inspection made by DART staff and city building officials, the work becomes the sole property of the Dallas Area Rapid Transit system. Copyright of the work will be in accordance with the Copyright Act of 1976, 17 U.S.C. §§101 et seq. DART shall retain the right to
reproduce the work and as such will include a credit to the artist(s) and copyright date.

Maintenance of Art and Design Program and Projects
At the conclusion of the final inspection, the artist(s) shall provide DART staff with a written maintenance schedule including recommended cleaning materials and procedures.

XI. CONCLUSION
The DART Art and Design Program is an effort to provide a comprehensive program that specifically defines roles and responsibilities for all participants, yet is flexible enough to encourage imaginative and practical means of improving the DART passenger environment. Great amounts of time have been spent on developing a Program that will allow productive coordination of artists, engineers, planners, architects and designers, local elected officials, and the public in general. Precise coordination of all these entities involved has been a consistent objective throughout the development of this Program. This Program seeks to incorporate the public's objectives regarding art in DART facilities. The execution of small transit center Art Projects has already provided a unique opportunity for DART to involve patrons directly in the transit facility planning. While this revised 1990 Program is changed to reflect the context and design parameters of the new Transit System Plan of 1989, it retains the original goals and objectives that were set forth as official DART Board policy in December of 1987.
DALLAS AREA RAPID TRANSIT ART AND DESIGN PROGRAM

DEFINITION OF TERMS

Art Bank: An artists' registry listing artist's names and information about their work who are contacted when a Request for Proposals is issued from DART.

Art and Design Program: A comprehensive public arts program which is adopted as official Board policy to develop and implement art into public transit facilities.

Art Project(s): One of the products of the Art and Design Program that is the actual art work as executed by the Contractor (Artist) and developed and defined by the Site Specific Committee.

Art Advisory Committee: A committee of various art and design professionals who advise the Board Art and Design Committee, the DART staff, and the Site Specific Committee.

Board Art and Design Committee: A standing Board of Directors committee established by the Chairman of the Board to oversee the DART Art and Design Program.

Central Business District (CBD) Transit Mall: The downtown Dallas street surface rail transit route with urban design elements and adjacent public spaces.
Commuter Rail Stations: Stations for the support of the commuter rail service which utilizes a section of the railroad line between the City of Dallas and City of Fort Worth and is jointly owned by both cities.

Consultant (Artist): An artist which is contracted to identify design opportunities for actual Art Projects at DART facilities.

Contractor (Artist): An artist which is contracted directly by DART to develop and execute an art project for a specific DART facility.

Light Rail Transit (LRT): The mode or technology which was selected by the DART Board to provide the system network rail transit service to corridors within the DART service area. LRT is characterized by the ability of the vehicle to cross streets at the surface level and the power delivery system above the rail alignment as provided by a series of overhead power wires.

Principal Section Designer (PSD): An Architectural/Engineering firm who is under contract to DART to oversee all aspects of technical design development for the DART LRT system.

Project Artist: The artist under contract to DART to execute the actual Art Project for the facility.

Public Art: A durable, maintainable form of art placed in public places or facilities to enhance the environment of a public works project.
National Endowment for the Arts (NEA): A federal agency and funding source which provides federal funds to a broad range of Art Projects.

Section Designers: Architectural/engineering firms under contract to the Principal Section Designer who will be responsible for design development and completion of DART facilities in specific sections of the transit network.

Site Specific Committee: A committee formed at the neighborhood or community level with the task of defining Art Projects for specific facilities that respond to the local characteristics and/or priorities of the facility's location.

Transit Centers: A bus transit facility that usually contains long term parking and other bus service and access facilities.

Urban Mass Transportation Administration (UMTA): A federal agency which funds major transportation projects in the United States.
Section 1. Purpose

DART is the steward of a significant public investment which includes important real property assets. These real property assets can also be used to leverage the viability of the transit system and to add to its value to the community. Continuing expansion and maturation of the transit system along with federal, regional and local initiatives that direct and concentrate transit oriented development and urban infill around transit facilities enhance the value of these assets. DART seeks to work in close partnership with its service area cities to identify and implement Transit Oriented Development (TOD) opportunities which reflect service area cities land use, housing, parking, and other related goals and policies. Promoting quality transit oriented development on or near the DART transit system can elevate the quality of life, attract riders and generate new opportunities to create direct and indirect revenue for DART, and environmentally sustainable livable communities that are focused on transit accessibility.

Section 2. Definitions

2.1 Transit Oriented Development (TOD) is walkable by design and characterized by the integration of transit facilities or elements, either bus or rail, throughout the development of intensive, high quality uses oriented towards DART facilities by others and/or development which is located adjacent to a transit facility. Transit Oriented Development shares a functional or financial relationship to the transit system.

2.2 Joint development is a subset of TOD and is development in which DART has a formalized relationship with a developer or service area city for land use, infrastructure improvements, and shared facilities.

2.3 Livable Communities are places where transportation, housing and commercial development investments have been coordinated so that people have access to adequate, affordable and environmentally sustainable transit and housing options.

2.4 Walkable by design is to create linked clear and continuous pedestrian circulation with buildings, transit, and open space oriented to the sidewalks and with parking located behind or under the building.

2.5 Shared parking is parking that serves multiple destinations within walking distance and accommodates various uses that have high demand during different periods of the day.

2.6 Parking structures designed for alternative future uses are parking structures designed with horizontal floors, comfortable floor to ceiling heights and loading capacity to accommodate another structural use such as housing, office, or retail.

2.7 Sustainable Development meets the needs of the present without compromising the ability of future generations to meet their own needs.
Transit Oriented Development Policy

Section 3. Goals

DART recognizes that Transit Oriented Development can be a means to accomplish the following goals:

3.1 Enhance the quality of life through the coordinated development of accessible pedestrian and non-motorized environments at transit stops and stations.

3.2 Increase transit ridership through the coordinated planning of land use and quality development projects on and around DART station properties and along DART transit routes and corridors.

3.3 Enhance the value of DART real property and other assets by designing transit facility access, and circulation to accommodate future TOD while maintaining accessibility and visibility to transit.

3.4 Contribute to the on-going economic vitality of service area cities while expanding opportunities for a broad range of housing and employment options serving increasingly diversified populations.

Section 4. TOD Strategies

4.1 DART seeks to foster cooperative relationships with other governmental entities, local communities, and the private sector for the development of comprehensive development plans, station area plans, innovative approaches to parking, property acquisition and disposition, and development of financial strategies and tools such as assessment districts, tax increment finance districts, or improvement districts, any of which may be located on and off DART property.

4.2 DART seeks to coordinate the development of livable communities at or around DART transit facilities through planning efforts with other governmental entities and communities in the DART service area early on in the development process to enhance multi-modal access to and from DART stops and stations and ensure appropriate transit supportive uses.

4.3 DART seeks to enhance the future value of planned DART facilities for TOD through one or more of the following:
   a. strategic acquisition of property and/or use of underutilized parking spaces to capture potential TOD opportunities;
   b. early design of transit facility elements such as, parking, circulation, and access;
   c. platform and infrastructure placement and orientation, in anticipation of reallocating surface parking spaces to incorporate eventual transit oriented uses. When feasible, these spaces should be integrated into TOD through the use of shared parking structures designed for alternative future uses.

4.4 DART seeks to encourage direct connections, including pedestrian and alternative modes, to transit stops and stations from surrounding development. Projects shall be consistent with City/Community TOD policies and plans.

4.5 DART seeks to use the appropriate method of disposing of DART real property for Transit Oriented Development projects to achieve specific development objectives, incorporate service area cities’ housing goals, and demonstrate a financial benefit to DART.
Section 5. Implementation Process

The President/Executive Director or his designee shall develop written procedures necessary to fully implement this Policy.
DART WILL PLACE SPECIAL EMPHASIS ON LANDSCAPE DEVELOPMENT IN THE PASSENGER WAITING AREA AND WILL MEET OR EXCEED ALL LOCAL LANDSCAPE REGULATIONS.
New Directions
FOR DALLAS AREA RAPID TRANSIT

TRANSIT DESIGN POLICY MANUAL
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INTRODUCTION

This Transit Design Policy Manual is intended to guide the DART Board and staff in the development of the DART Transit System Plan and its many components. The purpose of the Manual is to clearly define the roles and responsibilities of both the Board and the staff in developing the system. The primary role of the Board is to set overall policy; the responsibility of the staff is to execute policy through implementation.

The development of design policies begins with the Guiding Principles established in two documents: the Work Program for Developing the New Transit System Plan (approved by the Board on August 23, 1988); and the Work Program for Implementing the Starter System (approved by the Board on July 25, 1989).

The Work Program for Developing the New Transit System Plan included the following Guiding Principles related to design issues:

- Ensure maximum community participation.
- Develop an evaluation framework to include mobility indicators, land use objectives, and environmental impacts.
- Fit technologies to the size and nature of the need within each corridor.
- Develop a long-term plan to provide public transit to the most people at the least cost.
- Develop short-range and long-range solutions incrementally, in order to take advantage of changes in mobility patterns and advances in technologies.
- Upon approval of the new DART System Plan, and within five years, implement an operational fixed guideway starter line in the service area.
In addition, the Work Program for Implementing the Starter System included the following relevant Guiding Principles:

- Reliability, operating cost, and maintenance will be the primary considerations in project design and equipment selection. Strict standards of cost justification for design changes will be enforced.

- To the extent possible, only proven transit technologies will be used.

- System design criteria will be established before beginning project engineering.

- Board involvement should be focused on policy rather than technical decisions.

The design policies contained in this manual are based on these Guiding Principles and provide overall direction to the staff by the Board. Once design policies are approved, the staff develops very detailed design criteria to provide additional technical and engineering specifications for the more general design policies. Finally, after development of the design criteria, staff begins actual implementation of the projects through the design and construction phases.

Figure 1 illustrates the complementary roles and responsibilities of the Board and staff in developing the system, beginning with the Board-approved Guiding Principles and design policies and culminating in staff’s development of design criteria and actual design and construction activities.

The design policies contained in this Manual represent the next step in the development of the DART transit system after the approval of the Guiding Principles. The Manual is divided into several major categories of design policies, with individual policies for specific subject areas within the categories.

This document is in a loose-leaf format so that it can be expanded as additional design policies are established and proposed for Board consideration.
FIGURE 1
Board/Staff Roles

Guiding Principles

Design Policies

Design Criteria

Design and Construction

Board Emphasis

Staff Emphasis
RECOMMENDED TRANSIT DESIGN POLICIES FOR TYPICAL OUTLYING SURFACE LIGHT RAIL AND COMMUTER RAIL STATIONS

Introduction

The Transit System Plan approved by the DART Board of Directors on June 27, 1989, includes 66 miles of light rail transit service by 2010, with 20 miles to be in operation by 1996. The System Plan also calls for 18-miles of commuter rail service to be in operation by 1996.

The light rail and commuter rail projects have diverse engineering and planning needs that must be met to allow their successful implementation. Guideways, systems, and vehicles can be substantially different for the two types of transit technologies. However, both light rail and commuter rail can share a basic design feature: passenger stations.

These design policies have been developed with that overall principle in mind. DART's light rail and commuter rail systems can have many station design elements in common, and in the interest of standardization and cost efficiencies, staff has developed design policies along these lines. While individual stations may vary in subtle ways according to their unique locales, passenger needs, and operational constraints, staff has tried to incorporate station design features that can be as universally applicable as possible in the interest of design and construction cost savings.

Rail Transit stations in the Starter System

The 20-mile light rail starter System will have approximately twenty stations, broken down into the following categories:
Need for Rail Transit Station Design Policies

There are several approaches to planning and designing typical surface rail transit stations that fit into the functional definition described above. These approaches differ primarily in their relationship to:

- system performance (passenger capacity and speed of passenger boarding and deboarding);
- amenities (the level of passenger comfort and convenience); and
- capital and operating costs.

Policies on the design features of rail transit stations are needed to allow DART staff to establish fundamental design parameters. These design parameters will support the development of station design guidelines and technical design criteria that will result in a station design that properly balances performance, amenities, and cost at a level appropriate to DART’s Transit System Plan and its budget.

Approach to Development of Recommended Station Features

The general approaches used in the development of the recommended station design features were as follows:

- To meet the primary and supporting functional and performance requirements of the rail transit stations;
- To provide the essential functions in an environment of enhanced comfort, convenience, safety, and security;
- To provide the essential functions in a manner acceptable to the community, neighborhood, and environment;
- To build and operate rail transit stations that are affordable; and
- To build and operate rail transit stations that are cost-effective.
Recommended Station Design Features

Table 1 lists 35 station design features divided into seven functional categories. It shows whether the specific design feature is applicable to all or only selected stations, and provides current capital and operating budgets for each feature.

The seven functional categories are listed below, along with a brief description of the major design features presented.

I. Rail Station Access

This category describes station design features related to a passenger’s ability to enter and exit the overall station facility to and from the immediate vicinity. All stations will have:

- Pedestrian walkways;
- Bicycle facilities such as lockers or racks depending on need (as specified by a Board resolution approved on June 11, 1985);
- Transfer facilities such as turn-in lanes and bus bays to allow easy passenger transfer from bus to rail and vice versa;
- Kiss-and-ride dropoff facilities, with the size of individual facilities to be determined by site and demand analysis; and
- Free parking spaces for the mobility-impaired, to be provided at all stations.

Depending on site-specific criteria such as land availability, ridership projections, and other factors, several design features are planned only where appropriate at selected stations. They are:

- Elevators or escalators that would be used only where site constraints inhibit walkway and ramp access to station platforms;
- Taxi stands where such transportation is common and utilized; and
- Park-and-ride lots.
II. Rail Vehicle Access

There are two basic options for providing access to rail vehicles by passengers at rail transit stations: high-platform; and low-platform. At high-platform stations, passengers board directly from a raised platform (approximately three feet above the track) onto the vehicle at floor height. This type of platform is typically associated with heavy rail systems characterized by such factors as heavy peak hour passenger volumes, controlled station access, prepaid fare collection, and long train lengths. The primary justification cited for use of high platforms is to minimize dwell times of vehicles in stations, especially stations with heavy passenger volumes.

Low platforms entail the use of steps inside the vehicle for passenger boarding and deboarding. Low platforms typically are 8 to 10 inches above the level of the track, and are generally associated with light rail systems that have moderate peak hour passenger volumes, open station access, barrier free fare collection systems, and relatively short train lengths (fewer than four cars).

Staff conducted a detailed analysis of projected dwell times at stations utilizing NCTC0G ridership forecasts. The results of that analysis clearly show that the DART system will not have the high peak hour passenger volume that would warrant high platforms.

Low-level primary platforms would provide access to DART trains for over 99% of the rail system’s projected users. They provide adequate performance at lower cost than high-level platforms for the projected level of DART patronage. Therefore, low-level primary platforms are recommended for all outlying surface stations.

A high-level special-use platform is also recommended to allow mobility impaired passengers and others requiring boarding assistance (such as those using strollers or carrying luggage racks or shopping carts) to easily board and exit the vehicle. This high-level special-use platform is typically accessible by a ramp extending from the primary low-level platform. (However, a mechanical lift may be required in selected stations due to site-specific constraints.) Utilizing special-use high-level platforms for boarding mobility impaired passengers is quicker, less expensive, and more reliable.
than the use of mechanical lift devices. This approach also allows non-mobility-impaired passengers to use high-level boarding when necessary. The special-use platform will have a shelter or canopy for protection from the elements for passengers using the platform.

III. Fare Collection

On January 8, 1985, the Board adopted a policy of utilizing a self-service barrier-free (SSBF) system in the DART rail transit system. This policy implies the use of self-service fare dispensing machines and ticket validators along with "roving" inspectors to check that passengers have purchased the correct fares.

Self-service fare collection is the standard fare collection method used in all new light rail systems in the United States. Its principal advantages are faster boarding times for passengers and reduced capital, operating and maintenance costs compared to conventional on-vehicle or turnstile fare collection systems.

IV. Passenger Information and Safety

The purpose of passenger information is to direct and assist passengers as they move into, out of, and through the station site, to the platform, onto the transit vehicle, and through the transit system.

All types of passenger information should include the following characteristics:

- They should be of consistent modular design, with standardized graphics and low-maintenance materials, for cost containment purposes and to allow easy recognition of transit information by the public.

- They should be placed at convenient points in the line of sight of passengers for easy access.

- They should provide easily-understandable and concise information that facilitates the passenger's movement into, out of, and through the station and onto the various modes of transportation available at the station (rail, bus, autos, taxis, pedestrian...
walkways). They should also include braille translations for the benefit of blind passengers.

- They will conform to the local jurisdiction’s signage regulations.

In addition, DART rail stations will be designed to promote safety and security by utilizing both passive and active design elements. Passive design features that can be incorporated into all stations emphasize high visibility areas with no limited lines of sight. This can be accomplished through a minimal use of pillars or columns, the use of materials that reflect rather than absorb light, and the use of translucent building materials for partitions and wind screens.

With these characteristics in mind, the following design features are recommended for all stations:

- General system information, including system maps and schedule and fare information;
- Orientation signage, including street maps of the surrounding neighborhoods to identify points of interest;
- Off-site and on-site guide signs to direct passengers between stations and nearby streets, highways, and developments, facilitate connections between transportation modes, and clearly define pathways between rail platforms, light rail stops, and bus stops;
- Emergency signage to encourage quick movement of passengers out of stations when required; and
- Adequate lighting for both security and passenger comfort and convenience.

In addition, the following features are recommended for selected stations depending on need:

- A real-time train status display (This feature has been successfully installed in many of the newer rail systems around the country. It displays the expected arrival
time of the next train, its destination, and other information designed to reduce the uncertainty or anxiety of waiting passengers about the status of the system. It can also provide useful information on delays, emergencies, and other unexpected factors impacting the system.);

- A public address system to allow system personnel to communicate with waiting passengers to inform them of delays, emergencies, or other occurrences; and

- Fencing to be provided at selected stations based on site requirements. Fencing would keep passengers and others away from potentially dangerous track areas or other features and would guide pedestrians to safe paths through or around such areas.

Staff will examine additional security measures for use at rail stations, including a cost-benefit analysis of using electronic surveillance as compared to staffing of all stations with DART Public Safety personnel.

V. Passenger Convenience

Passenger convenience features are those features that, while not absolutely essential to meeting the basic requirements of the rail station, nevertheless increase the attractiveness of using the system to the passenger.

- Pay telephones are recommended at all stations. In addition to providing convenience for passengers, they are revenue sources for DART.

- Advertising will be provided at all stations in accordance with a Board policy approved on February 23, 1988. Advertising and its design will be prepared and placed to avoid conflict with system information and signage.

- Vending machines, ATM machines, vendor and retail spaces, and restrooms provided and maintained by vendors are recommended at selected stations based on passenger volumes. A Board policy approved on February 23, 1988, established guidelines
for developing retail opportunities at transit centers. This policy should be re-examined to ensure that it meets the needs of rail transit stations. The aim of retail development at specific stations should be to tailor the facility to the nature of the surrounding area and the anticipated patronage. In addition, implementation of retail features must be coordinated at a very early stage of the facility’s design to ensure that space and utility provisions are made in the most cost-effective manner possible. As with bus transit centers, staff will develop specific retail plans for each rail station where retail development is deemed appropriate.

VI. Passenger Comfort

Passenger comfort features, like the convenience features mentioned above, are amenities that improve the attractiveness of the system to its users but are not absolutely essential to the function of the stations. They enhance the station environment and can often provide a means for community participation in the design and appearance of the station.

Several passenger comfort features are recommended for all stations:

- A canopy to cover at least one-third of the total length of the platform and which will vary in width according to the platform width. It will be constructed of durable and low-maintenance materials and will be compatible with the overall design of the system. In many cases, the canopy design can be modified to reflect the specific environment of the neighborhood in which it is located. Staff will study the barrel-vault design already in use at transit centers, along with other canopy designs, for application at rail stations.

- Wind screens to provide passenger protection from the wind, located at strategic points throughout the station.

- Seating in waiting areas.
o Landscaping for purposes other than that required by local ordinances or environmental mitigation and that can enhance and "soften" the station environment. Indigenous and low-maintenance landscaping will be used as much as possible to minimize maintenance costs.

o Artwork that reflects the adjacent station vicinity through community participation projects, as required by a Board resolution approved December 8, 1987. The current policy sets a budget of $50,000 per station for art projects. The Board’s Art Committee is to examine this policy to determine the proper level of funding for arts projects at each station.

In addition, drinking fountains are proposed for selected stations where site design allows.

VII. Neighborhood Mitigation

Efforts to mitigate any off-site impacts of the rail stations and their site developments will be undertaken as part of the overall site planning process in cooperation with local jurisdictions and neighborhoods. Specific mitigation warrants and methods are under development based on guidance of a Board resolution approved June 13, 1989. That resolution authorized the development of policies regarding system-wide standards for mitigation for the system. The policies are to identify:

- Potential impacts needing mitigation;

- Criteria for implementation of mitigation measures; and

- A range of techniques that can be used to mitigate potential adverse impacts of the system.

General mitigation measures that will be developed for adaptation at selected stations depending on need include:
o Traffic improvements to improve vehicular flow into and around the stations;

o "Induced parking" mitigation to deal with passengers who park their private automobiles in surrounding neighborhoods because either the DART park-and-ride lot (if provided) is full or no parking has been provided by DART at all;

o Visual screening and enhancement through landscaping, walls, or other means; and

o Noise screening using similar measures.
# TABLE 1

RECOMMENDED TRANSIT DESIGN POLICIES FOR TYPICAL OUTLYING SURFACE LIGHT RAIL AND COMMUTER RAIL STATIONS

(All budget figures are in 1989 dollars)

(A=All; S=Selected)

<table>
<thead>
<tr>
<th>Category</th>
<th>Feature</th>
<th>Capital</th>
<th>O&amp;M</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STATION ACCESS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Pedestrian walkways (A)</td>
<td>$19,000</td>
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</tr>
<tr>
<td>2.</td>
<td>Bicycle facilities (A)</td>
<td>$5,000</td>
<td>$800</td>
</tr>
<tr>
<td>3.</td>
<td>Bus transfer facilities (A)</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>4.</td>
<td>Kiss-and-ride facilities (A)</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>5.</td>
<td>Mobility impaired parking (A)</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>6.</td>
<td>Elevators or escalators (S)</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>7.</td>
<td>Taxi stands (S)</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>8.</td>
<td>Park-and-ride facilities (S)</td>
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<td>TBD</td>
</tr>
<tr>
<td><strong>SUBTOTAL</strong></td>
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<td>$24,000</td>
<td>$3,400</td>
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<tr>
<td><strong>VEHICLE ACCESS</strong></td>
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<td>9.</td>
<td>Low-level platforms (A)</td>
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<tr>
<td>10.</td>
<td>High-level special-use platform with ramp and cover (A)</td>
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<tr>
<td><strong>SUBTOTAL</strong></td>
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### Current Budget

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<th>Feature</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>FARE COLLECTION</strong></td>
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</tr>
<tr>
<td>11. Self-service ticket dispensers (A)</td>
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<tr>
<td>12. Self-service ticket validators (A)</td>
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<td><strong>PASSENGER INFORMATION AND SAFETY</strong></td>
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<tr>
<td>13. General system info (A)</td>
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<tr>
<td>14. Orientation signage (A)</td>
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<tr>
<td>15. Off-site and on-site guide signs (A)</td>
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<tr>
<td>16. Train status display (S)</td>
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<tr>
<td>17. Emergency signage (A)</td>
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<tr>
<td>18. Public address system (S)</td>
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<td>19. Lighting (A)</td>
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<td>20. Fencing (S)</td>
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12/5/89 1-14
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<td>22. Advertising space (A)</td>
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<tr>
<td>23. Vending/ATM machines (S)</td>
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<td>24. Vendor/retail spaces (S)</td>
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<td>25. Vendor-provided restrooms(S)</td>
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<td></td>
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<td>COMFORT</td>
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<tr>
<td>26. Canopies (A)</td>
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<td>27. Wind screens (A)</td>
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<tr>
<td>28. Seating (A)</td>
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<td>29. Landscaping (A)</td>
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<td>$6,000</td>
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<td>30. Art projects (A)</td>
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<td>31. Drinking fountains (S)</td>
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<td><strong>TOTAL FOR ALL FEATURES</strong></td>
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**Notes:**
(1) Costs for land, parking, allowances, and special construction conditions are not included.

(2) All costs are current estimated budgets as of the date of this report and are subject to further Board review and refinement as design proceeds.
RECOMMENDED TRANSIT DESIGN POLICIES FOR TYPICAL OUTLYING LIGHT RAIL GUIDEWAYS

I. Introduction

The Transit System Plan approved by the DART Board of Directors on June 27, 1989, includes 66 miles of light rail transit to be in service by 2010, with 20 miles to be in operation by 1996 as the light rail Starter System. A key component of the DART light rail system is the design of the guideway, which is commonly defined as the surface or track and its supporting structure on or in which transit vehicles travel.

The guideway’s primary function is to provide a "clear zone" for the movement of rail transit vehicles:

- It supports the vehicle;
- It guides the vehicle; and
- It accommodates vehicle passage within required safety, speed, and comfort limits.

DART’s light rail transit system consists of guideways that are at the surface, elevated, or below grade. Light rail guideways typically consist of features that literally guide the vehicle (with trackwork and roadbed and way structures), that provide passenger safety and security, and that mitigate potential adverse impacts of the light rail system’s passage through the various parts of the DART Service Area.

This document presents transit design features and treatments for all of DART’s "outlying" guideways, or those not in the Dallas Central Business District. Guideways for the CBD will have their own unique design characteristics and will be handled separately.

II. Guideway Treatments for the DART Light Rail System

Table 1 lists three categories of guideway treatments that are likely to be used in DART’s 66-mile light rail transit system.

1. Surface Treatments

Approximately 80% of DART’s light rail transit system will consist of guideways that are at-grade or on the surface of
the surrounding topography. Most of the surface guideways will be located in existing railroad rights-of-way, with virtually exclusive light rail use in all corridors (in other words, DART's light rail transit will in most cases not be forced to share its right-of-way with railroad freight traffic). Some guideways may be located within or adjacent to arterial roadways; this is possible particularly in the South Oak Cliff Corridor, where the federal Alternatives Analysis/Draft Environmental Statement (AA/DEIS) process will determine the actual location of the guideway in that area. In addition, a small segment of guideway may be located on the surface in other miscellaneous areas, such as utility rights-of-way. Again, this is a possibility in the South Oak Cliff corridor and will depend on the results of the AA/DEIS process.

Surface guideways are generally the least expensive to construct, with capital costs budgeted at approximately $13 million per mile (this cost and other costs mentioned in this document are in 1989 dollars and include the per-mile costs of civil and structural construction, trackwork, stations, systems, and associated contingencies; they exclude the costs of vehicles, maintenance facilities, and associated contingencies). Their neighborhood, visual, and noise impacts are less than those of elevated guideways but also require special considerations for mitigating impacts on cross-street vehicular traffic. Elevated or grade-separated alternatives will be used only when corridor-specific constraints, safety, traffic volumes, and community and neighborhood preferences make a surface guideway unattractive or undesirable.

Figure 1 is a cross-section drawing showing a typical surface guideway in an exclusive right-of-way.

2. Elevated Treatments

Elevated guideway treatments are usually preferred over below-grade treatments when grade separation of the guideway is required. While elevated guideways result in greater noise and visual impacts than below-grade solutions, the elevated treatment is less costly than below-grade guideways. Elevated guideways comprise only 12% of the overall DART light rail system and are budgeted in the DART system at approximately $28 million per mile.

Elevated guideways may be built on retained fill or an embankment, the lowest-cost elevated structure. However, retained fill construction may result in "visual intrusion,"
FIGURE 1
especially in residential neighborhoods. It also requires special considerations to accommodate cross-flow vehicular traffic. Figure 2 is a cross-section drawing showing a typical guideway on retained fill construction.

Elevated guideways may also be built on aerial structures, which represent the most common method of elevated treatments in the DART system. While slightly more expensive than retained fill construction, aerial structures are much more visually attractive and provide opportunities for cross-flow of vehicular traffic under the guideway. Aerial structures generally can be used for spans no longer than 100 feet. On April 21, 1987, the Board approved a "standard aerial structure" for use in the DART system, as shown in perspective in Figure 3. However, as design of the system progresses, staff may request that this standard structure be modified.

Bridges are needed to span specific topographic features like waterways (such as the Trinity River in the South Oak Cliff corridor), and major highways. These structures are typically the most expensive and are designed to meet the needs of specific sites.

3. Below Grade Treatments

Below-grade treatments are the least-used types of guideway structures in the DART light rail system, comprising approximately 8% of the total system. They are obviously the least intrusive visually and acoustically of all guideway treatments, but are also by far the most expensive to construct. Below-grade guideways in the DART system are budgeted at approximately $50 million per mile. Below-grade treatments also introduce additional capital, operations and maintenance cost concerns to take into account ventilation, emergency evacuation, and security considerations. Most below-grade construction in the DART system will occur in conjunction with the North Central Expressway transitways under the freeway's service roads.

Retained cut construction (depressed with an open top) is generally the least-expensive of below-grade guideways. Like its elevated complement, retained fill, the retained cut guideway also impedes cross-flow vehicular traffic. However, its reduced visual impact and lack of requirements for ventilation and emergency evacuation facilities make retained cut an attractive below-grade option compared to a fully enclosed tunnel. Figure 2 also shows a cross-section view of a typical retained cut construction.
AERIAL STRUCTURES
CURRENT DESIGN: AASHTO GIRDER, DAPPED ENDS, SQUARE COLUMNS
Fully-enclosed tunnels are the most expensive below-grade guideways and are used only when no other alternatives are available. These treatments will be used only as a means to shift the guideway from the North Central transitways under North Central itself and Woodall Rodgers Freeway to transition to surface running.

Finally, the primary guideway solution for the section of North Central Expressway between Mockingbird Lane and the Dallas CBD is the transitway under the freeway's service roads. This is a partially-enclosed "box" which is a unique or hybrid solution developed especially for this segment of the Expressway. Figure 4 is a perspective illustration of this below-grade solution, and Figure 5 is a cross-section drawing of the guideway.

II. Light Rail Transit Guideway Design Features

While each of the guideway treatments listed above provides similar levels of performance and comfort to the passenger, they can differ significantly in their impact on the adjacent community. It is the placement of the guideway, more than any other group of light rail system elements, that provides the greatest challenge to system designers.

It is primarily because of the need to establish limits on the complex tradeoffs among cost, performance, and community and neighborhood impacts that policies on guideway design features must be instituted. Their establishment will result in the development of specific design criteria that will result in guideway construction that achieves high-quality system performance levels in a manner that is acceptable to neighborhoods and communities and that is within the constraints of cost-effectiveness.

Objectives in Developing Recommended Guideway Features

The objectives that guided the development of the recommended light rail transit guideway design features were as follows:

- To achieve the essential functions of the guideway system: the support, guidance, and accommodation of the movement of rail vehicles;

- To provide the essential functions in a comfortable, convenient, and safe environment;
FIGURE 5
To provide the essential functions in a manner acceptable to the community, adjacent neighborhoods, and the environment;

To build and maintain a guideway system that is affordable; and

To build and maintain a guideway system that is cost-effective.

Recommended Key Guideway Features

Table 2 lists 12 features in three functional categories (train guidance, passenger safety and security, and optional mitigation measures) that are recommended for the design of the DART light rail transit guideway system. The table shows whether the specific design feature is applicable to all or only selected portions of the guideway, and clarifying remarks are provided where appropriate.

The three functional categories are listed below, along with a brief description of the major design features presented.

1. Train Guidance

This category describes features that are absolutely necessary for meeting the essential functions of the guideway system.

- Track geometry consists of the curvature and grade of the track to ensure maximum train speed, maximum passenger comfort, and minimum noise to the passenger and the environment.

- A roadbed provides support for the trackwork. It can consist of a ties-and-ballast roadbed, the standard approach found in the majority of the system, or a direct fixation roadbed, to be used in special cases for direct attachment to the surface (such as on elevated, below-grade, or paved areas).

- Way structures provide support for the trackwork in grade-separated situations such as aerial construction.
2. Passenger Safety and Security

Overall passenger safety and security will be enhanced by several guideway design features.

- Emergency walkways will be provided along all guideway segments for safe, rapid evacuation of trains between stations during emergency situations.

- Fencing will be provided along selected segments to prevent potentially dangerous guideway intrusion involving pedestrians, vehicles, or objects.

- Vehicle crossing protection such as gates and signals will be constructed at all at-grade crossings with roadways to prevent collisions between rail and motor vehicles.

- Pedestrian crossing protection consists of underpasses or overpasses to separate foot traffic from the guideway at high-volume pedestrian traffic locations.

- An emergency communications system will be established along selected, restricted guideway segments to provide quick response to operational, safety, and security problems.

3. Optional Mitigation Measures

Efforts to mitigate potential adverse impacts of the light rail transit guideway on the adjacent environment will be undertaken as part of the overall guideway location and design development process. Specific mitigation warrants and methods are under development in accordance with a Board resolution approved June 13, 1989. That resolution authorized the development of policies regarding system-wide standards for mitigation of adverse impacts of the entire light rail system. Those policies are to identify:

- Potential impacts requiring mitigation;

- The criteria for implementing mitigation measures; and
A range of techniques that can be used to mitigate potential adverse impacts of the system.

Measures will be developed to specifically mitigate potentially adverse impacts of the light rail system's guideway elements in each of the following areas.

- Grade separations will be used to separate the guideway from cross streets. Use of grade separations will be determined based on traffic volumes and neighborhood considerations. They will be used only where no other mitigation measures are available to solve the traffic impacts of the guideway.

- Visual screening will be required at selected locations along the guideway based on its proximity to neighborhoods or other sensitive areas.

- "Noise and vibration screening and other noise reduction techniques will be required at selected guideway locations to bring the system's sound and vibration levels within environmentally acceptable amounts.

- Electromagnetic interference screening and similar techniques will be used where necessary in certain guideway segments.

- Other mitigation measures for the guideway will be developed as required.
TABLE 1
LIST OF TYPICAL GUIDEWAY TREATMENTS LIKELY TO BE USED IN DART LIGHT RAIL SYSTEM
(Does not apply to CBD Transitway Mall)

<table>
<thead>
<tr>
<th>Guideway Treatment</th>
<th>Approx. % of System</th>
<th>Approx. Cost Per Mile(1)</th>
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</thead>
<tbody>
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<td>A. Surface:</td>
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<tr>
<td>1. Exclusive railroad right-of-way</td>
<td>80%</td>
<td>$13 million</td>
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<tr>
<td>2. Shared railroad right-of-way</td>
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<td></td>
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<tr>
<td>3. Guideway along arterial</td>
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<td></td>
</tr>
<tr>
<td>4. Other (i.e., utility right-of-way)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Elevated:</td>
<td>12%</td>
<td>$28 million</td>
</tr>
<tr>
<td>5. Retained fill</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Aerial structure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. River bridge</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Below Grade</td>
<td>8%</td>
<td>$50 million</td>
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<tr>
<td>8. Retained cut</td>
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<td></td>
</tr>
<tr>
<td>9. Tunnel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Semi-enclosed &quot;box&quot; under expressway service roads</td>
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</tbody>
</table>

Note: (1) All costs are in 1989 dollars. Includes civil and structural work, trackwork, stations, systems, right-of-way, and associated contingencies. Excludes vehicles, maintenance facilities, and associated contingencies.
<table>
<thead>
<tr>
<th>Guideway Features</th>
<th>Applicability</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. TRAIN GUIDANCE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Trackwork geometry</td>
<td>All</td>
<td>Track curvature and grade to increase passenger comfort and minimize noise.</td>
</tr>
<tr>
<td>2. Roadbed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Ties-and-ballast</td>
<td>Selected</td>
<td>Used in most of system.</td>
</tr>
<tr>
<td>b. Direct fixation</td>
<td>Selected</td>
<td>Used in special cases for direct attachment to surface (such as on paving or elevated or below-grade guideways).</td>
</tr>
<tr>
<td>3. Way structure</td>
<td>Selected</td>
<td>To support grade-separated trackwork.</td>
</tr>
<tr>
<td><strong>II. PASSENGER SAFETY AND SECURITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Emergency walkway</td>
<td>All</td>
<td>To permit safe, rapid evacuation of trains and guideways between stations.</td>
</tr>
<tr>
<td>5. Fencing</td>
<td>Selected</td>
<td>To prevent intrusion onto guideway by pedestrians, vehicles, etc.</td>
</tr>
<tr>
<td>Guideway Features</td>
<td>Applicability</td>
<td>Remarks</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>6. Vehicle crossing protection</td>
<td>Selected</td>
<td>At grade crossings only; to deter rail vehicle collisions with motor vehicles.</td>
</tr>
<tr>
<td>7. Pedestrian crossing protection</td>
<td>Selected</td>
<td>Pedestrian underpasses or overpasses at high-volume locations.</td>
</tr>
<tr>
<td>8. Emergency communications system</td>
<td>Selected</td>
<td>For direct access to DART Public Safety personnel from restricted guideway segments.</td>
</tr>
<tr>
<td>III. OPTIONAL MITIGATION MEASURES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Grade separations</td>
<td>Selected</td>
<td>Used at guideway crossings where no other mitigation measures will solve traffic impacts.</td>
</tr>
<tr>
<td>10. Visual screening</td>
<td>Selected</td>
<td>As required.</td>
</tr>
<tr>
<td>11. Noise and vibration screening</td>
<td>Selected</td>
<td>As required.</td>
</tr>
<tr>
<td>12. Electromagnetic interference</td>
<td>Selected</td>
<td>As required.</td>
</tr>
<tr>
<td>13. Other measures</td>
<td>Selected</td>
<td>As required.</td>
</tr>
</tbody>
</table>

12/5/89 2-16
RECOMMENDED KEY FEATURES FOR TYPICAL DART LIGHT RAIL TRANSIT VEHICLES

I. Introduction

The Transit System Plan approved by the DART Board of Directors on June 27, 1989, includes 66 miles of light rail transit to be in service by 2010, with 20 miles to be in operation by 1996 as the light rail Starter System.

A key component of the light rail system is the rail vehicle fleet. The vehicles provide mobility for the passengers over the light rail network and form the environment in which the passengers spend most of their time while using the DART system.

The principal purpose of the vehicles is to provide transportation to riders that is:

- safe;
- fast;
- convenient;
- dependable;
- comfortable;
- acceptable to the surrounding neighborhoods;
- affordable; and
- cost-effective.

The purpose of this document is to describe the key features recommended for DART's typical light rail vehicle to allow the staff to develop the final functional and technical specifications of the vehicle and to proceed with its procurement.

Requests for Statements of Interest (RSOI) were sent to light rail vehicle manufacturers and suppliers in the Fall of 1989 to obtain comments on the draft technical requirements and specifications for the basic DART light rail vehicle. The next step in the vehicle procurement process, distribution of Requests for Technical Proposals (RFTP), is planned for early Spring of 1990.
and will only be sent to firms that responded satisfactorily to the RSOI.

II. Background

On May 23, 1989, the DART Board of Directors approved the basic design concept for the DART light rail vehicle. The key features of that basic vehicle are as follows:

- Articulated vehicle (see Figure 1), with married-pair vehicle to be investigated as an alternative (see Figure 2).
- Six axles (with eight axles for married pair).
- Standard light rail vehicle width (8'6" to 9'6").
- Approximate length of 90' to 95'.
- Maximum speed of at least 55 to 60 miles per hour.

The recommended features described in this document are an expanded list of vehicle features built upon the initial five characteristics shown above. These recommended key features (and any numeric values associated with the features) are subject to revision and refinement as the analysis of the vehicle's specific technical requirements progresses.

III. Recommended Key Features for Typical Vehicles

Table 1 lists 40 features that are recommended for the typical DART light rail transit vehicle. Those features are divided into seven major categories:

- General Performance;
- Systems;
- Passenger Comfort;
- Passenger Safety;
- Passenger Information;
The following text briefly describes each of the recommended features by major category.

1. General Performance

Fifteen features are recommended under the general vehicle performance category. The first five features shown on the table were previously adopted by the DART Board:

- The vehicle type will be an articulated or married-pair car.
- The vehicle will have six axles if it is articulated, or eight if it is a married-pair vehicle.
- The vehicle's maximum speed will be at least 55 to 60 miles per hour.
- The vehicle will be approximately 90 to 95 feet long as measured over the coupler faces.
- The vehicle will be a "standard" light rail vehicle width of 8'6" to 9'6".

The other features listed in this category include:

- Interior height of vehicle body: A height of 7'1" at the vehicle's center line ensures adequate vertical clearance for passengers inside the car.
- Vehicle capacity: Passenger capacity varies based on car width, number of seats, and seating arrangement. The planned DART light rail vehicle is expected to have at least 175 "spaces" (75 seats plus 100 standee spaces), with adequate room for mobility-impaired passengers. This amount of passenger spaces in a vehicle of the recommended size provides a high level of seating comfort, an important factor in attracting passengers to the DART system.
Vehicle boarding characteristics: The value shown for the level of the vehicle’s floor, one meter, is the maximum permitted under the basic DART specifications. The floor must be high enough to accommodate auxiliary equipment under the vehicle. The special-use boarding platform for mobility-impaired passengers must be constructed at the same height as the vehicle floor.

The primary boarding method will be through the use of steps in the vehicle doorwell from the low-level platforms described in the station design policies. However, mobility-impaired passengers will utilize high-level boarding at the front door of the first vehicle in each train from the special-use platform at all stations.

Doors: The typical DART light rail vehicle will have four doors on each side of the car. The front door will permit entry from the special-use high-level platform as noted above, while the remaining three doors will accommodate standard low-level boarding.

Minimum turning radius: The recommended minimum turning radius for the DART light rail vehicles is 100 feet. While no curves this small are anticipated on the running sections of the system, a turning radius of 100’ will be needed in maintenance and storage yards as well as turnbacks and crossovers on the running lines. Most standard light vehicles already meet or exceed this minimum requirement.

Wheel gauge: The DART light system is planned around the standard track gauge in the United States (4’8.5”).

2. Systems

The vehicle systems category includes those major features and capabilities that directly relate to the safe and efficient operation of the rail vehicles.
Vehicle operating orientation: Vehicle orientation is either unidirectional (can only be operated in one direction and must be turned around to reverse direction) or bidirectional (can be operated in both directions by simply reversing, not turning around). The DART light rail vehicle will be designed for bidirectional operation with operator cabs on both ends of each car.

This feature improves operating flexibility for train makeup and breakup, eases turnbacks at the end of lines, and quickens short turns prior to the end of lines. It also allows emergency maneuvering in abnormal operational situations. Bidirectional capability with dual cabs is a normal feature for light rail systems similar to DART's.

Multi-car train capability: DART's light rail vehicles will be equipped to permit multiple-car trains to be operated by a single operator in the cab of the leading vehicle. This feature is typical for light rail systems similar to DART's.

Power pickup: A light rail system with at-grade crossings (such as DART's) requires overhead power pickup using roof-mounted pantographs.

Communications: DART's light rail vehicles will be equipped with two-way communications between the operator and the control center as well as between the operator and the passenger compartments. This is an essential feature of any rail transit system.

Signaling: Signals display speed and track occupancy ("stop/go") instructions to the train operator. Planning for DART's light rail vehicle envisions a mixture of cab signal capabilities (i.e., the signal aspect is displayed in the operator's cab) and wayside (beside-the-track) signals.

Automatic Train Protection (ATP): The DART train protection strategy, which is still under development, recommends wayside "trip stop" equipment at selected locations to
automatically stop a train without operator intervention. This feature will prevent a train from entering occupied or protected "blocks" (sections) of track and will accommodate expansion in the future as the frequency of trains increases. The ATP will also automatically activate signals and gates at grade crossings with public roadways.

3. Passenger Comfort

Vehicle comfort features enhance both the vehicle's interior environment and the ride quality for the passenger.

- **Climate control:** The interior climate of the DART light rail vehicle will be enhanced with ventilation, air conditioning, heating, and humidity control capabilities. These features are considered standard for a light system with the trip length characteristics and climate of Dallas.

- **Lighting:** Adequate lighting will be provided in vehicles, both for comfort and for safety. Special emergency lighting will be provided as well.

- **Noise control:** The interior noise levels will be held within acceptable limits using a number of strategies, including equipment design, sound shielding materials, and sound absorbing and damping materials. Some of these measures will also serve to reduce external noise levels as well.

- **Ride Quality:** The three general vehicle requirements associated with ride quality (acceleration/jerk limiting, vibration, pitch/yaw/sway) will be satisfied at all times except during emergency stopping situations. Maintaining a high level of ride quality is very important in a "choice rider" travel marketplace such as DART's.
4. Passenger Safety

Safety is the primary concern in the implementation of DART's light rail system as well as in the implementation of any DART program or project. The light rail vehicles will contribute to the overall safety effort with a number of safety-related features.

- **Systems-related safety features:** These system features support efficient and reliable vehicle operations, but also play a key role in ensuring safety. Automatic train protection will prevent trains from entering selected "blocks" of track and will also activate grade crossing signals and gates. A "dead man's" train safety feature will automatically stop a train if the operator releases his/her power control due to inattention or health problems. Vehicles will also be equipped with electromagnetic track brakes for use in emergencies.

- **Communications:** The basic communications system will also include special emergency communications capabilities to ensure swift, effective detection of and response to incidents. The communications system, like other elements of the "systems" group of features, is still under development.

- **Materials:** Safety will be further enhanced with the careful specification of materials to be used in the vehicles. Flame resistance and a low or non-toxicity level during exposure to heat or flame will be key requirements of the vehicle specifications. Shatter resistance (for materials such as glazing) is another example of enhancing safety through careful selection of materials.

5. Passenger Information

This category includes information requirements typical for rail transit vehicles. This effort must be coordinated with the station information displays and with the overall information and graphics strategy for the system.
Exterior signing: Large, highly visible exterior destination and route signing is important to assist the passengers with directional orientation at the station and correct selection of trains on a line with branches or short turns. This signage can consist of electronic or manual systems.

Interior signing: Well-designed interior signing is required to confirm the passenger's choice of vehicle, to clearly indicate the sequence of stations, and to prompt the passenger of the correct moment to prepare for deboarding. General information, fare, passenger conduct, and emergency procedures should also be properly displayed.

Public address system: All vehicles will be equipped with a public address system so that routine information (such as "next station stop") as well as exceptional information (such as on system delays or emergency situations) can be quickly relayed to the passengers.

6. Aesthetics

Vehicle appearance, like ride quality, is an important factor in attracting the "choice" rider in the DART travel market as well as for maintaining a positive image within the community. Equipment design as well as finishes, colors, etc., should be carefully chosen to reflect a futuristic, high-tech image while remaining relatively low in maintenance costs.

Vehicle design experts with a sensitivity to the special emphasis on vehicle appearance will be available to assist both the Board and the staff in developing the vehicle's visual appearance. The Board will have ample opportunities to participate in the visual design development effort.

7. Neighborhood Mitigation

This category contains the usual list of mitigation impact areas ranging from noise to traffic and safety. Details regarding the warrants for and treatments of adverse effects of the vehicle's operations will be presented in the mitigation warrant reports currently under development.
### TABLE 1
SUMMARY OF RECOMMENDED KEY FEATURES FOR TYPICAL DART LIGHT RAIL VEHICLE

<table>
<thead>
<tr>
<th>Feature</th>
<th>Remarks/ Typical Value(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. GENERAL PERFORMANCE</strong></td>
<td></td>
</tr>
<tr>
<td>1. Vehicle type</td>
<td>Articulated or married pair.</td>
</tr>
<tr>
<td>2. Axles</td>
<td>Six for articulated; eight for married pair.</td>
</tr>
<tr>
<td>3. Maximum speed</td>
<td>At least 55 to 60 miles per hour.</td>
</tr>
<tr>
<td><strong>Dimensions:</strong></td>
<td></td>
</tr>
<tr>
<td>4. Length</td>
<td>Approximately 90 to 95 ft.</td>
</tr>
<tr>
<td>5. Width</td>
<td>Approximately 8’6” to 9’6”</td>
</tr>
<tr>
<td>6. Height</td>
<td>At least 7’1” interior height at center line of vehicle.</td>
</tr>
<tr>
<td><strong>Capacity:</strong></td>
<td></td>
</tr>
<tr>
<td>7. Seating</td>
<td>At least 75 seats.</td>
</tr>
<tr>
<td>8. Standing</td>
<td>At least 100 spaces.</td>
</tr>
<tr>
<td>9. Space for wheelchairs</td>
<td>At least one at each end of vehicle.</td>
</tr>
<tr>
<td><strong>Boarding-Related:</strong></td>
<td></td>
</tr>
<tr>
<td>10. Vehicle floor height</td>
<td>One meter (39.4”) maximum.</td>
</tr>
<tr>
<td>11. Standard boarding</td>
<td>Via low-level steps.</td>
</tr>
<tr>
<td>12. Mobility impaired boarding</td>
<td>High-level via wayside ramp and platform.</td>
</tr>
</tbody>
</table>
Other:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>13. Doors</td>
<td>On both sides of vehicle, 4 per side.</td>
</tr>
<tr>
<td>14. Minimum turning radius</td>
<td>100 feet.</td>
</tr>
<tr>
<td>15. Track/wheel gauge</td>
<td>Standard gauge, 4’8.5&quot;.</td>
</tr>
</tbody>
</table>

II. SYSTEMS

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>16. Vehicle operating orientation</td>
<td>Bidirectional, with cab at both ends.</td>
</tr>
<tr>
<td>17. Multiple car train capability</td>
<td>Can operate in multiple-car trains with one operator.</td>
</tr>
<tr>
<td>18. Power pick-up</td>
<td>Overhead via pantograph.</td>
</tr>
<tr>
<td>19. Communications</td>
<td>Operator communications with passengers and to and from control center.</td>
</tr>
<tr>
<td>20. Signaling</td>
<td>In cab and wayside.</td>
</tr>
</tbody>
</table>

III. PASSENGER COMFORT

Environment:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>22. Climate control</td>
<td>Air conditioning, heating, ventilation, humidity control.</td>
</tr>
<tr>
<td>23. Lighting</td>
<td>Adequate for passenger comfort and for security purposes.</td>
</tr>
<tr>
<td>24. Noise control</td>
<td>To keep interior noise at comfortable levels.</td>
</tr>
</tbody>
</table>
Ride Quality:

25. Acceleration/jerk limiting
   Within industry standards for comfortable limits.

26. Vibration
   Same as above.

27. Pitch, yaw, sway, etc.
   Same as above.

IV. PASSENGER SAFETY

28. Systems-related safety features
   Enhanced by signaling and train protection features.

29. Communications-related safety features
   Special emergency communications capabilities, including two-way communications between operator and passengers.

30. Vehicle materials
   Limits on flammability, toxicity, shattering, etc.

V. PASSENGER INFORMATION

31. Exterior destination and route signs
   Large, highly-visible signs on front and sides of vehicle.

32. Interior destination, route, system, fare, and conduct signs and information
   On display in each car.

33. Interior emergency conduct signs and information
   Same as above.

34. Public address system
   To call out station stops and to relay other essential information.
VI. AESTHETICS

35. Exterior hardware  Futuristic, high-tech appearance.
36. Interior hardware  Sleek, attractive.
37. Finishes, colors, textures, etc.  Bright, durable, low-maintenance, graffiti- and vandal-resistant.

VII. NEIGHBORHOOD MITIGATION

38. Noise mitigation  Through use of resilient wheels, vehicle skirts, and other measures as required per separate mitigation warrants.
39. Vibration mitigation  Same as above.
40. Safety measures  Features such as exterior lights and reflectors and horns and bells to prevent collisions with pedestrians and other vehicles.
RECOMMENDED KEY DESIGN FEATURES FOR CBD TRANSITWAY MALL

I. AMENITIES

1. Landscaping
   Above that required by city codes; to help mall "blend in" and enhance local area. Indigenous where possible.

2. Art projects
   Community-based art projects as required by Board 12/8/87. Exact budget to be determined by Arts Committee.

3. High-quality paving materials
   For architectural enhancement, pedestrian and motor vehicle traffic flow, delineation of track areas, etc.

4. Miscellaneous design features
   Water features such as fountains or water sculptures; innovative street furniture; plazas; well-designed trash receptacles and drinking fountains; lighting fixtures above that required for security; and others.

II. PASSENGER ACCESS

5. Pedestrian walkways
   Grade-level paths to lead pedestrian movement to platforms, intersections, etc.
III. RAIL VEHICLE ACCESS

6. Low-level platform
   8-10 inches above track.

7. High-level special-use platform with ramp and shelter
   For mobility-impaired and other boarding, located to align with front door of first car. Canopy or shelter for protection from the elements.

IV. FARE COLLECTION

8. Self-service ticket dispensers
   Self-service barrier-free fare collection system adopted by Board 1/8/85.

9. Self-service ticket validators
   Machines to ensure that passengers have enough fare to get to final destination. Fare is then checked by "roving" ticket inspectors.

V. PASSENGER INFORMATION

10. General system information
    Easy-to-read maps and schedule information in convenient locations.

11. Orientation signage
    Street maps of immediate area to identify points of interest and public facilities.

12. Off-site and on-site guide signs
    Signage to direct pedestrians or bus riders between mall and nearby streets.

13. Train status display at stations
    Real-time electronic display to show expected arrival of next train, destination, emergencies, delays, etc.
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Emergency signage</td>
</tr>
<tr>
<td></td>
<td>To guide passengers out of stations and off mall in an emergency.</td>
</tr>
<tr>
<td>15</td>
<td>Public address system</td>
</tr>
<tr>
<td></td>
<td>Primarily in stations, to allow system personnel to communicate with waiting patrons to inform them of delays, emergencies, etc.</td>
</tr>
<tr>
<td>VI</td>
<td>PASSENGER CONVENIENCE</td>
</tr>
<tr>
<td>16</td>
<td>Pay telephones</td>
</tr>
<tr>
<td></td>
<td>In convenient locations.</td>
</tr>
<tr>
<td>17</td>
<td>Advertising space</td>
</tr>
<tr>
<td></td>
<td>In accord with Board policy of 2/23/88; prepared and placed to avoid conflict with system information and signage.</td>
</tr>
<tr>
<td>18</td>
<td>Vending/ATM machine(s)</td>
</tr>
<tr>
<td></td>
<td>If warranted; in accord with Board policy of 2/23/88.</td>
</tr>
<tr>
<td>19</td>
<td>Vendor/retail space/vendor-provided restrooms</td>
</tr>
<tr>
<td></td>
<td>Same as above.</td>
</tr>
<tr>
<td>VII</td>
<td>PASSENGER COMFORT</td>
</tr>
<tr>
<td>20</td>
<td>Canopies</td>
</tr>
<tr>
<td></td>
<td>To cover portion of platform; to enhance and be architecturally-compatible with immediate area.</td>
</tr>
<tr>
<td>21</td>
<td>Wind screens</td>
</tr>
<tr>
<td></td>
<td>Translucent or solid screens; architecturally-compatible with immediate area and overall design scheme.</td>
</tr>
<tr>
<td>22</td>
<td>Seating</td>
</tr>
<tr>
<td></td>
<td>Low-maintenance seating primarily in stations but also in other convenient locations along mall.</td>
</tr>
</tbody>
</table>

12/5/89
### VIII. SAFETY AND SECURITY

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>23. Lighting</td>
<td>For safety and for passenger convenience; to be architecturally-compatible with immediate area.</td>
</tr>
<tr>
<td>24. Vehicle crossing protection</td>
<td>Signs, signals, or other means at grade crossings to deter rail vehicle collisions with motor vehicles.</td>
</tr>
<tr>
<td>25. Pedestrian crossing protection</td>
<td>Signs, signals, special paving materials, etc.</td>
</tr>
<tr>
<td>26. Signals coordination</td>
<td>Synchronization of traffic signals to promote smooth traffic flow and deter collisions.</td>
</tr>
<tr>
<td>27. Emergency vehicle access</td>
<td>To allow access for emergency vehicles at all times.</td>
</tr>
</tbody>
</table>

### IX. MITIGATION

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>28. Traffic improvements</td>
<td>Signs, signals, and special construction to promote smooth motor vehicle flow and to mitigate impacts as necessary.</td>
</tr>
<tr>
<td>28. Visual screening</td>
<td>Landscaping, walls, or other means to enhance immediate area around mall and to mitigate any potential adverse visual impacts in sensitive areas.</td>
</tr>
<tr>
<td>30. Noise and vibration screening</td>
<td>Landscaping, sound walls, or other means to enhance immediate area around mall and to mitigate any potential adverse noise or vibration impacts in sensitive areas.</td>
</tr>
</tbody>
</table>

12/5/89
## X. TRAIN GUIDANCE

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>31. Track gauge</td>
<td>Standard gauge, 4'8.5&quot;.</td>
<td></td>
</tr>
<tr>
<td>32. Minimum turning radius</td>
<td>100 feet</td>
<td></td>
</tr>
<tr>
<td>33. Roadbed</td>
<td>Direct fixation in paved areas; standard tie-and-ballast elsewhere.</td>
<td></td>
</tr>
<tr>
<td>34. Overhead power source</td>
<td>Overhead catenary, designed to be architecturally compatible with immediate area and overall design scheme.</td>
<td></td>
</tr>
</tbody>
</table>
DOWNTOWN TRANSITWAY MALL
GRANDAND SQUARE VERNON CONCEPT PLAN
PERSONS DESIGN/TRANSPORT
SAND AND ENDEAVORS, INC./URBAN DESIGN

AUGUST 1, 1984
### RECOMMENDED KEY DESIGN FEATURES FOR COMMUTER RAIL SYSTEM

(Note: station features already covered in previous design policies)

<table>
<thead>
<tr>
<th>Feature</th>
<th>Remarks/Typical Value(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. TRAIN GUIDANCE</strong></td>
<td></td>
</tr>
<tr>
<td>1. Shared right-of-way</td>
<td>In existing railroad corridor with coordinated freight traffic.</td>
</tr>
<tr>
<td>2. Trackwork</td>
<td>Standard gauge, 4'8.5&quot;.</td>
</tr>
<tr>
<td><strong>II. SAFETY AND SECURITY</strong></td>
<td></td>
</tr>
<tr>
<td>4. Fencing</td>
<td>As required, especially in high-density areas.</td>
</tr>
<tr>
<td>5. Vehicle crossing protection</td>
<td>At all grade crossings; to deter rail/vehicle collisions with motor vehicles.</td>
</tr>
<tr>
<td>6. Pedestrian crossing protection</td>
<td>Pedestrian underpasses or overpasses at high-volume locations as required.</td>
</tr>
<tr>
<td>7. Emergency communications system</td>
<td>For direct access to DART Public Safety personnel from restricted guideway segments.</td>
</tr>
</tbody>
</table>
III. MITIGATION

8. Grade separations Used at guideway crossings where no other mitigation measures will solve traffic impacts.

9. Visual screening As required.

10. Noise screening As required.

11. Vibration mitigation As required.

IV. PASSENGER VEHICLE

12. Type Standard push-pull or self-propelled commuter vehicle.


Dimensions:

14. Length 85' to 90'.

15. Width 9'10" to 10'6".

16. Exterior height 12'6" to 16'.

Capacity:

17. Seating 130 to 168

18. Standing None

19. Space for wheelchairs At least one at each end of vehicle.

Boarding capabilities:

20. Vehicle floor height 2' to 4'6"

21. Standard boarding Via low-level platform

22. Mobility-impaired boarding High-level via wayside ramp and platform.
### Environmental Controls:

23. Climate control  
Air conditioning, heating, ventilation, humidity control.

24. Lighting  
Adequate for passenger comfort and security; with overhead reading lamps.

25. Noise control  
Insulation to keep interior noise at comfortable levels.

### Ride quality:

26. Acceleration  
Within industry standards for comfortable limits.

27. Vibration  
Same as above.

28. Pitch/yaw/sway, etc.  
Same as above.

### Safety features:

29. Systems-related  
Signaling and train protection

30. Vehicle materials  
Limits on flammability, toxicity, shattering, etc.

### Other:

31. Doors  
2 on each side of vehicle, operable from one location.

32. Exterior finish and appearance  
Futuristic, high-tech appearance within budget limitations; low-maintenance materials.

33. Interior finishes  
Similar to express buses, such as attractive but low-maintenance reclining seats, skid-resistant flooring, overhead luggage racks.
V. SYSTEMS

34. Vehicle operating orientation
Push-pull, with locomotive at one end and passenger vehicle at the other.

35. Multiple car train capability
Can operate in multiple-car trains.

36. Power
Diesel locomotives.

37. Communications
Operator communications with passengers and to and from control center.

38. Signals
Wayside.

39. Train protection
Central corridor control to prevent collisions between trains.

VI. PASSENGER INFORMATION ON VEHICLE

40. Exterior signage
Large, highly-visible destination and route signs.

41. Interior signage
Destination, route, system, fare, and conduct signs on display in each car.

42. Interior emergency signage
On display in each car.

43. Public address system
To allow operator or on-board personnel to call out station stops and relay other essential information to passengers.
# RECOMMENDED KEY DESIGN FEATURES FOR HOV LANES

<table>
<thead>
<tr>
<th>Feature</th>
<th>Remarks/Typical value(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. PASSENGER ACCESS</strong></td>
<td></td>
</tr>
<tr>
<td>1. Bus transfer facilities</td>
<td>Pulse points that may be needed in selected locations near entrances and exits of HOV lanes.</td>
</tr>
<tr>
<td>2. Park-and-ride lots</td>
<td>Special lots that may be needed based on passenger demand, built near entrances and exits and upstream of HOV lanes.</td>
</tr>
<tr>
<td><strong>II. HIGH-OCCUPANCY VEHICLE ACCESS</strong></td>
<td></td>
</tr>
<tr>
<td>3. On/off ramps</td>
<td>To allow vehicles to enter HOV lanes from streets and highways.</td>
</tr>
<tr>
<td>4. Signs and signals</td>
<td>To guide vehicles on and off HOV lanes.</td>
</tr>
<tr>
<td><strong>III. VEHICLE GUIDANCE</strong></td>
<td></td>
</tr>
<tr>
<td>5. Traffic lane construction</td>
<td>Standard highway lanes built to accommodate HOV vehicles, usually within highway rights-of-way.</td>
</tr>
<tr>
<td>6. Way structures</td>
<td>Aerial structures to support grade-separated lanes.</td>
</tr>
<tr>
<td>7. Traffic barriers</td>
<td>To keep HOV traffic separated from regular vehicular traffic.</td>
</tr>
<tr>
<td>8. Lane markings</td>
<td>To ensure safe flow of HOV traffic.</td>
</tr>
</tbody>
</table>
IV. SAFETY AND SECURITY

9. Shoulders
   To allow emergency evacuation of passengers from HOV vehicles and for emergency parking of disabled vehicles.

10. Emergency vehicle access
    To allow emergency vehicles easy access at all times to HOV lanes.
HOV TRANSITWAY

TYPICAL SECTIONS

ONE WAY

TWO WAY
It is the policy of Dallas Area Rapid Transit Board of Directors to administer LAP/CMS program as part of the Transit System Plan to provide transit related mobility benefits through financial assistance to the DART member cities not scheduled for rail service by 1996. The Guidelines for the LAP/CMS program are designed to govern how the program is to be administered by DART on behalf of the eligible member cities. Upon execution of interlocal agreements with each eligible city, the LAP/CMS program will take effect no earlier that October 1, 1996.

GUIDELINES FOR THE LAP/CMS PROGRAM
August 27, 1996

A. OBJECTIVE:

Provide continued financial assistance for projects consistent with these guidelines and DART's enabling legislation that enhance mobility in DART member cities that do not yet have rail construction in progress.

B. ELIGIBLE MEMBER CITIES:

The following cities are eligible to receive LAP/CMS funds as of October 1, 1996:

Addison, Carrollton, Cockrell Hill, Farmers Branch, Garland, Glenn Heights, Irving, Plano, Richardson, Rowlett.

C. ALLOCATIONS:

The LAP/CMS fund allocations will be made available for use by an eligible member city annually from FY 1997 through FY 2004 when the program allocations end. The annual allocation will be calculated by multiplying by 15% (7.5% for Irving) the DART sales taxes collected in an eligible member city for the previous twelve month period ending June 30. Each new annual allocation will be available for expenditure on October 1 (beginning in 1996).

The FY 1996 Financial Plan includes approximately $87,000,000 for this program. Table 1 shows the allocations by DART member city, based on the 1996 projections and anticipated program duration. The time schedule in Table 1 is subject to change during DART's annual budget cycle. A city will no longer be eligible to receive program funds in the fiscal year after the Board awards a contract to initiate rail construction within that member city. In no case shall the DART Board award such a contract more than six months prior to construction. The budget for LAP/CMS will be revisited based on agency requirements to meet its obligations.

D. PROJECT ELIGIBILITY:

Eligible types of projects are shown below. In general, eligible projects are divided into two categories: 1) Transit related street improvements and 2) Transit supportive projects and programs.
Adoption of Local Assistance Program/Congestion Management System (LAP/CMS) Policy and Approval of LAP/CMS Guidelines for Incorporation into Eligible City Interlocal Agreements

Typically, funds approved for capital projects may be used for planning, environmental impact studies, engineering, final design, right-of-way acquisition, construction, and testing/inspection/surveying. Maintenance and operations may also be funded if approved by the DART Board in accordance with Section E of the guidelines.

Any project not explicitly listed but considered allowable under DART’s enabling legislation may be proposed for DART consideration. Additional eligible projects include:

Transit related street improvements (streets with current or planned/previous bus routes).

1. Roadway improvements that add capacity
   - Road widening
   - Adding storage to turn lanes
   - Adding turn lanes
   - Adding/deleting access points
   - Adding bus priority lanes
   - HOV lanes

2. Grade separations

3. Matching funds for federal/state programs

4. Intersection improvements
   - New signals
   - Computerization of signals
   - Traffic surveillance equipment
   - Telecommunications

5. Cooperative funding of intercity capacity improvements
   - Signal progression
   - Bus only lanes
   - Bus signal preemption
   - Arterial street HOV lanes
   - Roadway and intersection improvements

6. Special design provisions along roadways and intersections with planned bus routes
   - Shelters
   - Sidewalks
   - Bus stops

Bus turnouts
   - Bus priority treatments

7. Roadway and intersection safety improvements

Transit supportive projects and programs

8. Additional service including non-productive service (previously eliminated or not meeting warrants)

9. Transportation services for the elderly and/or disabled
   - Emergency medical
   - Shuttle services

10. ADA compliance items related to the provision of transit service

11. Sidewalks related to providing access to transit facilities or services

12. Bus shelters

13. Bus benches

14. Travel demand management
   - Transportation Management Association operating funds
   - User subsidies for transit service
   - Vanpool programs
   - Rideshare promotion and incentives
   - Alternate work schedule subsidies
   - Employer trip reduction support
   - Emergency ride home funding
taxi/loaner car

15. Vans for vanpool programs

16. Park and Ride lots

17. Mid-block bus turnouts

18. Incorporating private transit services/facilities into DART

Planning IV.05
19. Transportation enhancements at existing and planned DART transit centers, transfer centers and rail stations.

20. DART and Railtran related railroad crossing and right of way improvements to include street closings or grade separations.

21. Technical Assistance Program (TAP) funds may include, but are not limited to:
   - Transit planning, feasibility, design and engineering studies
   - Salaries for new or existing city staff time specifically allocated for transportation planning and/or studies, or interface with the DART staff on activities affecting the subject city
   - Technical Assistance seminars
   - Study and implementation of transit-supportive land use planning policies and other policies that benefit public transit
   - Minor capital support for technical staff

22. Other projects not meeting the test of past, present, or future bus service, but which are of significance to mobility as long as benefits to transit can be demonstrated. For example: A project not located on a DART fixed transit route that relieves traffic congestion on a parallel or intersecting DART route could be eligible for LAP/CMS funding.

E. PROJECT MAINTENANCE AND OPERATION:

Project maintenance is the responsibility of the project owner. If shared maintenance responsibility for a project is desired, the cost sharing arrangements must be approved by the DART Board and the eligible city as part of the project approval process. Operating costs of LAP/CMS projects may be eligible for LAP/CMS funding subject to DART Board approval.

F. PROJECT SUBMITTALS AND REPORTING:

Cities will prepare LAP/CMS applications for consideration and approval by DART. DART staff will have 30 days to review and respond to the applications. Once approved, the funding amount in the application becomes "programmed". Left over funding returned to DART after project closing becomes "unprogrammed". A city may simultaneously return and "reprogram" left over funds by submitting a project application for approval along with the leftover monies.

DART will prepare, by September 1 of each year, a projected LAP/CMS allocation for each city for budget purposes consistent with the DART Financial Plan in effect at that time. DART will report quarterly (within 30 days after close of the quarter) on the status of the LAP/CMS fund including amounts allocated, amounts programmed, amounts expended, amounts available for reprogramming from completed projects, and a total amount available for programming for each eligible city.

Eligible cities will provide to DART notice of requests for LAP/CMS payment (at least 90 days in advance of a request for LAP/CMS payment) for any amount exceeding $250,000.

Eligible cities will maintain accurate books and records of all approved projects. Cities will maintain separate records on each project including project budgets, budget amendments, revised budget balances, expenditures to date, estimated cost to complete, and DART payments to date. DART maintains the right to audit a city's books to ensure that funds are spent in accordance with the approved workplan and DART's enabling legislation.

Cities maintain the right to audit DART's books to ensure that the fund allocations and disbursements are in accordance with these guidelines and other applicable laws.
Adoption of Local Assistance Program/Congestion Management System (LAP/CMS) Policy and Approval of LAP/CMS Guidelines for Incorporation into Eligible City Interlocal Agreements

Eligible cities will provide an Annual Cash Flow Projection report (See Table 2) for all approved projects by June 30 of each year beginning in 1997. DART may request updated cash flow projections from time to time to monitor its projected cash outflows.

G. CASH PAYMENTS:

DART will prefund Technical Assistance Program (TAP) costs on an annual basis after submittal of an annual work plan by the eligible member city and approval by DART. Technical Assistance funding will be 3% of an eligible city’s annual program allocation.

DART will distribute LAP/CMS funds to the city for a City Council approved project according to the following schedule:

- Project cost of $250,000 or less
  - 100% of the cost upon approval by the City Council
  - DART will pay within thirty (30) days of receipt of a request for payment with supporting documentation.

- Project cost of over $250,000
  - 20% of the cost upon approval by the City Council.
  - 80% of the cost upon Notice of Award by the city.
  - Provided that written notice is received from the city at least 90 days in advance, DART will pay within thirty (30) days of receipt of a request for payment over $250,000 with supporting documentation.

Eligible cities will provide to DART a completion report for each project documenting final acceptance of the project and final project cost. Project documentation will consist of a statement of project expenditures attested by an authorized financial staff member, copies of paid invoices, or other similar documents.

DART staff is authorized without further Board approval to pay at project closeout an amount up to 10% higher than the approved project amount for properly documented eligible project costs. At project completion, cities will return any LAP/CMS funds distributed but unspent. These funds will be available for reprogramming.

Any unused funds allocated to an eligible city in any year will continue to be available to that city in succeeding years unless the city withdraws from DART. Interest will not be paid on allocated, but unpaid LAP/CMS balances.

H. OTHER FINANCIAL CONSIDERATIONS:

Since the LAP/CMS program allows for funding of operating and capital transit projects, member cities will be eligible to apply for and receive FTA funds with prior approval by the DART Board. Plano will continue to be eligible to receive funds for projects begun prior to FY 1989.

Member cities may pool their LAP/CMS allocations for approval and implementation of eligible projects.

Advanced (beyond 1 year) programming of funds is allowed subject to Board approval; however, cities may not program, in any future year, more than the current year’s LAP/CMS allocation.

Board approval will be required for projects over $100,000. DART staff will approve projects requiring LAP/CMS funding in amounts of $100,000 or less. A city may appeal to the Board any DART staff decision regarding project approval.

Starting October 1, 1997, all unused existing LAP funds will be administered as part of the new LAP/CMS program. Interest will accrue on the unpaid LAP balance through September 30, 1997, at a fixed rate of 4%.

All DART payments for LAP or LAP/CMS projects will be drawn from the eligible city’s existing LAP fund balance until it is exhausted. After all LAP funds allocated are disbursed, further payments will be drawn from that city's LAP/CMS allocation.
I. EXPANDED REVENUE SHARING

In accordance with Section 5 of DART Board Resolution No. 950260 of November 14, 1995, it is DART's intent to continue to explore options for expanded revenue sharing with member cities to meet the region's transportation needs. These guidelines do not reflect the process to be used to provide expanded revenue sharing.

J. WITHDRAWAL OF MEMBER CITIES

If a city withdraws from DART, no additional LAP/CMS funding will be allocated to that city. In the event of a withdrawal, only individual projects for which construction contracts have been executed or for which formal funding agreements have been executed will be funded by DART and allowed to proceed to completion, and the funds for completing these projects will be included as that city's specific obligation if that city withdraws from DART. All other funds revert to DART. Once a city calls a withdrawal election, no new LAP/CMS projects will be considered for approval until after the election is canvassed.

K. PROJECT IDENTIFICATION

Each construction project will display at least one sign on each approach to the construction site indicating funding for that project is provided through the DART LAP/CMS program. In addition, after implementation if a project shall have a visible permanent marker it shall indicate that funding for the project was provided through the DART LAP/CMS program.

[The table which is attached to this policy and came from Resolution No. 960153 is now outdated. An updated table found in the 1998 Financial Plan has been attached to this policy.]

Note: Wording located in brackets ([ ]) indicates information which has been added for clarification purposes only.
Exhibit 16
Projected LAP/CMS Program
($ in thousands)

<table>
<thead>
<tr>
<th>Member City</th>
<th>9/30/97 LAP/CMS Balance</th>
<th>FY 1998 Allocation</th>
<th>Future Allocations FY98-04</th>
<th>LAP/CMS Program Ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison</td>
<td>$3,539</td>
<td>$1,163</td>
<td>$10,005</td>
<td>2004</td>
</tr>
<tr>
<td>Carrollton</td>
<td>4,899</td>
<td>1,990</td>
<td>14,203</td>
<td>2003</td>
</tr>
<tr>
<td>Cockrell Hill</td>
<td>83</td>
<td>6</td>
<td>50</td>
<td>2004</td>
</tr>
<tr>
<td>Dallas County*</td>
<td>52</td>
<td></td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Farmers Branch</td>
<td>5,078</td>
<td>1,655</td>
<td>10,101</td>
<td>2003</td>
</tr>
<tr>
<td>Garland</td>
<td>3,377</td>
<td>2,071</td>
<td>6,675</td>
<td>2000</td>
</tr>
<tr>
<td>Glenn Heights</td>
<td>14</td>
<td>9</td>
<td>77</td>
<td>2004</td>
</tr>
<tr>
<td>Highland Park*</td>
<td>9</td>
<td></td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Irving</td>
<td>5,761</td>
<td>2,286</td>
<td>19,678</td>
<td>2004</td>
</tr>
<tr>
<td>Plano</td>
<td>5,212</td>
<td>4,519</td>
<td>14,567</td>
<td>2000</td>
</tr>
<tr>
<td>Richardson</td>
<td>6,050</td>
<td>2,973</td>
<td>6,172</td>
<td>1999</td>
</tr>
<tr>
<td>Rowlett</td>
<td>354</td>
<td>202</td>
<td>1,742</td>
<td>2004</td>
</tr>
<tr>
<td>University Park*</td>
<td>5</td>
<td></td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$34,433</strong></td>
<td><strong>$16,874</strong></td>
<td><strong>$83,270</strong></td>
<td></td>
</tr>
</tbody>
</table>

* Balances remaining from original LAP program.

For purposes of preparing Exhibit 16, it was assumed that all cities grow at the same rate. Actual payments will be based on actual sales tax collections in future periods and actual contract award dates. During FY 1998, the cities of Richardson and Plano were allocated an additional year of LAP/CMS funding and Garland was allocated two additional years as compared to the FY 1997 Plan due to the use of an updated construction schedule.
EXHIBIT 1

PROPOSED GUIDELINES FOR THE LAP/CMS PROGRAM
A. OBJECTIVE:

Provide continued financial assistance for projects consistent with these guidelines and DART's enabling legislation that enhance mobility in DART member cities that do not yet have rail construction in progress.

B. ELIGIBLE MEMBER CITIES:

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The FY 1996 Financial Plan includes approximately $87,000,000 for this program. Table 1 shows the allocations by DART member city, based on the 1996 projections and anticipated program duration. The time schedule in Table 1 is subject to change during DART's annual budget cycle. A city will no longer be eligible to receive program funds in the fiscal year after the Board awards a contract to initiate rail construction within that member city. In no case shall the DART Board award such a contract more than six months prior to construction. The budget for LAP/CMS will be revisited based on agency requirements to meet its obligations.

D. PROJECT ELIGIBILITY:

Eligible types of projects are shown below. In general, eligible projects are divided into two categories: 1) Transit related street improvements and 2) Transit supportive projects and programs.

Typically, funds approved for capital projects may be used for planning, environmental impact studies, engineering, final design, right-of-way acquisition, construction, and testing/inspection/surveying. Maintenance and operations may also be funded if approved by the DART Board in accordance with Section E of the guidelines.
Any project not explicitly listed but considered allowable under DART’s enabling legislation may be proposed for DART consideration. Additional eligible projects include:

Transit related street improvements (streets with current or planned/previous bus routes).

1. Roadway improvements that add capacity
   - Road widening
   - Adding storage to turn lanes
   - Adding turn lanes
   - Adding/deleting access points
   - Adding bus priority lanes
   - HOV lanes

2. Grade separations

3. Matching funds for federal/state programs

4. Intersection improvements
   - New signals
   - Computerization of signals
   - Traffic surveillance equipment
   - Telecommunications

5. Cooperative funding of intercity capacity improvements
   - Signal progression
   - Bus only lanes
   - Bus signal preemption
   - Arterial street HOV lanes
   - Roadway and intersection improvements

6. Special design provisions along roadways and intersections with planned bus routes
   - Shelters
   - Sidewalks
   - Bus stops
   - Bus turnouts
   - Bus priority treatments

7. Roadway and intersection safety improvements

Transit supportive projects and programs

8. Additional service including non-productive service (previously eliminated or not meeting warrants)

9. Transportation services for the elderly and/or disabled
   - Emergency medical
   - Shuttle services
10. ADA compliance items related to the provision of transit service

11. Sidewalks related to providing access to transit facilities or services

12. Bus shelters

13. Bus benches

14. Travel demand management
   - Transportation Management Association operating funds
   - User subsidies for transit service
   - Vanpool programs
   - Rideshare promotion and incentives
   - Alternate work schedule subsidies
   - Employer trip reduction support
   - Emergency ride home funding taxi/loaner car

15. Vans for vanpool programs

16. Park and Ride lots

17. Mid-block bus turnouts

18. Incorporating private transit services/facilities into DART

19. Transportation enhancements at existing and planned DART transit centers, transfer centers and rail stations.

20. DART and Railtran related railroad crossing and right of way improvements to include street closings or grade separations.

21. Technical Assistance Program (TAP) funds may include, but are not limited to:
   - Transit planning, feasibility, design and engineering studies
   - Salaries for new or existing city staff time specifically allocated for transportation planning and/or studies, or interface with the DART staff on activities affecting the subject city
   - Technical Assistance seminars
   - Study and implementation of transit-supportive land use planning policies and other policies that benefit public transit
   - Minor capital support for technical staff

22. Other projects not meeting the test of past, present, or future bus service, but which are of significance to mobility as long as benefits to transit can be demonstrated. For example: A project not located on a DART fixed transit route that relieves traffic congestion on a parallel or intersecting DART route could be eligible for LAP/CMS funding.
E. PROJECT MAINTENANCE AND OPERATION:

Project maintenance is the responsibility of the project owner. If shared maintenance responsibility for a project is desired, the cost sharing arrangements must be approved by the DART Board and the eligible city as part of the project approval process. Operating costs of LAP/CMS projects may be eligible for LAP/CMS funding subject to DART Board approval.

F. PROJECT SUBMITTALS AND REPORTING:

Cities will prepare LAP/CMS applications for consideration and approval by DART. DART staff will have 30 days to review and respond to the applications. Once approved, the funding amount in the application becomes "programmed". Left over funding returned to DART after project closing becomes "unprogrammed". A city may simultaneously return and "reprogram" left over funds by submitting a project application for approval along with the left over monies.

DART will prepare, by September 1 of each year, a projected LAP/CMS allocation for each city for budget purposes consistent with the DART Financial Plan in effect at that time. DART will report quarterly (within 30 days after close of the quarter) on the status of the LAP/CMS fund including amounts allocated, amounts programmed, amounts expended, amounts available for reprogramming from completed projects, and a total amount available for programming for each eligible city.

Eligible cities will provide to DART notice of requests for LAP/CMS payment (at least 90 days in advance of a request for LAP/CMS payment) for any amount exceeding $250,000.

Eligible cities will maintain accurate books and records of all approved projects. Cities will maintain separate records on each project including project budgets, budget amendments, revised budget balances, expenditures to date, estimated cost to complete, and DART payments to date. DART maintains the right to audit a city's books to ensure that funds are spent in accordance with the approved workplan and DART's enabling legislation. Cities maintain the right to audit DART's books to ensure that the fund allocations and disbursements are in accordance with these guidelines and other applicable laws.

Eligible cities will provide an Annual Cash Flow Projection report (See Table 2) for all approved projects by June 30 of each year beginning in 1997. DART may request updated cash flow projections from time to time to monitor its projected cash outflows.

G. CASH PAYMENTS:

DART will prefund Technical Assistance Program (TAP) costs on an annual basis after submittal of an annual work plan by the eligible member city and approval by DART. Technical Assistance funding will be 3% of an eligible city's annual program allocation.

DART will distribute LAP/CMS funds to the city for a City Council approved project according to the following schedule:
Project cost of $250,000 or less
100% of the cost upon approval by the City Council.
DART will pay within thirty (30) days of receipt of a request for payment with supporting documentation.

Project cost of over $250,000
20% of the cost upon approval by the City Council.
80% of the cost upon Notice of Award by the city.
Provided that written notice is received from the city at least 90 days in advance, DART will pay within thirty (30) days of receipt of a request for payment over $250,000 with supporting documentation.

Eligible cities will provide to DART a completion report for each project documenting final acceptance of the project and final project cost. Project documentation will consist of a statement of project expenditures attested by an authorized financial staff member, copies of paid invoices, or other similar documents.

DART staff is authorized without further Board approval to pay at project closeout an amount up to 10% higher than the approved project amount for properly documented eligible project costs. At project completion, cities will return any LAP/CMS funds distributed but unspent. These funds will be available for reprogramming.

Any unused funds allocated to an eligible city in any year will continue to be available to that city in succeeding years unless the city withdraws from DART. Interest will not be paid on allocated, but unpaid LAP/CMS balances.

H. OTHER FINANCIAL CONSIDERATIONS:

Since the LAP/CMS program allows for funding of operating and capital transit projects, member cities will be eligible to apply for and receive FTA funds with prior approval by the DART Board. Plano will continue to be eligible to receive funds for projects begun prior to FY 1989.

Member cities may pool their LAP/CMS allocations for approval and implementation of eligible projects.

Advanced (beyond 1 year) programming of funds is allowed subject to Board approval; however, cities may not program, in any future year, more than the current year's LAP/CMS allocation.

Board approval will be required for projects over $100,000. DART staff will approve projects requiring LAP/CMS funding in amounts of $100,000 or less. A city may appeal to the Board any DART staff decision regarding project approval.

Starting October 1, 1997, all unused existing LAP funds will be administered as part of the new LAP/CMS program. Interest will accrue on the unpaid LAP balance through September 30, 1997, at a fixed rate of 4%.
All DART payments for LAP or LAP/CMS projects will be drawn from the eligible city's existing LAP fund balance until it is exhausted. After all LAP funds allocated are disbursed, further payments will be drawn from that city's LAP/CMS allocation.

I. EXPANDED REVENUE SHARING

In accordance with Section 5 of DART Board Resolution No. 950260 of November 14, 1995, it is DART's intent to continue to explore options for expanded revenue sharing with member cities to meet the region's transportation needs. These guidelines do not reflect the process to be used to provide expanded revenue sharing.

J. WITHDRAWAL OF MEMBER CITIES

If a city withdraws from DART, no additional LAP/CMS funding will be allocated to that city. In the event of a withdrawal, only individual projects for which construction contracts have been executed or for which formal funding agreements have been executed will be funded by DART and allowed to proceed to completion, and the funds for completing these projects will be included as that city's specific obligation if that city withdraws from DART. All other funds revert to DART. Once a city calls a withdrawal election, no new LAP/CMS projects will be considered for approval until after the election is canvassed.

K. PROJECT IDENTIFICATION

Each construction project will display at least one sign on each approach to the construction site indicating funding for that project is provided through the DART LAP/CMS program. In addition, after implementation if a project shall have a visible permanent marker it shall indicate that funding for the project was provided through the DART LAP/CMS program.
Table 1

LAP/CMS PROJECTIONS
COMPARISON BY MEMBER CITY (1)
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>CITY</th>
<th>FY 1997 Allocation</th>
<th>Total Program Cost</th>
<th>Fiscal Year for Cities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison</td>
<td>$1,136</td>
<td>$11,599</td>
<td>2004</td>
</tr>
<tr>
<td>Carrollton</td>
<td>1,908</td>
<td>17,313</td>
<td>2003</td>
</tr>
<tr>
<td>Cockrell Hill</td>
<td>6</td>
<td>83</td>
<td>2004</td>
</tr>
<tr>
<td>Dallas</td>
<td>0</td>
<td>0</td>
<td>na</td>
</tr>
<tr>
<td>Farmers Branch</td>
<td>1,518</td>
<td>12,522</td>
<td>2003</td>
</tr>
<tr>
<td>Garland</td>
<td>1,975</td>
<td>4,127</td>
<td>1998</td>
</tr>
<tr>
<td>Glenn Heights</td>
<td>8</td>
<td>89</td>
<td>2004</td>
</tr>
<tr>
<td>Highland Park</td>
<td>0</td>
<td>0</td>
<td>na</td>
</tr>
<tr>
<td>Irving (2)</td>
<td>2,149</td>
<td>21,878</td>
<td>2004</td>
</tr>
<tr>
<td>Plano</td>
<td>4,167</td>
<td>12,908</td>
<td>1999</td>
</tr>
<tr>
<td>Richardson</td>
<td>2,768</td>
<td>4,971</td>
<td>1998</td>
</tr>
<tr>
<td>Rowlett</td>
<td>188</td>
<td>1,835</td>
<td>2004</td>
</tr>
<tr>
<td>University Park</td>
<td>0</td>
<td>0</td>
<td>na</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$15,823</strong></td>
<td><strong>$87,324</strong></td>
<td><strong>2004</strong></td>
</tr>
</tbody>
</table>

1 Assumes program allocations end in FY 2004 for all cities. Allocations based on sales tax collections from July 1, 1995 through June 30, 1996.

2 Irving projected to receive 50% of the allocation of other cities for LAP/CMS.
### Table 2

**EXAMPLE OF ANNUAL CASH FLOW PROJECTION WORKSHEET**

<table>
<thead>
<tr>
<th></th>
<th>(a)</th>
<th>(b)</th>
<th>(c)</th>
<th>(d)</th>
<th>(e)</th>
<th>(f)</th>
<th>(g)</th>
<th>(h)</th>
<th>(i)</th>
<th>(j)</th>
<th>(k)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approved Project Description</strong></td>
<td>Project Number</td>
<td>Approved Budget</td>
<td>Budget Transfer</td>
<td>Current Budget</td>
<td>Payments Rec'd to Date</td>
<td>Projected Payments from DART</td>
<td>FY</td>
<td>FY</td>
<td>FY</td>
<td>Total Payments</td>
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</tbody>
</table>

City of ______________________

Date ______________________

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Note: The table is incomplete and requires filling in the data for each project description.
To establish a policy on Environmental Impact Assessment and Mitigation Monitoring.

Section 1: General Statement

A. Establishment of Purpose

The policies herein replace Board Resolution No. 900081, dated May 22, 1990 (Policy IV.07). It is the policy of this Board that the Authority shall adopt a consistent approach in assessing environmental impact for the major actions associated with the development of all transit facilities (the “Major Actions”) and commit to a mitigation monitoring program to ensure solutions to adverse environmental impacts are achieved in accordance with all applicable laws.

Section 2: Administration

A. Operations Guidelines and Procedures

1. The President/Executive Director or his designee is authorized to prepare “Environmental Impact Assessment and Mitigation Guidelines for Transit Projects” in conformity with these policies for the operation of the Authority.

2. At least annually, the President/Executive Director shall cause to be prepared and maintained a periodic review of all on-going environmental mitigation programs to ensure that the guidelines and procedures are in compliance with all applicable laws and agency guidance documents. The guidelines and any subsequent changes will be reviewed with the Planning Committee before the guidelines are updated.

Section 3: Environmental Impact Assessment

A. It is the policy of the Board that the authority shall consider environmental impacts associated with its major actions and issue an environmental determination for such major actions.

B. The Authority’s process for environmental impact assessment shall be consistent for all major actions, regardless of funding source.

Section 4: Mitigation Monitoring

It is the policy of this Board that the Authority shall adopt as a part of the guidelines and procedures a mitigation-monitoring program to ensure that mitigation of adverse environmental impacts identified during the environmental impact assessment process for major actions is achieved.

Section 5: Conformity with Applicable Laws

It is the policy of the Board that the Authority shall conform with all applicable federal, state, and local laws, ordinances, rules and regulations, including agency guidance documents, advisory circulars, reports and handbooks, during the development and implementation of major actions.
DART will continue to apply its current accounting procedures for LAP funds by maintaining a separate liability account for each Member City on the General Ledger for any obligated but unpaid LAP balance and by recording a separate expense line item for each Member City in the General Ledger and the Annual Budget to reflect the current periods' LAP allocation.
Grade Separation Policy

DATE ISSUED: September 9, 1997
Resolution No.: 970176
Amended by Resolutions: 980149
Policy No.: IV.10 (Planning)

1. Warranted Grade Separations: DART will design and construct at DART’s cost, grade separations of DART Operating right-of-way that meet warrants subject to a determination by DART, that other reasonable and effective traffic mitigation measures are not feasible, and there are no physical, environmental, financial, or other constraints that would preclude a grade separation.

The criteria for evaluating a grade crossing are:
1. traffic projections
2. safety
3. length and dissipation of vehicle queue’s
4. automobile delay
5. light rail transit delay
6. changes in level of service
7. impact on area-wide signal system
8. cost-effectiveness
9. mitigation measures

In evaluating these criteria, DART has determined that, subject to a determination that other reasonable and effective traffic mitigation measures are not feasible, two specific warrants can effectively measure if a street intersecting a rail line should be grade separated. These grade separation warrants are:

   1. Queuing impacts
   2. Level of Service (LOS) impacts

Queuing impacts

If the presence of DART’s rail line causes vehicular traffic on streets adjacent to the rail line to queue through adjoining intersections or queue through the LRT intersection a queuing impact may exist. Subject to a determination that other reasonable and effective traffic mitigation measures are not feasible, a grade separation is warranted if the frequency or duration of the queuing impact is deemed significant.

Level of Service (LOS) impacts

If the presence of DART’s rail line causes the level of service (LOS) on streets adjacent to the rail line to drop two or more levels or cause the street to have a LOS of “F” a LOS impact may exist. Subject to a determination that other reasonable and effective traffic mitigation measures are not feasible, a grade separation is warranted if the frequency or duration of the LOS impact is deemed significant.

In the event city staff finds that the results of the technical analysis contrary to DART staff recommendations, the parties will obtain a recommendation from a qualified independent consultant mutually selected and compensated by the parties. The findings of the consultant shall be this basis for DART/city concurrent recommendations on the matter of whether the grade separation is technically warranted.
2. **Non-Warranted Grade Separations**: For grade crossings that do not meet grade separation warrants or crossings where other reasonable and effective traffic mitigation measures are feasible but the city still desires a grade separation, DART will agree to design and construct the grade separation subject to a determination by DART that there are no physical, environmental, financial, or other constraints that would preclude a grade separation and will contribute a maximum of $1.5 million (in 1998 dollars accordingly adjusted for inflation at the time of construction of the non-warranted separation) toward the incremental cost. The requesting City or others must agree to pay the remainder of the incremental cost prior to DART beginning design on the project. This agreement will be effected through an agreement with the entity paying for the crossing.

3. **Warranted Retrofitted Grade Separations**: In the future, following completion of a particular grade crossing, should the construction of a grade separation become necessary in the judgment of the appropriate city and DART staff based on technical considerations, DART will design and construct the grade separation subject to a determination by DART, that other reasonable and effective traffic mitigation measures are not feasible, and there are no physical, environmental, financial, or other constraints that would preclude a grade separation. Funding responsibilities will be agreed to prior to beginning design on the project. This agreement will be effected through an agreement with the entity paying for the crossing. The retrofit portion of the Grade Separation Policy applies to all rail corridors in the DART Transit System Plan.

4. **Non-Warranted Retrofitted Grade Separations**: If in the future, following completion of a particular grade crossing, a city desires a grade separation of a crossing that still fails to meet grade separation warrants, DART will agree to design and construct the grade separation subject to a determination by DART that there are no physical, environmental, operational, financial, or other constraints that would preclude a grade separation and will contribute a maximum of $1.5 million toward the incremental cost. The requesting city or others must agree to pay the remainder of the incremental cost prior to DART beginning design on the project. This agreement will be effected through an agreement with the entity paying for the crossing.

5. To the extent there is a conflict between the terms of this Policy and the terms of any Interlocal Agreement with any member city, the provisions of that Interlocal Agreement will control.
Betterments Policy for Residential Areas

DATE ISSUED: October 28, 1997
Resolution No. 970217
Policy No. IV.11 (Planning)

1. Betterments are items implemented that are above and beyond the standard environmental mitigation measures or design criteria identified through the planning, preliminary engineering process.

2. Such betterments will be considered for residential areas as defined by existing land use, if a majority of property owners, regardless of how much frontage they own, bordering the rail right-of-way request betterments.

3. Recommendations will not be advanced until a cooperative DART and community effort has demonstrated that all reasonable efforts have been made to assure participation of all impacted residential properties in identifying the type and placement of betterments.

4. As a guideline, the target budget for betterments is calculated based on the center line length of the subject area and an amount not to exceed $70/linear foot. This amount is in 1997 dollars and will increase over time with inflation.

5. This target budget will be applied as an upper limit for any recommended betterments.

6. Staff will advance betterment recommendations within the target budget based on input from the affected property owners, reasonableness, maintainability, and technical feasibility.

7. Betterment recommendations will not be advanced if they are judged unsafe or will impair the normal operation of the rail system.

8. Potential betterments will be identified in preliminary engineering after application of DART mitigation policies and design criteria. Betterments, if any, should be identified and approved by the Board before design reaches the 65% level for any rail segment.

9. The residential betterments approved by the DART Board will be funded through amendments to the project budgets and the Financial Plan (if greater than $1 million).

Planning IV.11
To establish a policy on adoption of procedures DART intends to follow when working with its member cities in the planning, design, construction, operation and maintenance of DART’s Light Rail Transit (LRT) services. These procedures will be incorporated into a standardized document. In order to enhance the working relationships with its member cities, DART requests member cities to also follow these procedures in implementing and operating the Light Rail Transit (LRT) system.

Section 1:

A Master Interlocal Agreement was approved February 28, 1990, by the City of Dallas and DART outlining procedures governing implementation of DART’s transit system plan in Dallas. Supplemental agreements for LRT planning and development, design and construction, and operations and maintenance were also developed. The DART Board desires to have a common set of procedures for all of its member cities.

Section 2:

The President/Executive Director or his designee is authorized to prepare a set of standardized procedures which guide how DART and its member cities will accomplish the planning, design, construction, operations and maintenance of DART’s authorized LRT system.

Section 3:

Once this policy is approved by the DART Board, the procedure document will be made available to all other member cities for review and adoption.

Please note: The procedure document is available in the Office of Board Support.
DALLAS AREA RAPID TRANSIT

PROCEDURES FOR THE PLANNING, DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF A LIGHT RAIL TRANSIT SYSTEM WITHIN A MEMBER CITY

Preamble

On August 13, 1983, Dallas Area Rapid Transit ("DART") was created as a regional transportation authority for the purpose of providing public transportation and general transportation services within the DART Service Area.

DART operates pursuant to the authority existing under Chapter 452 of the Texas Transportation Code ("the Act").

The transportation of a city's citizens, the reduction of traffic congestion and other purposes as stated in the Act serve a public purpose for a city within DART's Service Area and are provided for the benefit of that city's citizens. The planning, design, construction, operation and maintenance of light rail transit within a city is one component of an effective public transportation system.

Pursuant to the Act, DART Board-adopted policies, the City Charter, City Ordinances and City Council-adopted policies, a city that has elected to come into the DART transit system, as one of the member cities of the DART Service Area, has a defined review and approval role in the use of property and the development of a public transportation system within the City.

DART and its member cities share a common desire for an effective regional transportation system that includes light rail transit to be implemented as quickly as possible.

DART and its member cities have regulations, rules, policies and procedures that govern their respective governmental activities.

In an effort to formally establish a framework to coordinate and expedite the development of a regional public transportation system that is mutually acceptable to DART and its member cities, DART has established the following procedures ("the Procedures") that it and each of its member cities (a member city is hereinafter referred to in this document as "the City") will follow regarding the planning, design, construction, operation and maintenance of a regional light rail transit system.

SECTION ONE
OUTLINE OF PROCEDURES

The Procedures are arranged and prepared in six major sections as follows:

SECTION ONE contains an outline of the Procedures;

SECTION TWO contains general provisions applicable to the relationship between DART and the City;

SECTION THREE deals with planning and development issues of the DART light rail transit system within the City;

SECTION FOUR establishes broad guidelines for the design and construction of light rail transit facilities within the City;
SECTION FIVE establishes operation and maintenance guidelines and responsibilities for light rail transit facilities within the City; and

SECTION SIX contains miscellaneous provisions applicable to these Procedures.

Within each Section, Articles begin with "Article I". For ease of locating Articles, paragraphs and subparagraphs within each of the Sections, the first number of each such designation is the Section number, followed by a "." and the Article, paragraph and subparagraph. For example, paragraph 2-1.0201 is the first subparagraph in the second paragraph of Article 1, Section 2, and is a definition of the AAR Signal Manual.

SECTION TWO
GENERAL PROVISIONS

§ 2 - ARTICLE 1. Purpose and Definitions.

2-1.01. Purpose. The purpose of these Procedures is to evidence the City's acceptance of and commitment to, assist in the timely implementation of DART's system plan and Service Plan and to establish a procedural framework for a cooperative working relationship between DART and the City for the prompt development and completion of an integrated transportation system within the City limits. Specifically, these Procedures address planning, design, construction, operations & maintenance of light rail guideways and associated fixed facilities.

2-1.02. Definitions. As used in these Procedures, the following terms shall have the meanings herein set forth:


2-1.0202. Betterment. That portion of a City Facility requested by the City that will increase the level of service, capacity or efficiency of such City Facility or constitute an aesthetic enhancement over that which is required by existing City standards or policies.

2-1.0203. City Facility. Structures, improvements and other properties under the ownership, maintenance or operating jurisdiction of the City, including but not limited to public streets, highways (except those on the State Highway System), bridges, alleys, sidewalks, water and sanitary sewer systems, storm drainage systems, street lights, cable facilities, landscaping and trees, traffic controls, including but not limited to signals, signs, parking meters, police and fire alarm systems, fiber optics lines & equipment and all appurtenances related thereto.

2-1.0204. City Project. A project, or that portion thereof that is an obligation of, or is desired by, the City that may be constructed jointly with DART.

2-1.0205. City Standards. Those minimum standards adopted and published by the City as applicable for public works-related projects undertaken within the City, including, but not limited to, the most current version of the following: (a) Standard Specifications for Public Works Construction, North Central Texas Council of Governments; (b) City Paving Design Manual; (c) A Policy on Geometric Design of Highways and Streets (AASHTO Green Book); (d) City Storm Drainage Design Manual; (e) Driveway and Parking Lot Design Manual; (f) City Zoning Ordinance; (g) City Subdivision Ordinance; (h) City Water and Waste Water Design Manual; (i) Texas Manual on Uniform Traffic Control Devices; (j) Traffic Barricade Manual, Department of Transportation; (k) Street Cut and Excavation Repair Standards; (l) City Thoroughfare Plan; and (m) any other City ordinances, orders, rules, regulations and policies and procedures related to the platting, development, construction, occupancy or use of real property in the City, including improvements thereon.
2-1.0206. **City Task Order.** A written document executed by the City Manager or his designee to be issued by the City to DART to request and authorize DART's performance of work or supply of materials to the City, including provisions for reimbursement to DART for expenses.

2-1.0207. **Dart Facility.** Any structure, improvement, and other property owned and maintained by DART, including, but not limited to, bridges, sidewalks, plazas, landscaping and trees, cable facilities, signals, signs, a Fixed Facility or a Fixed Guideway (both as defined below).

2-1.0208. **DART Task Order.** A written document executed by the President/Executive Director or his designee to be issued by DART to the City to request and authorize the City's performance of work or supply of materials to DART, including provisions for reimbursement to City for expenses.

2-1.0209. **Design.** Engineering or architectural work that results in the production of maps, plans, drawings, estimates and specifications necessary for the construction, modification, operation, maintenance or replacement of City or DART Facilities, including Fixed Facilities, Fixed Guideways or any other Utility Facilities or projects similar in nature.

2-1.0210. **Direct Costs.** All direct labor costs or disbursements actually incurred by a party attributable directly to the performance of services under these Procedures, including, but not limited to, consultant costs, travel, materials, supplies and other similar out-of-pocket expenses.

2-1.0211. **Fixed Facilities.** All of DART's transit centers, Stations, yards, shops and similar related Fixed Facilities situated outside of linear rights of way required for light rail operations.

2-1.0212. **Fixed Guideway.** The supporting physical structure in or upon which light rail trains travel. A Fixed Guideway may also include guidance systems for the vehicle.

2-1.0213. **Grade Separation.** The physical separation of a DART Fixed Guideway and a public or private street, thoroughfare, drive or access easement at a crossing by means of a difference in elevation sufficient to allow adequate clearances for passage of rail or street vehicles.

2-1.0214. **Grade Level (At Grade) Street Crossings.** The crossing of any street, alley, thoroughfare, drive or access easement by a DART Fixed Guideway at the same elevation.

2-1.0215. **Green Window.** A pre-determined window of time for train passage through a Grade Level (At Grade) Street Crossing of a City street. The parameters for this pre-determined window of time shall be determined through consideration of nearby traffic signal operations, cross-street traffic patterns, train crossing time, crossing frequency and overall train schedule.

2-1.0216. **Green Band.** A series of Green Windows using a traffic signal timing sequence that allows trains to travel in a progressive manner.

2-1.0217. **Headway.** The time interval between successive LRVs at a given point traveling in the same direction.

2-1.0218. **Indirect Costs.** Disbursements or costs determined by the party's cost allocation plan, plus benefits and retirement costs not otherwise included.

2-1.0219. **Joint Development.** The physical integration of a DART Fixed Facility with a public or private development project to be constructed concurrently or subsequently.

2-1.0220. **Joint Use Facilities.** Facilities used by both DART and the City, which may be owned by either party or owned jointly.
2-1.0221. **Level of Service ("LOS").** A measure of the quality of traffic flow as defined in the "Highway Capacity Manual" published by the Transportation Research Board and/or "TRANSIT 7-F User's Manual" published by the United States Department of Transportation, Federal Highway Administration.

2-1.0222. **Light Rail Transit ("LRT") System.** A public transportation system consisting of Light Rail Vehicles running either on a Fixed Guideway or in mixed-flow traffic using an overhead electric power source.

2-1.0223. **Light Rail Vehicle (LRV").** An electrically propelled passenger-carrying vehicle designed to operate as a part of the Light Rail Transit System on the LRT Fixed Guideway.

2-1.0224. **Maintenance.** Activities required in order to keep facilities and equipment in a condition of good repair, satisfactory performance or operation, and cleanliness.

2-1.0225. **Maintenance, Emergency.** A major Maintenance activity or activities performed on an immediate response basis for the purpose of restoring the intended daily operational conditions of the Light Rail Transit System, including all facilities and equipment.

2-1.0226. **Maintenance, Non-Programmed.** A major Maintenance activity or activities performed on an irregular, infrequent or unscheduled basis.

2-1.0227. **Maintenance, Programmed.** A Maintenance activity or activities performed on a routine, frequent or scheduled basis on items requiring recurring maintenance.

2-1.0228. **Median/Shared Right-of-Way Operation.** The operation of a DART Fixed Guideway within the median or on the surface of the right-of-way of a street or thoroughfare.

2-1.0229. **Member City (Cities).** DART's Member Cities, as of the date of these Procedures, to-wit: Town of Addison; City of Carrollton; City of Cockrell Hill; City of Dallas; City of Farmers Branch; City of Garland; City of Glenn Heights; Town of Highland Park; City of Irving; City of Plano; City of Richardson; City of Rowlett; and City of University Park.

2-1.0230. **Modification.** The removal, replacement, alteration, construction, support or relocation of a facility or of equipment or any portion thereof, whether permanent or temporary.

2-1.0231. **Off Premise Sign.** A sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service or product not principally located, primarily manufactured or sold on the premises on which the sign is located.

2-1.0232. **Off-Schedule Train.** A Train that operates on non-scheduled Headway between established control points due to delays and other infrequent conditions.

2-1.0233. **On-Schedule Train.** A Train that achieves its scheduled Headway at established control points as referenced by a published schedule.

2-1.0234. **Operational Throughway.** The strip of land or the structure used for rail operations, including the air space immediately above the rails where overhead contact equipment and other associated hardware may be located. It generally includes the Fixed Guideway and a portion of the City right-of-way used for a grade crossing. The Operational Throughway is typically within rail warning strips, within the median curb, or within ten (10) feet outside of the outer rail of the tracks or within ten (10) feet of any overhead contact wire, attachments, or supports.
2-1.0235. **Operations Control Center** ("OCC"). The DART central communications center which solely directs the day-to-day revenue and non-revenue operation of the Light Rail Transit System.

2-1.0236. **Overhead Contact System** ("OCS"). The system of poles, contacts, wires, attachments and supports providing electric power to the LRV's.

2-1.0237. **Peak Period.** The period of time within which traffic flows are at their peak in the Dallas/Fort Worth metropolitan area, including the Member Cities.

2-1.0238. **Service Plan.** An outline of the services to be provided by DART to the Member Cities as officially adopted by the DART Board from time to time.

2-1.0239. **Station.** A Fixed Facility consisting of all or some of the following: structures, platforms, concourses, pedestrian and vehicular circulation facilities, intermodal transfer facilities and parking, landscaping and passenger amenities within the boundaries of the Fixed Facility site which enables patrons to enter and leave the Light Rail Transit system.

2-1.0240. **Station Area.** That additional land outside the area actually needed for the Station site that the City determines should be considered in the City's Station Area planning process.

2-1.0241. **Station or Terminal Complex.** A Fixed Facility so designated in the DART Service Plan pursuant to the requirements of Section 452.151 *et seq* of the Texas Transportation Code, wherein residential, institutional, recreational, commercial and industrial facilities may be included.

2-1.0242. **Station Area Plan.** The plan implemented by the City and intended to integrate a Station into the community, including, but not limited to, streets, sidewalks, pedestrian easements and sub-surface and aerial walkways.

2-1.0243. **Substation.** An enclosure containing equipment that converts electric power from the utility company to electric power fed to the Overhead Contact System.

2-1.0244. **System Plan.** A fully integrated plan of bus & rail services adopted by the DART Board of Directors and incorporated as the long-range component of DART's approved Service Plan.

2-1.0245. **Texas Manual of Uniform Traffic Control Devices** ("TMUCTD"). The promulgated State of Texas guide for providing and operating traffic control devices.

2-1.0246. **Traffic Flow.** The behavior of motor vehicle traffic movement (including controlled stops) along a public roadway or at a roadway intersection whether signalized or non-signalized.

2-1.0247. **Traffic Management Center** ("TMC"). The City facility where the electronic central control, monitoring and communications necessary to operate traffic signal lights under City jurisdiction takes place.

2-1.0248. **Traffic Signal Settings.** The phasing and timing parameters required to operate a signalized intersection.

2-1.0249. **Traffic/Train Signal System** ("TTSS" or "Traffic/Train System"). The area traffic signal system (containing two (2) or more traffic signals and associated components) which is impacted by the coordinated operation or presence of a Train grade crossing and including the grade crossing and associated components. A single, signalized intersection that is
adjacent to a Grade Level ("At Grade") Street Crossing constitutes an isolated signalized crossing or intersection ("ISC")

2-1.0250. **Train.** One or more LRV's cars combined by coupling into a single operating unit.

2-1.0251. **Train Signal Indications.** Traffic signal aspects and indications for trains to help control LRT operations in street areas or approaching street areas which have displays that are unique and different from those controlling street motor-vehicle traffic.

2-1.0252. **Utility Facilities.** Facilities for the provision of specific utility services to the public, including but not limited to, water, sewer, drainage, electric, natural gas, telecommunication and cable television facilities whether such facilities are owned by the City or by a public or private utility company operating under a franchise, license or other arrangement with the City.

2-1.0253. **Warning Strips.** The painted or textured area separating the Fixed Guideway from other public roads or areas.

§2 - ARTICLE 2. City Responsibilities and Officials.

2-2.01. **City Responsibilities.** The City is responsible for the review and approval of the design and construction of DART improvements situated in City rights-of-way or on other City property in accordance with the provisions of the Act. The City will cooperate with DART in achieving DART's goals and schedules by expeditiously reviewing all submitted plans and documents and committing to combine its public and technical review processes with DART's wherever possible. The City will consult and cooperate with DART as fully as possible with regard to all aspects of the transit system plan as it relates to the City.

2-2.02. **City Officials.** The principal City officials and representatives with whom design and construction of the DART regional transportation system will be coordinated are:

2-2.0201. **The City Council.** The elected governing body of the City as established in the City Charter and/or pursuant to the laws of the State of Texas. City Council approval is required for certain matters in connection with DART acquisition of real property and modifications and additions to the Fixed Guideway and Fixed Facilities within the City limits.

2-2.0202. **The City Manager.** The chief executive officer of the City, appointed by the City Council to carry out the policy of the City as set by the City Council and responsible for the day-to-day operations of the City. The City Manager has final authority on behalf of the City to interpret City policy and technical issues relating to DART.

§2 - ARTICLE 3. DART Responsibilities and Officials.

2-3.01 **DART Responsibilities.** DART is responsible for planning, designing, constructing, maintaining, operating and financing all of the Fixed Facilities and other components of the System Plan as approved by the DART Board from time to time, unless otherwise agreed. In the development of the Light Rail Transit System, DART will comply with all applicable laws, ordinances and regulations of the governmental entities that affect the Fixed Facilities and Fixed Guideway. DART will help expedite the City's review of DART's plans by providing timely, accurate and complete information when requested by the City and by combining its public and technical review processes with the City's comparable processes whenever possible. DART will consult and cooperate with the City as fully as possible with regard to all aspects of the transit system plan as it relates to the City.

2-3.02. **DART Officials.** The principal DART officials who have direct responsibility for planning, design, construction, operation and maintenance of the regional transportation system are:
2-3.0201. **DART Board of Directors.** The governing body of DART, its Board of Directors (the "DART Board"), is composed of members appointed by the Member Cities. Pursuant to the Act, the DART Board is empowered to establish the policies of DART, including those controlling planning, development and operation of the regional transportation system. Among other very broad powers, the Board has statutory authority to adopt and amend the Service Plan, interlocal agreements with other governmental entities and financial plans.

2-3.0202. **President/Executive Director.** The chief executive officer of DART, appointed by the Board to administer the Board-adopted policies and charged with the responsibility for the day-to-day operations of the Authority. The President/Executive Director has final authority for interpreting and insuring implementation of DART policy.

§2 - ARTICLE 4. **Compensation for Services.** The City and DART are both governmental entities with duties and responsibilities to the public and each other as provided by the Act and state law. Where either is carrying out its existing statutory duty to review and/or approve plans, specifications, designs, requests, work programs and other items, no charge will be made for staff time used in exercising such governmental duties. For other services provided by DART to the City, or provided by the City to DART, compensation shall be determined as follows:

2-4.01. **Payment for City Services to DART.** When lawfully authorized, DART shall reimburse the City for actual labor expenses for professional/technical effort incurred by the City attributable to the services requested by DART that are in support of and in addition to the statutory services that the City would normally provide in the planning, design, construction and operation of a facility. In these limited circumstances, DART will issue written task orders that include descriptions of service, not-to-exceed hours (by labor category), expenses and completion date. No work will be reimbursed that has not been requested and authorized by written task order from the DART President/Executive Director or his designee prior to the work being undertaken. Payment for services shall be in accordance with all DART procurement regulations.

On or before the 15th day of each month, the City may submit an invoice for payment for the previous month's City services to the DART President/Executive Director or his designee. Each invoice will be based on products to be produced, services provided and/or review activities and will include a brief progress report.

2-4.0101. **Products to be Produced.** For products to be produced, City staff services will be documented in the form of a statement of percent complete for each product, combined into a statement of percent complete of total products to be produced. The invoice amount for these services will be the sum of Direct Costs for labor for professional/technical effort, plus Indirect Costs calculated as a percentage of Direct Costs, not to exceed thirty percent (30%).

2-4.0102. **Review Activities.** For review activities, City staff services will be documented in the form of actual Direct Cost for labor for professional/technical effort, plus Indirect Costs calculated as a percentage of Direct Costs, not to exceed 30%. The invoice will include percent complete for review activities.

2-4.0103. **Payment; Audit of Books.** DART will pay each approved invoice within sixty (60) days after receipt from the City. DART shall have the right to audit the City's books and records to verify the amounts invoiced. Any adjustments to the invoiced costs or payment amounts identified as a result of such audit shall be made within thirty (30) days of DART's receipt of notice from the City that it has made the adjustments.

2-4.02. **Payment for DART Services to City.** When lawfully authorized, the City shall reimburse DART for actual labor expenses for professional/technical effort incurred by DART attributable to services requested by the City that are in support of and in addition to the services DART would normally provide in the planning, design, construction and operation of Fixed Facilities and Fixed Guideways. In these limited situations, the City shall issue written task orders that include descriptions of services, not-to-exceed hours, expenses and completion date. No work will be reimbursed that has not been requested and authorized by written task order from the City Manager or his designee prior to the work being undertaken. Payment for any services shall be in accordance with City...
procurement regulations.

On or before the fifteenth (15th) day of each month, DART may submit an invoice for payment for the previous month's DART staff services to the City department that requested or authorized the services. Each invoice will be based on products to be produced, services provided and/or review efforts and will include a brief progress report.

2-4.0201. **Products to be Produced.** For products to be produced, DART staff services will be documented in the form of a statement of percent complete for each product, combined into a statement of percent complete of total products to be produced. The invoice amount for these activities will be the sum of actual Direct Cost for labor for professional/technical effort, plus Indirect Costs calculated as a percentage of Direct Costs not to exceed thirty percent (30%).

2-4.0202. **Review Activities.** For review activities, DART staff services will be documented in the form of actual Direct Costs for labor for professional/technical effort, plus Indirect Costs calculated as a percentage of Direct Costs not to exceed thirty percent (30%).

2-4.0203. **Payment; Audit of Books.** The City will pay each approved invoice within sixty (60) days after receipt from DART. The City shall have the right to audit DART's books and records to verify the amounts invoiced. Any adjustments to the invoiced costs or payment amounts identified as a result of the audit shall be made within thirty (30) days of the City's receipt of notice from the City that it has made the adjustments.

2-4.03. **Limitation on Payments.** Payments by either DART or the City under this Article 4. shall not exceed the amounts appropriated from time to time by the City Council or DART Board respectively.

§2 - ARTICLE 5. **Issue Resolution.** The appropriate department directors for the City and DART will make a good faith effort to resolve any technical and policy issues arising between the parties. If such issues cannot be resolved at that level, they will be forwarded to the President/Executive Director and City Manager as the final arbiters in accordance with the powers and authority vested in them, unless City Council or DART Board determinations are required.

**SECTION THREE**

**PLANNING AND DEVELOPMENT**

§3 - ARTICLE 1. **Major Service Plan Changes.**

3-1.01. **Technical Review.** The appropriate City staff may review any proposed DART Service Plan change as described in §452.302 of the Act, and shall review any proposed major Service Plan change as described in §§452.203 and 452.204 of the Act.

3-1.02. **Addition of New Fixed Guideway Route.** For purposes of these Procedures, the "addition of a new Fixed Guideway route" shall mean:

3-1.0201. the creation of a Fixed Guideway route by connecting a point presently designated on the current Service Plan to a point not presently designated on the current Service Plan; or,

3-1.0202. the shifting of a route from the route specified in the Service Plan to a new location which is (a) more than 300 feet measured horizontally from the existing route or (b) less than 300 feet measured horizontally if the shifting moves the Fixed Guideway to a City street; or,

3-1.0203. the creation of a Fixed Guideway route starting and ending at points outside the current Service Plan.
3-1.03. Measurement Criteria. For purposes of measurement under these Procedures, the Service Plan route shall be considered to extend from boundary to boundary of any right-of-way in which a route is situated as shown on the current Service Plan, i.e. if a 100 foot wide rail corridor is designated as the route in the Service Plan, measurements shall be taken from the boundaries of the corridor.

3-1.04. City Review and Approval of New Fixed Guideway Routes. Consistent with Texas law, the City, acting through its City Council, shall have the right to review and approve the addition of a new Fixed Guideway Route.

§3 - ARTICLE 2. Fixed Facility and Fixed Guideway Site Selection.

3-2.01. DART Responsibility. It shall be DART's responsibility to select sites and locations for its Fixed Facilities and Fixed Guideways. The designation of vehicular and pedestrian entrance locations to such Fixed Facilities shall be coordinated with appropriate City staff as reasonably necessary.

3-2.02. Alternative Development and Evaluation. For each Fixed Facility to be located within the City limits, DART, after consultation with City staff, will identify one or more alternative sites. For each of the alternatives, the City, at its discretion, may provide DART with an analysis and/or review of the City's perceived impacts of such Fixed Facilities on existing and future land uses and traffic impacts. After the DART Board has included a site in the Service Plan, the City will provide to DART a detailed analysis of the impacts, if any, of the site on existing and potential land use and development. Upon receipt of the City's analysis, DART will prepare and submit to the City for review a Traffic Impact Study for the DART preferred site.

3-2.03. Public Involvement. During the alternative development and evaluation process, DART will conduct its established public involvement process, consisting of open meetings, briefings, public hearings and workshops with neighborhood residents, property owners, business persons and other interested groups and individuals. The number and type of public involvement activities will conform to the requirements of the Act and DART's adopted policies and procedures for selecting Fixed Facilities, and will likely vary depending upon the complexity of the issue. City staff shall participate jointly in the public involvement process where coordination is necessary with other City activities and to provide information on traffic, land use and projected or potential development impacts.

3-2.04. City Council Briefings. DART and City staff will brief City Council committees, or the City Council as a whole, and appropriate City commissions as necessary or desirable concerning the alternatives under consideration for each Fixed Facility prior to the DART Board’s final selection of a preferred alternative.

3-2.05. City Review. Following DART selection of a preferred alternative for each Fixed Facility, at the thirty percent (30%) design stage, DART will submit the preferred site plan to the City for review, along with the Traffic Impact Study, if needed, and such other documentation and information as may then be available for review. DART shall provide supplemental information in an ongoing and timely manner as it becomes available so as to provide for adequate review. This submission may be accompanied by a request for City approval of eminent domain authority, zoning changes as needed for the Fixed Facility, thoroughfare plan amendments or other permits, actions or authorizations required by the Act or applicable City ordinances.

3-2.06. Platting and Zoning. DART will comply with all applicable provisions of the City's zoning and subdivision ordinances as they pertain to the Service Plan. In those cases where property was acquired by DART through eminent domain proceedings and possession has been secured by DART pursuant to the provisions of the Texas Property Code, the City shall process DART zoning and subdivision ordinance requests as if DART were the owner of the property.

3-2.07. Joint Public Hearings; Expedited Processes. Joint public hearings sponsored by the DART Board and the City Council will be scheduled and held whenever possible. The City commits to expedite its processes to the greatest extent possible and both DART and the City agree to make a good faith attempt to combine
the City and DART processes where overlap occurs and/or additional efficiency can be achieved.

§3 - ARTICLE 3. Station Area Planning.

3-3.01. City Responsibility. The City shall be responsible for preparing a Station Area Plan after a Station site is approved, when, as and if the need for such a plan is deemed appropriate by the City. Such Station Area planning by the City will provide for DART participation at all stages. At the outset of the planning phase, a project team will be formed including DART and City personnel to insure coordination between the City and DART in the process and to facilitate DART's input therein. Each Station Area Plan will establish land use, development guidelines, traffic plans and recommend zoning and other implementation proposals.

3-3.02. Station Area Plan, General Requirements. Each Station Area Plan will be based on an approved Station site and pedestrian access points. At the beginning of the Station Area planning process, the City shall indicate its information needs to DART so that DART can assist in expediting the planning process by providing essential information.

3-3.03. Station Area Plan Development Process. The Station Area Plan development process will include:

3-3.0301. a public involvement process;
3-3.0302. establishment of study area boundaries;
3-3.0203. collection of data regarding existing conditions in the Station Area;
3-3.0304. analysis of existing conditions;
3-3.0305. development of goals and objectives for the Station Area;
3-3.0306. assessment of potential impacts of future development alternatives or guidelines;
3-3.0307. formulation of recommendations;
3-3.0308. public review of recommendations;
3-3.0309. development of final recommendations;
3-3.0310. public hearings; and.
3-3.0311. adoption of a final plan by the City.

3-3.04. City Public Involvement. The City will conduct a public involvement process that may include briefings and workshops involving neighborhood residents, property owners and business persons in the Station Area Plan development and evaluation process. Notification of meetings will be carried out consistent with existing City ordinances and applicable State Law, and may include persons who participated in DART's Fixed Facility site selection process. DART staff will be invited to participate in the public involvement process in order to provide accurate DART information related to the development of the Station Area Plan.

3-3.05. City Briefing of DART Board. The City staff will brief the DART Board or its designated committee when and as requested by DART on the draft Station Area Plan.

3-3.06. Station Area Plan Approval. City staff shall process the Station Area Plan through all of the City review and planning processes and shall be responsible for presenting the Station Area Plan to the City Council of the City for incorporation into the City's formal land use plan by a formal vote of approval or disapproval. Upon
approval, City staff shall use the information compiled in Station Area Plan for the demographics submitted to the North Central Texas Council of Governments for input into the Regional Plan.

§3 - ARTICLE 4. Acquisition, Use and Ownership of Land and/or Facilities.

3-4.01. Land Acquired by the City for DART. In the event that DART requests the City to acquire real property for the sole use by DART, all reasonable and necessary City expenses, including but not limited to, acquisition and relocation costs, surveys, title expenses, staff costs (including attorneys), consultants, appraisals and costs and judgments in connection with judicial proceedings, including attorney's fees and awards, incurred in the process of acquiring the real property, shall be paid by DART at the time the title is conveyed to DART by deed.

3-4.02. Land Acquired by DART for the City. In the event that the City requests DART to acquire real property for the sole use by the City, all DART expenses, including but not limited to, acquisition and relocation costs, surveys, title expenses, staff costs (including attorneys), consultants, appraisals and costs and judgments in connection with judicial proceedings, including attorney's fees and awards, incurred in the process of acquiring the real property, shall be paid by the City at the time the title is conveyed to the City by deed.

3-4.03. Joint Use Facilities. If there is an occasion whereby the City and DART share the use of facilities, either the City or DART may acquire and own the facilities and a separate agreement between the parties will be negotiated and executed to address the costs and revenues associated with the acquisition, construction, operation and maintenance of the respective land and facilities located thereon.

3-4.04. Use of City Property. As provided in the Act, DART shall have the non-exclusive right to use, without charge (other than reimbursement of City expenses incurred in accommodating DART facilities), the air, surface or subsurface areas of City public streets, alleys, and rights-of-way for the construction and operation of Fixed Guideways as reflected in the Service Plan, subject to review and approval by the City as provided by law, PROVIDED, HOWEVER, such right of use shall be subordinate to the City's right to use of such public streets, alleys and rights-of-way for its own municipal public purposes and facilities.

3-4.05. Use of DART Property. The City shall have the non-exclusive right to use, without charge (other than reimbursement to DART of DART expenses incurred in accommodating City Facilities), the air, surface or subsurface areas of DART rights-of-way for City streets and City-owned or operated utilities, subject to review and approval by DART, PROVIDED, HOWEVER, such right of use shall be subordinate to DART's right to use such rights-of-way for DART's own public transit purposes and facilities.

3-4.06. Crossing Procedure; Utility Relocation and Maintenance Requirements. At such time as either party (the "Requesting Party") desires to use the other party's (the "Reviewing Party") right-of-way for its own public purposes and facilities, the Requesting Party shall submit its proposal, including plan and profile sheets, to the Reviewing Party. Each proposal shall contain sufficient information and detail to determine the extent and location of the Requesting Party's proposed use. After consideration, the Reviewing Party shall provide comments to the Requesting Party without undue delay. Upon concurrence by the Reviewing Party, the Requesting Party may begin work.

The Requesting Party shall bear the entire cost and expense of designing, installing, constructing, reconstructing, repairing, operating, removing, replacing and maintaining its facilities within the Reviewing Party's rights-of-way, as well as all costs associated with relocation of and damage to the Reviewing Party's and others' facilities. All construction work and maintenance within such rights-of-way shall be done in a good and workmanlike fashion and at such time and in such manner so as to minimize interference with the Reviewing Party's operations and facilities.

In the event construction work on the Reviewing Party's rights-of-way is to be done by a contractor of the Requesting Party, and the contract is for more than $25,000.00, the Requesting Party shall require payment and performance bonds from sureties authorized to issue bonds in the State of Texas equal to 100% of the construction contract. In all instances where a contractor is utilized, the contract shall provide that both the Requesting Party and the Reviewing Party, their officers and employees, shall be named as indemnitees of the contractor and as additional
named insureds on the contractor's required liability insurance policies.

In the event the Requesting Party's facilities must be relocated at a later date in order to accommodate the Reviewing Party's facilities, such relocation shall be accomplished at no cost to the Reviewing Party.

3-4.07. Exercise of Superior Rights. In those circumstances where one party has rights superior to the other party, the party having superior rights commits to act reasonably when the exercise of those rights could adversely impact the operation of the other party's facilities previously approved or existing.

§3 - ARTICLE 5. Right-of-Way Protection.

3-5.01. Information. DART will provide any surveys and mapping needed to implement this Article.

3-5.02. Setback Requirements. In order to protect the health, safety and welfare of the citizens of the City, and the respective parties to these Procedures, setback requirements for the location of structures on real property that abuts or adjoins Fixed Guideway alignments may be adopted by the City. Such setback requirements shall be jointly developed by DART and City staff with final authority for establishment thereof resting with the City.

3-5.03. Review of New License Requests and Adjacent Development. The City will provide DART copies of all applications and/or requests for private licenses, abandonments, building permits, plats, zoning changes and zoning and subdivision variances within the area adjacent to the Fixed Guideway corridors and in the vicinity of Stations or other Fixed Facilities, or as otherwise jointly determined by DART and City staff. DART will furnish its comments to City staff within ten (10) working days after receipt of the information. The City will consider DART's comments as a part of the normal application process established by City ordinance for the particular type of application or request and will coordinate with DART to protect areas identified in the Service Plan, including surface, subsurface and air rights. In the event purchase of property is necessary for DART's use, it is DART's sole responsibility to initiate any action for said purchase.

3-5.04. Amendment, Modification and Termination of License Agreements. The City will exercise all legal rights possessed by it to amend, modify or terminate license agreements issued by the City to owners of private property abutting or adjacent to public rights-of-way, which licenses permit the use of public right-of-way for temporary private use, subject and subordinate to the City's right to use such property for public purposes in accordance with the following policies and procedures:

3-5.0401. Identification of Licenses. When the planning, design and engineering of proposed DART Fixed Facilities or a Fixed Guideway reaches a level sufficient for DART to determine the impact on private licenses, and to identify the private licenses which must be amended, modified or terminated, DART shall deliver to the City a report indicating the licenses to be affected and the actions which are necessary for the City to undertake with regard thereto. Possible actions would include, but not be limited to, permanent termination, modification or amendment.

3-5.0402. Advance Notice. DART shall give the City as much advance written notice as possible and practicable prior to the first required action of the City under any applicable license agreement requiring action.

3-5.0403. City Action on Licenses. Following City approval of DART's plans regarding the temporary or permanent termination, modification or amendment of private licenses, the City will take such required action requested by DART, PROVIDED, HOWEVER DART agrees to pay the City's reasonable and necessary expenses or losses incurred in undertaking such actions.

3-5.0404. Litigation Resulting From City Action on DART Request. In the event of litigation resulting from the adoption of an ordinance or resolution, or the cancellation or termination of an existing license by the City Council on DART's request, DART agrees to defend both the City and DART and DART shall be solely responsible for payment of all reasonable and
necessary expenses, damages, attorney's fees, settlements and judgments related thereto; PROVIDED, HOWEVER, that DART shall not be responsible for or indemnify the City for errors by the City or its staff in carrying out the request for DART. The City and DART agree to cooperate with one another in the defense of any such lawsuits, and no lawsuit shall be settled by the City without the prior approval from DART where DART funds are liable for any portion of the settlement.

3-5.0405. Concurrent City and DART Projects. In the event the City and DART are concurrently conducting projects on the same street location or vicinity and any license agreement requires amendment, modification or termination as a result of both projects, DART shall not be obligated to pay the City's staff and Direct or Indirect Costs and the responsibility for payment of relocation costs, defense expenses and responsibility for court costs and judgments resulting from such litigation shall be determined by DART and the City on a case-by-case basis prior to construction by either party, unless otherwise agreed in writing.

3-5.0406. No Third Party Beneficiary. The provisions of this Article 3-5.04 are solely for the benefit of the City and DART and are not intended in any way to confer any third party beneficiary rights, privileges or benefits upon any person or entity not a party to these Procedures.

§3 - ARTICLE 6. Traffic Mitigation Measures.

3-6.01. Grade Separation Warrant Criteria. All proposed Grade Level Street Crossings, street closures, street relocations and Median/Shared Right of Way Operations, or joint or shared use of a right-of-way or facility, including those in the approved Service Plan will be subjected to thorough evaluation by the appropriate staff from the City and DART. The City and DART shall agree whether the street should be closed or relocated, the crossing protected or the grade separated. The process for evaluating these conditions shall include the following primary Warrant Criteria: (a) traffic projections; (b) safety; (c) length and dissipation of vehicle queues; (d) automobile delay; (e) LRV delay; (f) changes in level of service; (g) impact on area-wide signal systems; (h) cost-effectiveness; and (i) mitigation measures.

3-6.02. Evaluation of Warrant Criteria. In evaluating the Warrant Criteria, DART has determined that, subject to a determination that other reasonable and effective traffic mitigation measures are not feasible, two (2) specific warrants can effectively measure whether a street intersecting a rail line should be grade separated, namely (a) queuing impacts and (b) level of service ("LOS") impacts.

3-6.0201. Queuing Impacts. If the presence of DART's rail line causes vehicular traffic on streets adjacent to the rail line to queue through adjoining intersections or queue through the LRT intersection, a queuing impact may exist. Subject to a determination that other reasonable and effective traffic mitigation measures are not feasible, a Grade Separation is warranted if the frequency or duration of the queuing impact is deemed significant.

3-6.0202. Level of Service (LOS) Impacts. If the presence of DART's rail line causes the level of service on streets adjacent to the rail line to drop two (2) or more levels, or causes the street to have a LOS of "F", a LOS impact may exist. Subject to a determination that other reasonable and effective traffic mitigation measures are not feasible, a Grade Separation is warranted if the frequency or duration of the LOS impact is deemed significant.

3-6.03. Existing Grade Separation; Street Modification. Any modification to a City street right-of-way requires City approval. In those places where a Grade Separation already exists, DART must continue the Grade Separation unless it is mutually agreed to discontinue the Grade Separation.

3-6.04. Technically Warranted Traffic Mitigation Measures. Traffic mitigation measures are determined to be technically warranted when the results of the above evaluation indicate that street modifications are required in order to operate the DART Light Rail Transit System and provide level of service "D" or better for
existing or projected cross street traffic. However, in no event shall the projected level of service drop more than one (1) level. Such traffic mitigation measures include but are not limited to Grade Separations, Grade Level Street Crossings, street closures, right-of-way acquisitions, street construction, reconstruction or relocations, or modifications in Median/Shared Right-of-Way Operations. In developing and implementing its Service Plan, DART shall be responsible for funding all technically warranted traffic mitigation measures. DART agrees to design, construct and maintain all Grade Level Street Crossings and signalization.

In those circumstances where additional street or railroad right-of-way is required to implement the mitigation measures, the City, consistent with normal procedures, will either (a) approve the new street alignment and grant to DART authority to carry out eminent domain proceedings necessary to implement the new street alignment, or (b) hold a public hearing following City notification to property owners within 200 feet of the properties that would be impacted to consider public comments on the new street alignment prior to voting to approve, deny or modify that alignment.

3-6.05. Technically Warranted Grade Separations. DART will design and construct at DART’s cost, Grade Separations at crossings that meet grade separation warrants subject to a determination by DART that other reasonable and effective traffic mitigation measures are not feasible, and there are no physical, environmental, financial or other constraints that would preclude the construction of a Grade Separation.

3-6.06. Non-Warranted Grade Separations. For grade crossings that do not meet grade separation warrants or crossings where other reasonable and effective traffic mitigation measures are feasible but the City still desires a grade separation, DART agrees to design and construct the Grade Separation subject to a determination by DART that there are no physical, environmental, financial or other constraints that would preclude a Grade Separation and will contribute One and One Half Million Dollars ($1,500,000.00) toward the cost thereof. Subject to DART’s sole satisfaction as to the method and assurance of payment, the City and/or other affected and interested parties must agree to pay the remainder of the actual cost of the grade separation prior to DART beginning design on the project.

3-6.07. Provisions for Future Grade Separations. Following completion of a particular grade crossing, should the construction of a Grade Separation in the future become necessary at that location in the judgment of the appropriate City and DART staffs based on the technical considerations set forth in this Article, DART will design and construct the Grade Separation subject to a determination by DART that other reasonable and effective traffic mitigation measures are not feasible and there are no physical, environmental, financial or other constraints that would preclude a Grade Separation and the allocation of funding responsibilities for both design and construction shall be determined between the City and DART prior to beginning design on the project, PROVIDED, HOWEVER, that DART will contribute no more than fifty percent (50%) of the cost of the retrofit up to a maximum of One and One Half Million Dollars ($1,500,000.00).

3-6.08. Future Agreements. For any mitigation measures, including, but not limited to, Median/Shared Right-of-Way Operation, Grade Level Street Crossings, protection devices or Grade Separation structures, agreements that set forth the respective responsibilities of DART and the City may be developed by the appropriate City and DART staffs for implementation as appropriate.

§3 - ARTICLE 7. Shifts in Vertical Alignments. Any shift in vertical alignment proposed by DART which is more than fifteen (15) feet measured vertically from the existing alignment in the Service Plan, and which is necessitated by considerations other than traffic, shall be evaluated to determine what mitigation measures, if any, are appropriate based on a process similar to that described in Article 3-6 of these Procedures. This evaluation shall include consideration of the following primary criteria: (a) noise; (b) safety; (c) drainage/floodplain; (d) geometric requirements; (e) access to adjacent properties; (f) aesthetics/visual intrusion; (g) cost-effectiveness; and (h) other considerations unique to the proposed vertical realignment.

§3 - ARTICLE 8. Environmental and Special District Compliance. Both DART and the City will adhere to all current and future laws, regulations and ordinances enacted by the United States of America, the State of Texas and the City with respect to the environment and special districts such as historic districts and sites. Environmental concerns will be addressed by DART in accordance with its approved policy and will include, but not be limited to,
consideration of physical environmental elements such as floodplains, drainage, soils, slopes and vegetation as well as other elements as they relate to health and safety, e.g. air, water and noise pollution. The City supports incorporation by DART of mitigation measures in the construction and operation of its light rail transit system designed to assure that a high level of urban and natural environmental quality is maintained.

§3 - ARTICLE 9. Off Premises Signs. DART agrees to comply with all City ordinances governing Off Premise Signs. DART will not allow the erection of new Off Premise Signs on DART property in the City outside of Fixed Facilities. DART will continue to maintain existing legal Off Premise Signs on DART property in accordance with all applicable City ordinances; provided, however, that DART, in accordance with all applicable City ordinances, may also remove or, if feasible, relocate within the same DART project area from which it is removed any legal Off-Premise Sign located on DART property if the removal of such sign is required for the construction of a Fixed Facility or a Fixed Guideway.

The City agrees that advertising signs in all DART Stations, bus transit centers and bus shelters shall be wholly exempt from the City's sign ordinance unless those signs are designed to inform or attract the attention of persons outside the specific site, PROVIDED, HOWEVER the limitation imposed herein does not extend to informing or attracting the attention of rail or bus patrons to the location of the Station or transit center.

SECTION FOUR
LRT FIXED FACILITY AND FIXED GUIDEWAY DESIGN AND CONSTRUCTION

§4 - ARTICLE 1. Design.

4-1.01. Design Criteria and Approvals. City staff review and concurrence will be required during all design phases for all proposed LRT construction within City right-of-way, on City property or on private property where City Facilities are affected. Final plans for such construction shall require approval by the City Manager or his designee prior to commencement of construction, which approval shall be required within twenty-one (21) calendar days after receipt of submission by DART and shall not be unreasonably withheld. Reasonableness tests shall include compliance with applicable laws, codes and ordinances and the standards outlined in §§4-1.03 and 4-1.04 along with standard engineering and construction practices recognized in the Dallas-Fort Worth Metroplex for similar construction.

4-1.02. Design Review on State Highway System Facilities. For those Fixed Facilities or Fixed Guideways proposed to be located within the right-of-way of a state highway under the ownership, maintenance or operating jurisdiction of the City, DART will provide the City with a copy of each of its design submittals to the Texas Department of Transportation ("TxDOT") at the same time they are submitted to TxDOT. Within twenty-one (21) calendar days of its receipt of DART's Designs, (or shorter, if the City's own requirements are shorter) the City shall provide its comments to TxDOT for consideration and action and shall furnish to DART a copy of the City's comments at the same time the comments are submitted to TxDOT. The City shall identify all such comments as City-generated so that DART may directly interact with the City as appropriate.

4-1.03. Design Documents for City Facilities. Subject to modification permitted by the City and additionally subject at all times to compliance with DART or federal safety standards, DART shall use the City Standards in the preparation of its Designs and the City Standards shall govern all construction by DART within City right-of-way and on City property. Where approved by the City, DART shall use such other design criteria of general application to private or public development activities as may be developed from time to time.

4-1.04. Design Documents for DART Facilities. The following list of documents shall be used by DART in the preparation of its Designs and shall govern all construction by DART on private property or on DART Facilities other than those covered by Paragraph 1.03 of this Section. Such documents shall include:

- 4-1.0401. The City Building Code;
- 4-1.0402. appropriate standards and codes relating to the operation of Trains;
4-1.0403. all other applicable City codes and ordinances;

4-1.0404. all Train safety guidelines; and,

4-1.0405. DART Design Criteria and Standards.

4-1.05. Amendment of Design Documents. DART shall use the versions of the Design documents listed in Paragraphs 1.03 and 1.04 of this Section in effect at the time of approval by the City of the project definition submittal (10% Design), or upon the execution date of these Procedures, whichever is later. Revisions to said Design documents by the City during the first six (6) month period subsequent to said date which involve no cost changes in the project shall be incorporated by DART in future project submittals. DART will not be required to incorporate revisions by the City to said Design documents occurring after the first six months.

Changes by the City to the Design documents which involve cost changes to the project after a project definition submittal (10% Design) will be the subject of case-by-case negotiations between DART and the City.

4-1.06. Utility Facilities. During the design of a DART project, when utilities are involved, DART shall conform to City standards and shall adhere to utility franchise, license or other outstanding agreements between the City and the affected utility; PROVIDED, HOWEVER, that this requirement shall not be construed to modify Article 5 of Section Three of these Procedures. Upon DART's request, the City shall assist DART to the greatest extent possible in the negotiation of utility relocation agreements with City franchisees. At all times, DART agrees to minimize the disruption of public utilities to the extent reasonably necessary.

4-1.07. Other Design Requirements. During the Design of a DART project, DART shall develop a traffic sequence plan for its construction projects for City approval. Such traffic sequence plan shall provide, among other things, for the handling of vehicular and pedestrian traffic on streets adjacent to the DART project and shall show construction phases, street closings, detours, warning devices, traffic signal phasing and timing changes (temporary and permanent) and any other pertinent devices and/or facilities. DART may make changes to approved traffic maintenance plans only with prior approval of the City. Where applicable, DART shall require each of its contractors to submit to the City such contractor's haul routes to the City for approval. DART shall require its contractors to make a diligent effort to insure that no debris is spilled on City Facilities and that no excessive wear or damage occurs to City Facilities. Any City Facility that becomes unsightly as a result of the DART project shall be cleaned by DART or a DART contractor. Trench safety documents, created, signed and sealed by a registered professional engineer, licensed in the State of Texas and complying with all applicable laws and regulations, shall be required by the City for excavation on a City Facility.

4-1.08. Temporary Service. City Facilities shall not be taken out of service without specific approval of the City. If it is determined by the City that temporary service is required as a consequence of DART construction, such temporary service shall be furnished and installed by DART at DART's expense. Alternatively, the City may elect to provide the temporary service with reimbursement by DART. The City shall advise DART of the need for temporary service within a reasonable period after the request is made by DART.

4-1.09. Design Performed by City. When DART and the City agree that Design for a specific facility modification is to be performed by the City, the following procedures shall govern:

4-1.0901. DART shall issue a DART Task Order to the City, upon acceptance of which, the City shall, in accordance with an agreed schedule for completion and cost reimbursement, proceed to perform the Design.

4-1.0902. The City shall use its best efforts to schedule its Design to coincide with DART's design schedule for the corresponding section or portion of the DART project.

4-1.0903. The City shall submit the Design plans and specifications to DART for review and comment, along with an estimate of the cost and an estimate of the construction time needed to perform the required work, including procurement of any long lead-time materials.
4-1.0904. The City shall coordinate its facility modification plans with other affected utilities.

4-1.10. **Design Performed by DART.** When DART and the City agree that a Design for a specific facilities modification is to be performed by DART, the following procedures shall govern:

4-1.1001. During the Design process, at the stages agreed upon, DART shall submit to the City the Design plans and specifications for review and subsequent approval. The City shall use its best efforts to expedite and respond to the plan review, approval and permitting process within twenty-one (21) calendar days from receipt of the submittal.

4-1.1002. For City Facilities only, DART shall provide the City with a set of the approved reproducible drawings prior to construction, signed and sealed by one or more registered professional engineers licensed in the State of Texas.

4-1.1003. DART shall coordinate its facility modification plans with all affected utilities.

4-1.1004. For City Facilities only, DART shall provide three (3) sets of bid documents to the Director of Public Works on or before the date of distribution of the documents to potential bidders. The City shall have the right to review and comment on the bid documents.

4-1.1005. DART shall not direct its contractors to commence work on an approved project within City right-of-way or on City property until the appropriate bonds and insurance certificates have been provided and a City permit obtained for the work. Such permit shall not be unreasonably withheld or delayed.

4-1.11. **Coordination of New City Facilities on City Property or City Right-of-Way.** The City agrees not to design or construct a City Facility that would interfere with the construction or operation of a DART facility. If the City plans to construct new facilities on City property or right-of-way that would conflict with construction or operation of the DART project, DART and the City shall make arrangements, if possible, to install such new facilities in a place and manner that will not conflict with the DART project. DART shall closely monitor proposed City construction activity to insure this coordination and shall notify the City of possible conflicts. Upon receipt of notice of possible conflicts, the City shall undertake reasonable efforts to modify its plans to accommodate the DART project. Where appropriate, any increased cost to the City in modifying a previously completed Design and any resulting increased cost of construction of City Facilities to accommodate the DART project shall be paid by DART.

4-1.12. **Betterments.** Before attaining the 65% design level, the City shall provide DART in writing the details of any Betterments the City may request in a specific section of a DART project so that the Design of the Betterments can be coordinated in the overall Design of the project. Upon agreement by DART as to the scope of the Betterments, they shall be constructed by DART at the City’s cost.

§4 - ARTICLE 2. Acquisition or Exchange of Land.

4-2.01. **Right-of-Way Acquisition by DART.** In the event the Design of Fixed Facilities or Fixed Guideway requires new street or alley right-of-way outside the Fixed Facilities or Fixed Guideway, it shall be acquired by DART and conveyed to the City by special warranty deed as soon as reasonably feasible following completion of the project. As consideration for such conveyance, the City shall either (a) pay for such right-of-way a sum equal to the fair market value of the land, plus acquisition costs; or (b) acquire and exchange other new or additional right-of-way required by DART of equal value or utility.

4-2.02. **Rights-of-Way Abandoned and Transferred to DART.** Unless otherwise agreed by the parties, when construction of a DART project requires existing City streets and/or alleys outside of the Fixed Guideway to be abandoned and title to such right-of-way conveyed to DART, such conveyance shall be made by special warranty deed, and, as consideration for such transfer, DART shall: (a) acquire and convey to City replacement right-of-way....
of equal value or utility; or (b) pay for such right-of-way a sum equal to the fair market value of the land plus acquisition costs; or (c) exchange other new or additional street or alley right-of-way acquired or to be acquired by DART and conveyed to the City.

4-2.03. Roadway Closures; Right-of-Way Retained by City. When existing City streets or alleys are to be closed as a result of a DART project, and when such right-of-way is not utilized by that DART project and title to the property is to remain in the City, no payment for such property shall be required of DART.

4-2.04. Other City Property. When a DART project requires acquisition of City property other than street or alley rights-of-way, DART shall compensate the City at fair market value for the property rights acquired, which compensation may be in cash, exchange for land owned by DART, credit toward Betterments requested by the City or any combination of methods acceptable to the parties.

4-2.05. DART Property. When a City project requires acquisition of DART Property that is not otherwise to be made available to the City, the City shall compensate DART at fair market value for the property rights acquired, which compensation may be in cash, exchange for land owned by the City or a combination acceptable to the parties.

4-2.06. City Easements Within Project Right-of-Way. If a City Facility is located on DART Property by license or easement to the City, and if DART requires the City to make a modification for DART's convenience and the replacement facility will be located within the DART Project right-of-way, DART shall accommodate the replacement and the City shall be reimbursed for all costs incurred for relocating such City Facilities. If requested by the City a replacement license or easement shall be granted to the City by DART at no cost to the City. It is hereby understood that in accepting such replacement license or easement and in releasing its existing rights, the City shall be granted the right to install, operate, maintain and remove the relocated facilities on the replacement license or easement. DART agrees to construct DART Facilities so as to allow for said City installation, operation, maintenance or removal, if required. Any such installation, operation, maintenance or removal shall be done at such times and in such a manner as not to unreasonably interfere with or endanger DART operations and the City will provide proper notice of any such installation, maintenance or removal.

§4 - ARTICLE 3. Construction.

4-3.01. City Construction on Behalf of DART. When it is agreed that the City shall construct a modification to City Facilities necessary to eliminate a conflict with a DART project, the following provisions shall govern:

4-3.0101. DART shall issue a Task Order outlining the construction work that the City is to perform and shall provide a detailed estimate of costs to be paid to the City, including a ten percent (10%) contingency. Upon written acceptance of the Task Order, the City shall use its best efforts to commence and complete the work as agreed upon in conformance with the approved Design plans and specifications, on schedule and within the established budget. All actual Design and construction costs shall be paid by DART and the City shall be paid its costs on a monthly basis as they accrue and are billed to DART. The City shall not be entitled to use the contingency funds without the prior approval of DART, which approval shall not be unreasonably withheld or delayed. No construction costs that exceed the agreed budget shall be paid unless approved by the DART Board.

4-3.0102. The City shall not make any changes in the approved Design plans and specifications without the prior concurrence of DART. DART may make changes to the approved Design plans and specifications after the issuance of the Task Order; provided, however, that DART shall be responsible for paying all reasonable and necessary costs to the City associated with the requested change.

4-3.0103. In the event temporary facilities are necessary to effect a modification, the
City may use lands owned or controlled by DART for the purpose of erecting such temporary facilities, provided DART shall have approved in writing the location, usage and duration of such temporary facilities. Upon completion of replacement facilities in their permanent locations, the City shall remove all temporary facilities and restore the area as nearly as practical to its original condition unless the City and DART agree in writing to some different standard.

4-3.0104. The City shall notify DART in writing at least five (5) working days prior to commencing the work so that DART may make arrangements for such inspection and record-keeping as DART may desire.

4-3.0105. If reasonably possible, the City shall not exceed the schedule or the amount of money specified in each Task Order without the prior written approval of DART. The City shall advise DART when the project is 75% complete or no later than thirty (30) days prior to completion, whichever is earlier.

4-3.0106. The City shall provide DART such information as shall be necessary in order to incorporate the City's work schedule into DART's scheduling and tracking system.

4-3.0107. If at any time the City has reason to believe that the schedule and/or cost to DART will exceed that specified in the Task Order, the City shall immediately notify DART in writing to that effect, giving its revised schedule and/or cost estimate for the work authorized in the Task Order. Subject to audit and following DART approval, DART shall provide such additional funding as is necessary to complete the work.

4-3.0108. DART shall reimburse the City for all Direct and Indirect Costs incurred by the City to relocate facilities belonging to another agency or company where such facilities are jointly reconstructed with the City's conflicting facilities or where such facilities occupy the area of the City's conflicting facilities pursuant to preexisting agreements.

4-3.0109. All charges, costs and payments hereunder shall be subject to audit by DART.

4-3.02. DART Construction on Behalf of City. When DART and the City agree that DART shall perform a specific modification of a City Facility for DART's benefit, DART shall perform the modification in conformance with the Design plans, specifications, on schedule and within the established budget agreed to by DART and the City during Design and the City shall provide inspection services to insure such conformance. The City shall expedite the inspection and permitting process. DART's engineer shall inspect the construction of the modification and shall subsequently certify that the modification was constructed strictly in accordance with the approved plans and specifications. DART may make changes to previously approved modification plans only with the prior written approval of the City.

4-3.03. Construction of Betterments. When DART and the City agree that DART shall construct a Betterment to City Facilities, the following provisions shall govern:

4-3.0301. The City shall issue a Task Order outlining the construction that DART shall perform and provide a detailed estimate of costs to be paid to DART including a ten percent (10%) contingency. Upon written acceptance of the Task Order, DART shall commence and complete the work as agreed in conformance with the design plans and specifications. All Design and construction costs for the Betterment shall be paid for by the City and DART will be paid by the City for all of DART's Direct and Indirect Costs associated with the Betterment.

4-3.0302. DART shall not make any changes in the approved Design plans of the Betterment without the prior concurrence of the City.

4-3.0303. In the event that temporary facilities are necessary to effect a Betterment, DART may use lands owned or controlled by the City for the purpose of erecting such temporary facilities, provided that the City shall have approved in writing the location, usage and duration of
such temporary facilities and restore the area as nearly practical to its original condition unless the City and DART agree in writing to some different standard

4-3.0304. DART shall notify the City in writing at least five (5) working days prior to commencing the Betterment work so that the City may make arrangements for such inspection and record-keeping as the City may desire.

4-3.0305. DART shall provide the City necessary information in order to incorporate DART's work schedule into the City's scheduling and tracking system.

4-3.0306. If at any time DART has reason to believe that the schedule and/or cost to the City will exceed that specified in the Betterment Task Order, DART shall immediately notify the City in writing to that effect, giving its revised schedule and/or cost estimate for the work authorized in the Task Order. Subject to audit and following City approval, the City shall provide such additional funding when necessary in order to complete the Betterment work.

4-3.0307. The City shall reimburse DART for all of DART's Direct and Indirect Costs incurred by DART to relocate facilities belonging to another agency or company where such facilities are jointly reconstructed with DART's conflicting facilities or where such facilities occupy the area of DART's conflicting facilities pursuant to preexisting agreements.

4-3.0308. Following final completion of the Betterment task assigned, the City shall make final payment to DART for any budgeted costs incurred in excess of previous funding received.

4-3.0309. All charges, costs and payments shall be subject to audit by the City.

4-3.04. Emergency and Regular Maintenance During Construction. The City shall undertake reasonable efforts to schedule its Maintenance work on City Facilities and to perform such work in an expeditious manner so as not to interfere with construction of a DART project. In any case where a City Facility emergency failure occurs resulting in a serious interruption in the City utility services, the City shall inform DART that access is required to DART's construction area or rights-of-way for the purpose of performing the necessary work or construction. In such cases, DART agrees that it will make whatever accommodations are reasonably necessary to permit the City to undertake the required work. All Regular Maintenance shall be coordinated with DART.

4-3.05. Proposed Plan Revisions; Field Changes. All proposed plan revisions or field changes that affect or require the modification of City Facilities shall be expeditiously reviewed and approved by the City prior to commencement of the construction revision by DART. The City shall receive notice of all plan revisions that do not affect City Facilities within a reasonable period of time.

4-3.06. Record Drawings. Whichever entity is responsible for a construction in City right-of-way or City property, shall maintain a detailed set of record drawings of such construction as performed. Within sixty (60) days after construction is complete, the party that performed the work shall furnish the other party with complete and accurate record drawings showing all new, modified or replacement facilities installed by the performing party. These drawings shall consist of acceptable reproducible drawings and compatible digital files, if available. Each party shall prepare or cause to be prepared the record drawings for which it is responsible in accordance with the drafting standards of the party responsible for maintenance of the modification. The City will be allowed to review the drawings during the construction at appropriate DART field offices. The City shall provide record drawings for each modification of all City-owned utilities to DART for inclusion in the total record drawing package.

4-3.07. Salvage to DART. Where appropriate, the City may request that DART salvage valuable materials belonging to the City during the course of construction. If the materials, as determined by the City, are to be used in a DART project, they shall be stored by DART or the City until such time as the progress of the work allows the reinstallation of such materials. Materials that are not to be reused and which the City desires to reclaim shall be returned by DART to a location agreeable to DART and the City. If the materials removed by DART are
not reusable and are not desired by the City, such materials shall become the property of DART.

4-3.08. **Authorizations.** If, prior to DART's scheduled date of commencement of work in a section or portion of a DART project, any modification necessary to eliminate a conflict has not been completed, the City shall authorize DART to proceed with the construction of the section or portion of a DART project in accordance with DART's schedule, PROVIDED, HOWEVER, that such authorization shall not relieve the party performing the modification of its obligation to complete the modification; FURTHER PROVIDED, that such authorization does not unreasonably interfere with the City's provision of services to the public, and FURTHER PROVIDED, that the City is permitted under applicable law to grant such authorizations. The City shall not unreasonably withhold or delay its authorization under this Section.

§4 - ARTICLE 4. Quality Assurance and Acceptance.

4-4.01. **Inspection of Construction of City Facilities.** Modification of City Facilities to be maintained by the City shall be inspected and approved by the City. Likewise, the City shall have the right to inspect those sections or portions of a DART Project in which City Facilities exist or may be affected as coordinated with DART field sites. The City shall furnish its inspectors to observe such modification of facilities so that any changes may be immediately implemented and, upon completion of same, the City will have a basis for acceptance of the work. All City direction affecting DART contractors shall be given through DART representatives EXCEPT when an emergency situation exists or is imminent and the DART representative is not available. The City Water Department inspectors shall have day-to-day inspection responsibility, and, through the DART representative, control of alterations to the City's water and wastewater system facilities. City and DART representatives shall coordinate field activities throughout the construction process. DART shall have a readily available, designated representative available on-site at all times that construction activities are underway on City Facilities and accessible by telephone at all other times for emergency response.

Construction and materials testing as agreed by the City and DART shall be performed by certified laboratories under contract to and paid by DART. DART agrees to furnish to City certified results of all tests, upon request.

Following site visits, DART and the City shall inform each other in writing of any deficiencies or discrepancies observed. A daily report will be maintained by each inspector, a copy of which shall be available at the appropriate field office. Whenever unacceptable work on a City Facility is noted by the City, the Director of Public Works or his/her designee shall immediately notify DART's Senior Vice President for Project Management or his/her designee to repair, replace or correct the work to conform to approved plans and specifications. DART may use whatever means are available or necessary to insure resolution of the problem, including withholding payments to its contractors under the terms of their contracts with DART. The City shall not withhold its acceptance of the work so long as the project was constructed in accordance with the approved plans and specifications.

4-4.02. **Final Walk-Through and Acceptance.** Upon completion of construction of a City Facility, City staff shall accompany DART's engineer when final walk-through and preparation of the punch list is made of items not in conformance with the approved plans and specifications. Items identified by the City as not in conformance with the approved plans and specifications must be identified in writing to DART as a contractor punch-list item within three (3) days of the walk-through. After the contractor punch-list is performed to meet specifications, and upon receipt of certification by a registered professional engineer licensed in the State of Texas that the construction performed conforms with the approved plans and specifications, and evidence of DART's right of possession, City shall accept responsibility for maintenance of any new City Facility, EXCEPT for warranty obligations of the contractor or correction of defective work, which shall remain the responsibility of DART's contractors and for which DART shall obtain correction to the extent authorized by law.


4-5.01. **Bonding.** Where DART awards a construction contract in excess of $25,000.00 in City right-of-
way or on City property, the contractor shall provide performance and payment bonds acceptable to the City Attorney and DART's General Counsel in an amount equal to one hundred (100%) percent of the contract price, with the City and DART named as co-obligees. The bond forms shall be substantially equivalent to the City's standard bond forms. All bonding shall meet the requirements of State Law with surety companies only acceptable to DART and the City.

4-5.02. Warranty Requirements. DART shall require its contractors to warrant all work on City Facilities against defects in materials and workmanship in writing for a minimum period of one (1) year after final acceptance of the work, and shall require DART's contractors to remedy in a timely manner any defect, or correct and repair any damage, as determined by the City to City Facilities during the warranty period that is caused by a failure of such facilities in stalled or modified by DART's contractor. Latent defects in DART's construction shall also be DART's responsibility following the expiration of the express warranty period to the extent authorized by law.

4-5.03. Insurance. Any Design or construction contracts entered into by DART or the City for work in City right-of-way or on City property in connection with a DART project shall provide for insurance coverage and endorsements acceptable to the DART and City Risk Managers. Such insurance shall not be for less than those types of policies and coverages normally required by the City and DART of its consultants and contractors on similar projects and shall include notification requirements, limits and deductibles acceptable to both City and DART. Insurance meeting the following requirements is acceptable:

4-5.03.01. Contractor liability insurance policies shall contain endorsements to the policies of insurance that name the City and DART as additional insureds.

4-5.03.02. Any such insurance shall be primary to and not contributing with any insurance maintained by the City.

4-5.03.03. Insurance coverage for construction shall include All Risk Builders Risk Insurance (including flood coverage) covering the entire work against loss or damage until completion and acceptance by the City and DART.

4-5.03.04. Commercial General Liability Insurance shall be endorsed for broad form property damage, explosion, collapse and underground hazards and shall include independent contractor's liability, personal injury, premises operations, products and completed operations and contractual liability with a per occurrence amount acceptable to the City and DART's Risk Managers.

4-5.03.05. Comprehensive Automobile and Truck Liability Insurance for all owned and non-owned vehicles shall have a combined single limit per occurrence amount acceptable to the City and DART's Risk Managers.

4-5.03.06. Worker's Compensation coverage as required by law.

4-5.03.07. Professional Liability Insurance (Errors and Omissions) for Design consultants, with limits and extended discovery periods acceptable to the City and DART's Risk Managers.

4-5.04. Design Responsibility and Liability. Approval of any DART design and/or construction document by the City shall not be deemed an assumption or acceptance of any responsibility or liability by the City for the adequacy or competency of the designs or construction documents and all such responsibility and liability shall be and remain with DART and its consultants. Likewise, any approval of any City design and/or construction document by DART shall not be deemed an assumption or acceptance of any responsibility or liability by DART for the adequacy or competency of the designs or construction documents and all such responsibility and liability shall be and remain with the City and its consultants.

4-6.01. **Additional Contract Clauses.** DART shall include in its contract technical specifications related to improvements on City right-of-way or City property such requirements as may be reasonably requested by the City to address project specific needs relating to City Facilities. In addition, DART shall include a provision whereby the DART contractor releases the City from any claim or obligation for payment under the DART contract.

Likewise, the city shall include in its contract technical specifications related to improvements on DART right-of-way or DART property such requirements as may be reasonably requested by DART to address project specific needs relating to DART Facilities. In addition, the City shall include a provision whereby the City contractor releases DART from any claim or obligation for payment under the City Contract.

4-6.02. **Access.** To the extent required by law during DART's construction activities, DART shall maintain vehicular and pedestrian access to property and buildings abutting City right-of-way. DART shall be responsible for conducting, providing and paying for the defense of any litigation in this regard and all costs, expenses, liability and damages resulting from loss of vehicular or pedestrian access as a result of DART construction shall be borne by DART.

4-6.03. **Corrosion (Stray Current) Control.** DART's Designs shall be reviewed by engineers acceptable to the City who are experienced and qualified in the area of stray current control for transit systems and utility lines. Final Designs shall include systems on Fixed Facilities and Fixed Guideways and on utility lines for the proper protection of existing, proposed and future utility lines, both public and private for the design life of the facility. Following completion of construction, DART's engineers shall test and monitor on a periodic basis the transit system and selected utility systems in the vicinity of DART Facilities and operations in order to determine the effectiveness of the stray current corrosion control systems and such findings shall be made available to the City. Any undesirable effects observed by an expert recognized as such by the corrosion control industry, hired by DART and acceptable to the City and DART, shall be corrected at DART's cost. Corrective action may be implemented on transit facilities, utilities or both as necessary and applicable.

4-6.04. **Safety Reviews of DART Designs.** Prior to finalization of DART plans and specifications, DART shall conduct safety review and evaluation of such plans and specifications, particularly with regard to vehicle operations and electrical hazards. Such reviews and evaluations shall be undertaken by fully qualified individuals experienced with the facilities DART proposes to build. The City shall be provided with the completed evaluation reports and DART shall consider and address all recommendations therein contained in its final Designs.

**SECTION FIVE**

**LRT OPERATIONS AND MAINTENANCE**

§5 - ARTICLE 1. The "Procedures Manual". Pursuant to the Master Interlocal Agreement with the City of Dallas, standard operating procedures for the operation and maintenance of the Light Rail Transit System were developed by DART as the "Operations and Maintenance Procedures Manual", (the "Procedures Manual") which is approved and incorporated by reference and made a part of these Procedures as Exhibit "A". All references in the Procedures Manual to "the City of Dallas" shall be interpreted by the parties to these Procedures to apply to the City. The City and DART will, as necessary, add an Addendum to the Procedures Manual reflecting the specific operational and maintenance obligations that differ from those obligations between the City of Dallas and DART. All references herein to "Procedures Manual" shall be intended to include the Procedures Manual Addendum adopted for the City, where applicable.

5-1.01. **The Procedures Manual Addendum.** The Procedures Manual Addendum will contain specific details addressing each of the following matters:

5-1.0101. Specific traffic signal timings for the operation of the traffic and train signals within the City;
5-1.0102. Train Headways within the City Limits; and,
5-1.0203. Traffic mitigation Design-construction plans;

5-1.02. **Procedures Manual and Addendum Modifications.** Significant modifications to either the Procedures Manual or the Procedures Manual Addendum shall be approved in writing by the City Manager and the DART President/Executive Director. Minor field adjustments, if any, to the Procedures Manual Addendum shall be on the approval of the City Traffic Engineer or other designated City department head and the DART Vice President for Transportation or Vice President for Maintenance, as the case may be.

§5 - ARTICLE 2. Maintenance.

5-2.01. **DART Maintenance Obligations.** DART shall assume permanent Maintenance responsibility for the project elements as described in the Procedures Manual Addendum.

5-2.02. **City Maintenance Obligations.** The City shall assume permanent Maintenance responsibility for the project elements as described in the Procedures Manual Addendum.

5-2.03. **City Maintenance Work.**

5-2.0301. The City shall provide DART advance notification pursuant to the Procedures Manual, for any Maintenance, repair or improvement work performed by the City or its contractors on the Operational Throughway that may affect rail operations. All City-performed Maintenance, repair or improvement work shall be in complete accordance with approved DART Maintenance and safety procedures as documented in the Procedures Manual. The City shall not grant permits for work by utilities or other persons or entities within the DART Operational Throughway without the prior written approval from DART.

5-2.0302. Should the City perform Maintenance, repair or improvement work on or near the DART Operational Throughway, City forces shall provide and install adequate construction warning signs and other requirements in accordance with TMUTCD, the Procedures Manual and standard City practices. When the City is performing work within DART's right-of-way, DART's safety standards or practices shall likewise be followed. In the event of a variance between DART and City safety standards or practices, the more restrictive shall be followed. If City Maintenance, repair or improvement work damages DART Facilities or equipment, the City shall be responsible for the immediate restoration of the affected facilities or equipment to their condition prior to the start of such work by the City. If the City Maintenance, repair or improvement work require operational disruption to DART's regularly scheduled (or special event) light rail transit operations, then, the City shall pay to DART all costs that DART incurs in performing alternative service activities (i.e., bus bridge service) in order to maintain light rail train service to its customers. In the event the City does not immediately restore and/or repair the damage, DART may make the repairs with DART's costs of such repairs being reimbursed by the City.

5-2.04. **DART Maintenance Work.**

5-2.0401. DART shall provide advance notification as provided in the Procedures Manual, to the appropriate City department to receive advance approval from the City for DART or its contractors to perform any Maintenance, repair or improvement work situated on City right-of-way, on other City property, or that may affect the operation of City Facilities or other utility and/or communication facilities in place. This includes work above City water lines or across City streets where traffic may be affected. DART or its contractors shall be responsible for obtaining any necessary permits or other approvals required by City ordinance prior to beginning the Maintenance, repair or improvement work. Such permits or approvals shall not be unreasonably withheld or delayed. Notification to the City is not required if the maintenance, repair or improvement work does not occur on City right-of-way or other City Property and does not affect operation of City Facilities or utility and/or communication facilities.
5-2.0402. Should DART perform Maintenance, repair or improvement work on or near City Facilities, DART shall provide and install adequate construction warning signs and other requirements in strict accordance with TMUTCD, the Procedures Manual and standard DART practices. When DART is performing work within the City's right-of-way, the City's safety standards and practices shall also be followed. In the event of a variance between DART and City safety standards or practices, the more restrictive shall be followed. If DART Maintenance, repair or improvement work damages City Facilities or equipment, DART shall be responsible for the immediate restoration of the affected facilities or equipment to their condition prior to the start of such work by DART.

5-2.0403. Following completion of the Light Rail Transit System within the City, DART will implement corrosion control inspection and Maintenance procedures reasonably acceptable to the City. DART's engineers will test and monitor on a periodic basis (but not less than annually) the Light Rail Transit System and selected utility systems in the area of DART Facilities and operations in order to determine the effectiveness of the corrosion control systems and such findings shall be made available to the City within thirty (30) days after receipt by DART. In the event the City does not immediately restore and/or repair the damage, DART may make the repairs with DART's costs of such repairs being reimbursed by the City.

5-2.05. Safety Qualifications. The City shall be responsible for assuring that key City personnel or its contract supervisors performing work on the DART Operational Throughway are certified by DART in proper safety procedures prior to entering the Operational Throughway. Certification tags or other identification will be issued to certified personnel and shall be displayed at the work site at all times. DART shall provide safety training and instruction to such personnel and contractors at periodic intervals. Safety training and instruction will be provided by DART within thirty (30) days after notice at a location and time to be determined and specified by DART.

5-2.06. Insurance. City contractors performing work within the DART Operational Throughway, and DART contractors performing work on City property shall each carry suitable casualty and liability insurance with coverages and limits jointly determined by DART's and the City's Risk Managers and complying with SECTION FOUR, ARTICLE 5 of these Procedures. Any such policy shall name the other party as an additional insured and proof of such insurance shall be promptly provided to the other party upon request.

5-2.07. Displays and Special Events.

5-2.0701. It is understood by the City and DART that the movement by Trains and pedestrian and traffic flow along the Operational Throughway is of primary importance to the parties and that under no circumstances will a permit be granted to any person or entity for any use of the Operational Throughway that would in anyway interrupt, block or restrict such activities.

5-2.0702. DART and the City recognize the potential for third parties to request the use of the OCS poles, traffic signal poles and other structural elements for displays (decorative, seasonal, etc.) and recognize the need for a mechanism to process such requests. Each party shall submit to the other a written notification of all requests each receives for approval of any displays to be attached to the other's poles and structures. Neither the City nor DART shall unilaterally grant permits for displays attached to DART OCS poles, City traffic signals or placed above the Operational throughway without the written authorization from both the City and DART and without review under the City's Special Events Permit process. Under no circumstance shall any display be permitted that would in any way impede the ability to see and react to changing traffic conditions, or to any traffic control device or Train signal while the rail Vehicles or motor vehicles are or may be in operation.

5-2.0703. Once the City and DART have approved a permit for installation of approved displays, and before such installation is commenced, the permittee shall be required to notify
DART's OCC and the City's TMC and any other persons as required by the permit to insure that adequate safety measures are observed. DART reserves the right to perform the installation of any such displays to its OCS poles or above the Fixed Guideway. Each party may require reimbursement for labor and materials associated with its installation of approved displays.

2.0704. Requests for special events such as parades, festivals, sporting events, etc., along or crossing the Operational Throughway shall be submitted to DART at least thirty (30) days in advance of the proposed event for review and comment as part of the City's Special Events Permit process and to the extent such a request affects the Operational Throughway, it must be approved by DART.

§5 - ARTICLE 3. Operations.

5-3.01. General Provisions.

5-3.0101. Joint operational procedures between the City's traffic control system and the DART Train operation system shall be developed and implemented to optimize performance and Level of Service for both modes of transportation.

5-3.0102. While it is recognized that provision of services by both DART and the City benefit the public, the City retains ultimate control over the traffic operation system within the City limits. The City shall coordinate with DART in advance on decisions regarding enhancements or modifications to the traffic controller software that may affect Train operations. Consistent with the parameters established in these Procedures and the Procedures Manual, the City will not unilaterally modify the traffic control mitigations (hardware and/or software) in such a manner as to modify Headway or scheduled travel time. Likewise, DART will not unilaterally modify Train operations in such a manner as to disrupt traffic operations.

5-3.0103. Scheduled initial Headway in each direction shall be established for the LRT segments within the City's limits after consultation between DART and the City.

5-3.0104. Headways may be modified in any way after initial setting by a current authorization by the DART President/Executive Director and the City Manager, documented in the form of official updates to the Procedures Manual Addendum.

5-3.02. Train Operation.

5-3.0201. Train operations throughout the DART LRT System shall be established, used and maintained to accommodate the operational requirements of street traffic flow and the operational requirements of At-Grade Train crossings.

5-3.0202. Train operations through the DART-exclusive sections of the Operational Throughway, including grade crossings with automatic warning devices, shall be carried out through methods and criteria determined by DART that are reasonable, consistent with the principles of the Association of American Railroads - Signal Manual of Recommended Practices (the "AAR-Signal Manual") and consistent with the requirements set out in these Procedures.

5-3.03. Train Crossing Operating Mitigations (Hardware).

5-3.0301. Automatic warning and traffic control devices (such as signs, automatic gates, bells, flashers) shall be provided by DART and shall be consistent with current standards in the AAR-Signal Manual and the TMUTCD. The type, quantity and location of all the mitigations will be determined through the design-review process based on applicable engineering principles. Automatic warning devices shall work on fail-safe principles.
5-3.0302. When the Operational Throughway is within City-street right-of-way between crossings, special Train-only signal indications may be used as a Train control mitigation.

5-3.04. **Street Traffic Operation.** Traffic and traffic signal operations within the TTSS shall be established, used and maintained to accommodate the operational requirements of street-traffic flow and the operational requirements of At-grade Train crossings.

5-3.05. **Traffic Operating Mitigations (Hardware).** DART will provide or reimburse the City for all initial installations of traffic control devices and other hardware necessary to achieve the intended traffic/Train operation as specified herein. These devices include, but are not limited to, solid-state traffic signal controllers and their cabinet control equipment, controller telecommunication connections (cable drops), signal conduits, foundations, detectors and other input hardware, mast-arm assemblies and other structural hardware, signal heads and other output hardware, signs and markings. DART will provide an interface between the Train control system and the traffic control system and other interface enhancements as necessary. Where possible, existing traffic signal equipment will be reused.

5-3.06. **Traffic Operating Mitigation (Signal Settings).**

5-3.0601. DART will provide or reimburse the City for the City's Direct and Indirect Costs for all signal settings, software and other non-hardware operational control mitigations necessary to achieve the intended traffic/Train operation as specified herein. The signal settings shall be documented in the Procedures Manual.

5-3.0602. The operations procedures shall include signal settings up to five (5) time periods of the daily signal settings schedule (AM peak hour, PM Peak hour, off-peak hours, late-night hours and weekend) as further described herein. The traffic signal settings that are provided and proposed by DART and accepted by City staff will contain the initial signal settings for the traffic signals. City staff will implement the initial signal settings. In general, signal settings shall be complete enough to allow the operation of traffic controllers in a manner consistent with the TMUTCD, City guidelines and practices and with controller manufacturer's specifications.

5-3.0603. Either DART or the City staff may propose minor adjustments to the traffic signal settings with the adjustments to be subject to approval as described herein and to be documented through updates to the Procedures Manual. City staff will perform DART-proposed adjustments with reimbursement from DART, while City-proposed adjustments will be performed by City staff at City's expense.

5-3.07. **Maintenance.**

5-3.0701. Responsibility for the Maintenance of traffic mitigations is specifically described in the Procedures Manual. Generally, DART will maintain all traffic control devices exclusively necessitated by the presence of grade crossings for LRT (e.g. automatic gates, crossing lights, crossing bells, Train-only signals, selected telecommunications elements, etc.) while the City will maintain all other traffic mitigations (e.g. traffic signals and controllers, selected telecommunications elements, signs, pavement markings, etc.). Unless otherwise identified in the operating procedures, DART shall maintain all interface cabling and hardware up to connection on a terminal box located on the traffic controller cabinet.

5-3.0702. The City will be responsible for maintaining the traffic signal system hardware and software. Where traffic signals are attached to OCS poles, DART shall maintain the pole and the City shall maintain the attached traffic signal equipment. Where DART rail signals or equipment are attached to City poles, the City shall maintain the pole and DART shall maintain the attached equipment.

5-3.0703. Replacement and maintenance of LRT-specific and non-typical traffic signal hardware (including signage) is as provided in the Procedures Manual. Non-typical hardware and
software is that which is installed for LRT operational and safety purposes and which varies from City standards.

5-3.0704. Spare parts for traffic signal equipment that is routinely used by the City shall be kept in the City's inventory for immediate replacement of failed parts. Traffic signal equipment used for the DART At-Grade crossings that is significantly different from City's inventory shall be provided by DART at the request of the City at no cost to the City.

5-3.0705. Response times for maintenance and repair of all individual components shall be performed within typical City incident classification and response times. The City recognizes the importance of efficient rail service and will work diligently with DART to identify priorities for response.

§5 - ARTICLE 4. Fire/Life, Safety Coordination. It is understood and agreed by the City and DART that neither the Fixed Guideway, the Operational Throughway nor any portion of the foregoing are ever to be considered or treated as a designated primary emergency response route or throughway, or a short cut from one place in the City to another for other than DART vehicles or Trains. The City and DART will coordinate notifications and emergency response to incidents occurring on the Operational Throughway or the Fixed Guideway that may severely affect public safety on the Fixed Guideway or Operational Throughway and the safety of passengers, employees and the general public.

5-4.01. Fire/Life Safety Committee. A Fire/Life Safety Committee (FLSC) shall be established consisting of representatives of DART and City emergency response departments such as fire, police and other departments designated by the City. These representatives shall have the authority to make decisions in the areas of emergency response and fire/life safety. The FLSC shall meet on a regular basis to discuss and plan activities requiring interface between DART and City emergency response departments.

5-4.02. Emergency Procedure Plan. An Emergency Procedure Plan shall be developed by DART consistent with the requirements defined in National Fire Protection Association 130 (NFPA 130)-Fixed Guideway Transit Systems, Chapter 6 and other applicable guidelines and regulations. The Emergency Procedure Plan will be reviewed and coordinated with and approved by City emergency response departments.

5-4.03. Emergency Drills. Periodic emergency response drills will be conducted prior to the start of LRT operations within the City and at periodic intervals thereafter as defined in NFPA 130, Chapter 6. DART will plan and conduct drills in coordination with appropriate emergency response organizations through the FLSC.


5-4.0401. At the request of the emergency response official or his designee in charge at the location of an incident, DART personnel will remove power from the OCS. Procedures for removing and restoring power will be consistent with NFPA 130, Chapter 6. Detailed procedures will be developed by DART and coordinated with the FLSC. Prior to start of revenue service within the City, DART will provide training and equipment to City emergency response personnel to enable confirmation that power has actually been removed.

5-4.0402. DART and City emergency response personnel shall work cooperatively to minimize the frequency that power is removed and emergency response vehicles are stopped on the Fixed Guideway, and to minimize any other blockage of the Fixed Guideway that may occur. These situations shall be limited to events where no other reasonable alternatives are available to enable City emergency response organizations to perform their life/safety responsibilities.

5-4.0403. Any emergency condition that may affect operations or public safety that comes to the knowledge of City forces, or any actual emergency response action along the Fixed Guideway initiated by City forces shall be reported immediately to the DART OCC. Likewise, any emergency condition on a City street or Facility that may affect operations or public safety
that comes to the knowledge of DART forces, or any actual emergency response action along a City street including portions in the Operational Throughway initiated by DART forces shall be reported immediately to the City TMC or appropriate City contact point.

5-4.05. Police and Security. In accordance with DART Board policy and pursuant to Chapter 452, Texas Transportation Code, DART will provide security for passengers on Trains, at Stations, on the Operational Throughway and at other DART Facilities at a level and using a means that DART determines appropriate. DART shall also enforce its fare collection responsibilities. Interface between DART and the City regarding security procedures for the LRT System may be coordinated through the FLSC meetings. Nothing in this section shall be deemed to restrict the City's police powers as authorized by State and local law.

SECTION SIX
MISCELLANEOUS PROVISIONS

6-6.01. City Facilities Located Outside City Limits. The provisions of these Procedures shall apply outside the City limits only when City-owned, operated or maintained Facilities located outside the City limits are involved.

6-6.02. Notification of Action. DART and the City each will inform the other in advance of DART Board or City Council briefings, public hearings or official action related to the System Plan, its implementation or operation.

6-6.03. Availability of Records. With respect to matters potentially impacting City Facilities or responsibilities, DART will, upon request or as required with permit applications, make available in a timely manner to the City all DART plans and specifications or other documents considered necessary for timely fulfillment of the City's governmental responsibilities. DART shall have a reciprocal right with respect to the City's plans, specifications and other documents potentially impacting the construction and/or operation of the DART Transit System.

6-6.04. Indemnification. To the extent permitted by applicable law, the City shall agree to defend, indemnify and hold DART, its directors, officers and employees free and harmless against any claims, demands, causes of action, costs and liabilities, including attorney fees, resulting from the performance or failure of the City to perform any City obligation or duty in connection with these Procedures. Likewise, to the extent permitted by applicable law, DART shall agree to defend, indemnify and hold the City, its Council, officers and employees free and harmless against any claims, demands, causes of action, costs and liabilities, including attorney fees resulting from the performance of failure of DART to perform any DART obligation or duty in connection with these Procedures.

6-6.05. No Third Party Beneficiaries. The provisions of these Procedures are solely for the benefit of DART and the City and are not intended to create or grant any rights, contractual or otherwise, to any other entity or person; and no such other entity or person shall have any right of enforcement of these Procedures or any provision contained herein, such right of enforcement being exclusively reserved to DART and the City as the sole parties to, and beneficiaries of these Procedures.

6-6.06. Right to Contest Actions. No provision of these Procedures shall be construed to limit the right of either party to contest the validity or application of any law, ordinance, regulation, plan or policy. No provision of these Procedures shall be construed to limit or restrict the vested right of either party to rely on a governmental approval or validly issued permit. Nothing in these Procedures is intended to limit the authority of officials of either party in the implementation of their powers and execution of their duties derived from state law, City charter or otherwise.

6-6.07. Amendment or Supplementation. These Procedures may be amended or supplemented by action of DART at any time and from time to time without prior notice to the City or any other party. Supplemental policies or procedures may become necessary to address specific interagency issues and will be developed by appropriate DART staff action and adopted by DART.
6-6.08. **Conflict of Interest.** No officer or employee of DART or the City shall have any financial interest, direct or indirect, in the purchase, sale or lease of any land, materials, services, supplies or equipment used in the work contemplated in accordance with these Procedures.

6-6.09. **Notices.** All notices, communications, invoices, reports etc. required or permitted in accordance with these Procedures shall be in writing and personally delivered or mailed to DART and the City as further agreed in writing.

6-6.10. **Applicable Law.** These Procedures is made in accordance with the provisions of the Act and all applicable laws and regulations of the State of Texas and the United States of America.

6-6.11. **Legal Construction.** In case one or more of the provisions herein contained shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and these Procedures shall be revised so as to cure such invalid, illegal or unenforceable provision to carry out as near as possible the original intent of the parties.

6-6.12. **Captions.** The captions to the various Sections, Articles and Paragraphs in these Procedures are for informational purposes only and shall not alter the substance of the terms and conditions contained herein.

6-6.13. **Number and Gender.** Words of any gender used in these Procedures shall be held and construed to include any other gender and words in the singular shall include the plural and *vice versa*, unless the context clearly requires otherwise.
RESOLUTION

of the

DALLAS AREA RAPID TRANSIT (Executive Committee)

Adoption of Policy on Light Rail Transit (LRT) System Development Procedures

WHEREAS, the DART Board has requested that all member cities recognize and utilize the same procedures under which DART will work with member cities to implement and operate the DART Light Rail Transit (LRT) system; and

WHEREAS, a common set of procedures for DART and its member cities to follow in implementing the LRT system is conducive to achieving good working relationships.

NOW, THEREFORE, BE IT RESOLVED by the Dallas Area Rapid Transit Board of Directors that a policy on Light Rail Transit (LRT) System Development Procedures, as shown in Exhibit 1, is approved.

Huelon Harrison
Secretary

Jesse Oliver
Chairman

APPROVED AS TO FORM:

Roland Carter
DART Counsel

ATTEST:

Gary C. Thomas, P.E.
President/Executive Director

August 28, 2001
Date
1. Addition of Territory of a Municipality by Election

It is DART's policy to encourage the development and provision of transit services in north-central Texas. To that end, DART welcomes inquiries from municipalities who are considering the addition of their territory to the DART service area.

2. Programming of Transit Services

Upon affirmative approval of a referendum called and conducted by a municipality, whose territory is not in the DART service area, authorizing the collection of a one percent sales tax for transit services as provided in Subchapter O, Chapter 452 of the Texas Transportation Code, the territory of the municipality shall become a part of the DART Service Area, unless the DART Board of Directors determines that the addition of the territory would create a financial hardship on DART.

Programmed capital projects for the new territory shall not impair the schedule for capital projects contained in the then current DART Transit System Plan, Service Plan or Financial Plan (collectively, the “Plans”).

3. Preliminary Assessment of Transit Potential and Immediate Action Plan

A flowchart for the addition of territory of a municipality by election is attached.

Upon receiving an official expression of interest in the form of a resolution from the governing body of a municipality whose territory is not within the DART service area and whose territory meets the legal requirements for inclusion in the DART service area, including the capacity to levy a one percent sales tax or the capacity and intent to levy a one percent sales tax available prior to the addition of its territory to the DART service area, DART will determine the feasibility of providing transit service within the jurisdiction and provide the municipality with its determinations.

The initial phase of planning will be summarized in a Preliminary Assessment of Transit Potential. This summary document will include a determination of the scope of transit and type of services that would be warranted in the near term and a discussion of opportunities related to potential longer term services based on input from the municipality, growth and development patterns, and projected transportation needs.

If the results of the Preliminary Assessment are acceptable to both the DART Board and the governing body of the municipality, DART will prepare an Immediate Action Plan. The Immediate Action Plan will set out the type, amount, and timing of services and facilities that could be provided in the first year. The Immediate Action Plan will also include a consideration of financial issues related to the near term services and facilities for the territory.

All transit services planned for the new territory will be subjected to the same system-wide planning processes and criteria governing services in the existing service area. Services beyond those outlined in the Immediate Action Plan would be considered during the development of DART’s Transit System Plan and Financial Plan updates.
Resolution of Interest from Governing Body

Preliminary Assessment
- Feasibility of providing service
- Scope of near-term transit services
- Longer range service opportunities

Board Review
Council Review

Rejected
Accepted

No Further Action by DART

Immediate Action Plan
- Amount and type of immediate action service
- Timing of service initiation
- Consideration of financial issues
- Consideration of long-range service opportunities

Board Review

Rejected
Accepted

Transmitted to City Council

Request for refinement or more detail

Rejected
Accepted

No Further Action by DART

Council calls for an election

Rejected
Approved

No Further Action by DART

DART

Contiguous City
Non-Contiguous City

Does not impair imposition of sales tax
Impairs imposition of sales tax

Member City status
- Implement Immediate Action Plan
- Board Representation

Admission Denied

Final New MBR Process2.vsd
Section 1: Purpose

The purpose of this policy is to establish guidelines regarding access to DART bus and rail facilities by non-DART shuttle services operating from outside of the DART service area.

Section 2: Policy Statement

DART provides transportation services within its service area in order to support mobility, air quality and economic development objectives. DART supports utilization of its transit services by individuals residing outside of the DART service area, but expects reasonable compensation.

Section 3: Administration

Moderate Ridership Shuttles:

Shuttle service operating from outside of the DART service area that is expected to transport low to moderate levels of riders, in the range of less than 30 passenger trips per hour, will be allowed to access DART bus or rail facilities, to the degree that they do not negatively affect service for DART member city residents, if they agree to enter into an access agreement with DART that addresses the following terms and conditions:

- Minimum insurance levels, including $1,000,000 commercial general liability insurance for bodily injury and property damage, and $5,000,000 comprehensive automobile liability insurance.
- Indemnification of DART relative to claims arising from the shuttle operation or failure of the licensee to comply with and perform all requirements of the agreement.
- Definition of routing, station access times and bay assignment at the DART facility. Changes in station routing and schedule will only be made with DART approval.
- Requirement that shuttle operator will have on-going responsibility for ADA requirements of the shuttle service and for complementary paratransit requirements of their respective service area from origin to destination of the trip as well as the return trip.
- Requirement that shuttle operator will have responsibility for fare inspection of transferring customers.
- Provision that agreement can be terminated with a 30 day notice for convenience or a 3 day notice in cases of default.

All such access agreements will require authorization by the DART Board of Directors.

DART will have final authority in approving shuttle schedules and dwell time as they apply to station or transit center access. Access times will be regulated by DART to minimize negative impacts on transit center operations and rail system passenger loads. Shuttle services may be required to share a bus bay at the rail station or transit center with other shuttles or DART services. If there is insufficient capacity at the requested rail station or transit center to accommodate a shuttle provider, access at the next station or transit center with available capacity may be offered to the shuttle provider.

Where proposal are received from multiple shuttle service providers desiring to access DART stations within a given rail corridor, a detailed evaluation of cost and rider impacts will be completed by DART. Based on this
evaluation, DART may disapprove access by additional shuttle service providers or modify access agreements to include cost-sharing provisions relative to the impact of these shuttle services.

**High Ridership Shuttles:**

Shuttle service proposals that would exceed 30 passengers per hour will require an interlocal agreement or third-party agreement with DART that addresses the items required in the access agreements specified above, but that also addresses cost sharing responsibilities of the shuttle service provider relative to the incremental costs incurred by DART as the result of the shuttle service.

DART costs to be considered in the interlocal agreement or third-party agreement will include all direct expenses, but may also include appropriate indirect operating expenses and administrative overhead as well as applicable capital expenses.

For each proposed shuttle service meeting the above criteria, a preliminary assessment will be prepared by DART to determine the impact on DART services and costs, as well as what costs would be the responsibility of the shuttle provider.

If the results of the preliminary assessment are not acceptable to the interested shuttle provider, no further action will be taken. If the results are not acceptable to DART, the governing body of the interested shuttle provider will be so advised.

If, based on the preliminary assessment, staff determines that the project appears feasible, and that there is some indication of potential benefit to DART, the project will proceed to more detailed planning and evaluation.

The detailed plan will include a description of the type of service and capital projects to be provided along with appropriate design and engineering efforts as well as necessary environmental clearances and description of any project impacts requiring mitigation. Detailed cost estimates, as well as ridership projections will also be included in the detailed plan.

An interlocal agreement or third-party agreement detailing the service proposal, cost impacts to DART and cost-sharing arrangements will be presented to the DART Board of Directors for final consideration.

The President/Executive Director or his designee is authorized to implement this policy and to issue more detailed procedures to facilitate implementation of the policy, as needed. All access or interlocal agreements developed under this policy and any deviations from this approved policy will be brought back to the Board for review and approval.
Section 1. Policy Statement

It is the policy of Dallas Area Rapid Transit to administer the Non-Rail City Transit Related Improvement Policy (TRIP) in support of the Transit System Plan and to provide transit-related or transit-beneficial mobility benefits through financial assistance to municipalities in the DART service area that do not have a rail station in operation within the municipal boundaries on October 1, 2016, or where the most recent Twenty-Year Financial Plan does not show completion and operation of rail service in the municipality within the term of the approved financial plan.

Section 2. Objective

The objective of the Non-Rail City Transit Related Improvement Policy is to provide benefits to municipalities that do not have the positive economic benefit which normally occurs surrounding rail stations. It is the intention of the DART Board in enacting this policy to encourage an eligible municipality to submit appropriate transit projects for reimbursement.

Section 3. Eligibility

Municipalities that have no rail station within the physical limits of the municipal boundaries or in an approved DART financial plan for rail are eligible to participate in the Non-Rail City TRIP. Eligible cities are Cockrell Hill, Glenn Heights, Highland Park, and University Park.

Section 4. Funding Allocations

The maximum amount of annual DART funding for any municipal projects shall not exceed 21% of the annual projected DART sales tax revenue from such city (taking into consideration the project reimbursement period).

Section 5. Project Eligibility

To be eligible for reimbursement, a project must be authorized under and consistent with the provisions of Chapter 452 of the Texas Transportation Code. Projects will be evaluated in light of the amount of funding required for the project compared to the tax revenue provided by the subject municipality to DART. Projects may include planning, environmental impact studies, engineering, final design, right of way acquisition, construction, testing, inspection, surveying, and operations and maintenance cost of a transit capital project. Particular consideration and weight will be given to projects which enhance transportation modes provided by DART, public transit safety, ridership or efficiency anywhere in the DART service area, and innovative and additional approaches to public transportation.

Section 6. Application Procedures

6.1 An eligible municipality must submit a written application for funding, which application must include a project description, project limits or boundaries and maps, engineering based cost estimates, proposed scheduling of the project, and an explanation of how the project supports the public transit system. Applications may span multiple years. Applications received on or before March 31 will be considered for inclusion in the following fiscal year budget.
6.2 Following review of each application, DART staff shall recommend to the DART Board whether a proposed project should be funded under this Policy based on the factors described in this Policy.

Section 7. Project Funding Agreements

Once approved within the annual budget and financial plan, DART and the eligible municipality shall execute an agreement identifying the approved projects, specifying a project schedule and budget, and specifying a process for the eligible municipality to obtain reimbursement from DART of project expenditures. Nothing would limit the ILA funding to exceed 21% as long as funding above 21% is provided by federal, state or local funding other than from DART sales tax.

Section 8. Effect of Withdrawal Election

8.1 If an eligible municipality calls an election to withdraw from DART, no new applications for funding will be considered, payments under existing agreements will be immediately suspended and no new or pending applications will be recommended for funding.

8.2 If the withdrawal election fails and the municipality remains in the DART service area, payments under existing agreements will resume. However, if the withdrawal election is successful and the municipality withdraws from DART, no further applications shall be addressed or received from such city and no new allocations of funds under this Policy shall be made to the municipality. The agreements for all projects shall provide that in such circumstances the agreement shall be deemed mutually cancelled and removed from the program, no further funding or reimbursement will be provided for the project by DART and funds previously paid for the project by DART shall be included as part of the City’s total financial obligation to DART.

Section 9. Automatic Expiration of Policy

This Policy automatically expires on September 30, 2025. Any Agreements executed pursuant to this Policy prior to its expiration shall remain in force and effect unless otherwise specified in such Agreement.
1. The Dallas Area Rapid Transit Authority (DART) Board of Directors, recognizing that DART will, over a period of several years, construct and operate several major public works improvements, determines it desirable to adopt a code of ethical conduct for board members in order that the public may be assured that the actions of those associated with DART serve only the public's best interests. The Board further determines that the proper operation of government requires that officials be independent, impartial, and responsible only to the citizens of the Service Area. It shall therefore be the policy of the Board that this Code of Ethical Conduct shall guide and direct the actions of DART board members.

2. Prohibition. No Board member or member of the Board member's immediate family living in the Board member's household shall, during the Board member's term and for a period of two years following the end of the term or effective resignation:
   a. i) participate, either directly or through a household member of the Board member, as a principal in any DART contract or first tier subcontract or as an employee of a contractor or subcontractor of DART for any DART contract or ii) accept compensated employment with DART (employment means part-time, temporary, full-time, hourly or other work arrangement other than those specified in subsection i. Uncompensated voluntary services shall not be considered employment.);
   b. accept a gift or favor of more than nominal intrinsic value from any entity or individual that a reasonable person would conclude would influence the board member in the discharge of official duties;
   c. use the position of DART board member to secure any special privilege or exemption for the board member or other private entity;
   d. in the conduct of official duties as a DART Board member, grant any special consideration, treatment, or advantage to any entity which is beyond that made available to any other similarly situated entity;
   e. disclose information identified to the Board member as confidential and/or attorney-client privileged, whether so identified in writing or orally, and whether received in an executive session of the Board or elsewhere, which is provided to a Board member or members, the disclosure of which could adversely affect the conduct of DART's business or adversely impact the ability of DART to successfully negotiate any transaction or agreement or to litigate any lawsuit;
   f. receive any compensation for service as a DART Board member from any source other than DART; for remuneration, appear on behalf of or represent any private third party before the DART Board or any DART committee, task force, or subcommittee.

3. Board Communications Concerning Procurement or Real Estate Matters.
   a. To ensure that DART procurements are conducted independently and impartially, Board members, just as DART staff, shall not communicate with any party concerning any active DART procurement or ongoing procurement dispute unless such communication is within the scope of the Board member's official duty on behalf of DART. This prohibition extends to potential
Code of Ethical Conduct

contractors or subcontractors, and their designated representatives.

b. The disclosure of procurement sensitive information at any time prior to actual contract award or final determination could adversely affect the ability of DART to successfully negotiate transactions or agreements. Procurement sensitive information includes any information contained in a technical or price proposal or bid submitted to DART by any offeror.

c. If a Board member is contacted by anyone concerning an active DART procurement or ongoing procurement dispute, the Board member should not discuss any specific procurement information. The party contacting the Board member should be referred to the Vice President of Procurement for any response that may be necessary.

d. DART real estate matters, including acquisitions, sales and transit oriented development, must be conducted independently and impartially. DART Board members, just as DART staff, shall not communicate with any party concerning an active real estate matter or ongoing dispute concerning a real estate matter unless such communication is within the scope of their official duties for DART.

e. The disclosure of confidential information relating to a real estate matter or a dispute concerning a real estate matter could adversely impact DART’s ability to successfully negotiate transactions or agreements. Board members who are contacted by any person concerning an active real estate matter or ongoing dispute concerning a real estate matter should not discuss any specific information. The party contacting the Board member should be referred to the Executive Vice President of Growth and Regional Development for any response that may be necessary.

f. Under certain circumstances, the unauthorized disclosure of confidential information received by a Board member in his/her official capacity could subject the Board member to criminal prosecution. [Chapter 39 of the Texas Penal Code, V.T.C.A., and Chapter 552.352 of the Texas Government Code]

4. Financial Disclosure Statement. Each Board member, immediately upon appointment to the DART Board, must prepare and shall annually amend a Financial Disclosure Statement in substantially the form attached as Exhibit A disclosing all employment and other economic interests of the Board member and his/her family as defined in the financial disclosure policy adopted by the Board on February 23, 1988. The Statement is available for public review in the Office of Board Support.

5. Abstaining from Discussion and Voting. Whenever any Board member is called upon to vote on a matter which constitutes a potential conflict of interest as defined in Chapter 171 of the Texas Local Government Code or which, to a reasonable person, would appear to place the member’s personal interests at odds with the public’s interest or which would appear to a reasonable person to directly or indirectly, tangibly or intangibly benefit the Board member greater than the benefit to the general public, said Board member must file an affidavit with the Director of Board Support and abstain from any discussion of the matter and not participate in any vote regarding the matter. To the extent practicable, the Board member should leave the meeting room during debate and consideration of the item.
6. **Waiver.** A person for whom a waiver is being considered shall provide the Board with a written statement detailing the relationship or financial interest for which a waiver is sought. If the Board determines that it is in the best interest of DART to waive the requirements of Sections 5.2a and/or 5.2g, it may, by two-thirds vote, waive or modify said requirement with regard to a particular person and/or relationship. If a waiver is granted, in that event, all provisions not waived shall continue in full force and effect. The Board may not waive any requirements of Chapter 171 of the Texas Local Government Code.

7. **Employment after expiration of two years.** After the expiration of two years from the end of the Board member's term or effective resignation, the President/Executive Director shall provide written notification to the Board of Directors upon making an offer of employment to a former DART Board member. Should the offer be accepted, the former Board member's start date shall be after the next Board meeting that follows notification.

8. **Amendment.** This policy may be amended by a majority vote of the DART Board.

9. **Penalty.** The failure of a Board member to comply with the requirements of this policy shall constitute grounds for censure and for reporting the violation to the municipality or municipalities that appointed the Board member. In addition, violation of this policy by a DART contractor or first tier subcontractor shall be grounds for such contract remedy as may be appropriate up to and including termination of the contract and debarment of the contractor.

10. **Signature.** Immediately upon taking the oath of office, a Board member shall sign a copy of the Code of Ethical Conduct as acknowledgement of its terms and application, and shall return the original signed version to the Office of Board Support.
EXHIBIT A
DALLAS AREA RAPID TRANSIT BOARD FINANCIAL
DISCLOSURE STATEMENT

1. Date of Statement: ________________________________

2. Type of Statement (please circle one): Initial or Annual

3. Name of Board Member: ________________________________
   (Last)  (First)  (Middle Initial)

4. Please give the full name of your spouse and all dependents.
   Name  Relationship
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________

5. Please list the names under which you and all persons listed in Item 4 do business:
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________

6. Please list the names of business entities, employers, (including self-employment),
   investments, and other activities from which you or a person listed in Item 4 received more
   than $10,000 of income during the last calendar year. (This should include interest or
   dividend income of more than $10,000, even if listed as an investment under Item 8.)
   ______________________________________________________
   ______________________________________________________
   ______________________________________________________
7. Please list the name of each corporation, trust, partnership, or business association (including non-profit entities) in which you or a person listed in Item 4 is a general partner of a limited partnership, general partner, partner, manager, president, vice-president, trustee, member, or board member that does or foreseeably will do business with DART.

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<tr>
<th>Name of Business, etc.</th>
<th>Manager, Partner, etc.</th>
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8. Please list the name and type of investment of each non-publicly traded corporation, trust, general or limited partnership, or business association (including non-profit entities) in which you or a person listed in Item 4 has an investment of at least $10,000 at the fair market value as of the date of this Statement. Also, please list the name and type of investment of each publicly traded corporation or entity in which you or a person listed in Item 4 has an investment of at least 5% of the entity’s market capitalization.

- A beneficial interest is not considered an investment and need not be listed.
- An investment in a mutual fund does not need to be listed unless you or a person listed in Item 4 participates in the management of the mutual fund.

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9. Please list, by street address or by legal or lot and block description, all real property located in the DART service area in which you or a person listed in Item 4 has a leasehold interest, interest as fee simple owner, a contractual right to purchase, general partnership owner, joint owner with an individual corporation, or as owner of more than 50% of a corporation that has title to the real property.

- You are not required to list the following properties:
  a. Property used as the personal residence of a peace officer;
  b. Property over which you have no decision power concerning acquisition or sales;
c. Property held through a real estate investment trust, mutual fund, limited partnership, or similar entity, unless you or a person listed in Item 4 participates in the management of the trust, fund, or entity, or is a general partner of a limited partnership.

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10. Please list the names of persons or entities to whom you personally, or a person listed in Item 4 personally, owe an unsecured debt of more than $10,000.
   • Do not list debts owed to persons related within the second degree of consanguinity or affinity, or list revolving charge accounts, or student loan debts.

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11. Please list the names of persons or entities who personally owe to you, or to a person listed in Item 4, an unsecured debt of more than $10,000.
   • Do not list debts owed by persons related within the second degree of consanguinity or affinity.

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12. Please list those gifts identified in filings made in accordance with Chapter 176 of the Texas Local Government Code for you and persons listed in Item 4 since the filing of your most recent Financial Disclosure Statement. (Please see Chapter 176 of the Texas Local Government Code).
Policy Encouraging the Use of Local Firms

DATE ISSUED: November 26, 1985
Resolution No. 850176
Policy No. V.02 (Overall Guiding Policies)

It shall be the policy of DART to encourage local area business enterprises and local minority enterprises to participate in competition for contracts awarded by DART.
DART endorses the concept of private sector participation in transit programs and intends to comply with the UMTA private sector policy requirements through a multi-phase program including: 1) meeting with UMTA criteria detailed in Circular 7005.1; 2) documentation of the private sector program activities and accomplishments of the previous 12 months; and 3) preparation of an annual work program to define tasks to be accomplished during the next 12 months.

Specifically, DART will:
1) Comply with the following five UMTA criteria stated in the UMTA circular:

   "Notice to and early consultation with private provider in plan involving new or restructured service as well as periodic examination of existing service."

   "Periodic examination, at least every three (3) years, of each route to determine if it could be more effectively operated by the private sector."

   "Description of how the new or restructured services will be evaluated to determine if they could be more effectively operated by private sector operation pursuant to a competitive bid process."

   "The use of costs as a factor in the private/public decision."

   "A disputed resolution process which affords all interested parties an opportunity to object to the initial object to the initial decision. UMTA's complaint process is designed to accept appeals of this local dispute resolution process."

2) Prepare an annual private sector participation report which:

   Documents the accomplishments of the past year in meeting the private sector guidelines.

   Documents current year activities.

   Documents the trends and performance of private sector services in the Dallas area.

   Is provided to the Board no later than June 30 of each year and subsequently made publicly available.

   Is provided to UMTA and the North Central Texas Council of Governments as part of the documentation requirements for the Transportation Improvement Program and Grant applications.

3) Prepares an annual private sector participation work program which:

   Itemizes tasks to be accomplished in the next year.

   References DART departmental responsibilities and resource commitment.

   Is provided to the Board no later than September 30 of each year and subsequently made publicly available.

   Is provided to UMTA and the North Central Texas Council of Governments as part of the documentation requirements for the Transportation Improvement Program and the Unified Planning Work Program.
Policies that Clarify the Policy Making Function of the Board and the Day-to-Day Management Function of the President/Executive Director and Staff

DATE ISSUED: January 22, 1991
Resolution No. 910015
Policy No. V.04 (Overall Guiding Policies)

The Dallas Area Rapid Transit Board of Directors [adopted] the statements of Board Philosophy/Responsibilities (Attachment 1), the Board/Staff Function Flow Chart (Attachment 2), and the DART Policies and Procedures Report, that collectively represent policies that clarify the respective and shared functions of the Board and Staff.

Note: Wording located in brackets ([ ]) indicates information which has been added for clarification purposes only.
OVERALL GUIDING POLICY - To build and operate an efficient and effective transportation system that, within the DART Service Area, provides mobility, improves the quality of life, and stimulates economic development through the implementation of the DART Service Plan as adopted by the voters on August 13, 1983, and as amended from time to time.

BOARD - To monitor and evaluate the agency’s operating performance to ensure progress toward achieving the mission of DART; and as individual Board members to be knowledgeable about the affairs of DART, to actively participate in committee assignments, and to serve in good faith taking actions that a reasonable steward of the public trust could expect to take and in accordance with DART Bylaws.

(1) Elect Officers
(2) Hold regular meetings
(3) Establish committees with appropriate/staff support.
(4) Approve policies for the organization.
(5) Approve long range plans for DART.
(6) Approve any significant departures from established plans or policies.
(7) Ensure that program objectives are assigned to the proper planning or implementing subgroups.
(8) Oversee implementation and operation of programs.
(9) Approve contracts binding on DART as specified by DART policy.
(10) Inspire and lead the organization.
(11) Ensure that policies and programs of DART are conducted in compliance with Interlocal Agreements, and with applicable statutory and regulatory requirements of member jurisdictions and other governmental entities.
(12) Ensure that DART operates in compliance with governmental regulatory agencies.
ADMINISTRATION - To have fair and equitable personnel policies and procedures that attract and retain qualified employees, offer each employee meaningful employment and the opportunity for personal growth; and to work in a partnership arrangement with the professional staff to achieve the mission of DART.

(1) Hire and periodically evaluate the performance of the Executive Director, General Counsel, Internal Auditor, and Executive Assistant to the Board.

(2) Define the duties, delegation of authority, and responsibilities of the Executive Director, General Counsel, Internal Auditor, and Executive Assistant to the Board.

(3) Develop long range employer/employee relations programs. Reevaluate and change these as necessary.

(4) Appoint a Trial Board and approve any DART actions involving employee issues that would require a change to DART policies or to the Board approved budget.

(5) Approve any employee benefit plans.

(6) Authorize the Executive Director to enter into contracts and sign written instruments.

(7) Approve programs for management development.

(8) Advise, consult, and oversee management.

BUDGET AND FINANCE - To serve as proper stewards of the public’s money to ensure the fiscal integrity of DART and the attainment of DART’s mission.

(1) Approve an annual budget.

(2) Approve Five Year and 20 Year Financial Plans.

(3) Review quarterly financial reports of expenditures and income. If necessary require an accounting of items not consistent with the Board Approved Budgets.

(4) Review both internal and external audit reports.

(5) Review and approve the preparation and control of all financial reports.
(6) Approve investment policies.

(7) Ensure that the established annual budget is followed.

CAPITAL PROGRAMS - To consider all modes of transportation, types of construction, and methods of capital funding permitted by law to fulfill the obligations of the Transit System Plan.

(1) Approve Transit System Plan and Service Plan Amendments for facilities and fixed guideway alignments.

(2) Approve general policies, criteria, and guiding principles for planning, design, and construction activities.

(3) Approve all contracts, designs, plans necessary to implement construction of the Transit System Plan.

(4) Approve Interlocal Agreements with member jurisdictions.

(5) Regularly review and update the Service Plan as called for in Master Interlocal Agreement with the City of Dallas.

FARES - To develop and implement fare structures that favorably impact other DART policies, increase ridership, and achieve an equitable return on the actual cost of the service.

(1) Set fares

(2) Collect fares

(3) Periodically review fare policy with public input, and adjust as necessary.

MINORITY AFFAIRS - To administer all terms and conditions of employment without regard to race, color, sex, national origin or ancestry, religion, age or handicap; and to establish procurement activity goals that provide opportunities for qualified disadvantaged, minority and women owned businesses.

(1) Establish, encourage, promote, and facilitate use of DBE/WBE/MBE Programs with groups that will or have the potential of doing business with DART.
MOBILITY IMPAIRED - To provide a quality and level of service to mobility impaired passengers comparable to those not impaired, while achieving a balance of cost effectiveness, efficiency, and consistency with the mission of this agency.

(1) Identify needs of the mobility impaired.
(2) Establish policies for meeting those needs.
(3) Approve long range operational plans, which include due consideration for the needs of the mobility impaired.
(4) Make direct efforts that policy decisions for the mobility impaired will contribute to, and be in harmony with, the long range objectives of DART.

COMMUNICATIONS - Every activity will be professionally interpreted to the public in a fair manner and measured for the standard of creating a positive image of DART.

Ensure that regular channels of communications are maintained between:

(1) The Exec. Dir. and the Board.
(2) DART and member jurisdictions.
(3) DART and all citizen committees appointed by the Board and its member jurisdictions.
(4) DART and its customers, the public.
(5) DART and federal and state legislative bodies.
(6) DART and governmental regulatory agencies.
(7) DART management and employees.
(8) Communications should be full and honest reports of both successes and failure.

GOVERNMENTAL RELATIONS - To develop better relationships with those governmental entities and member cities which interrelate with DART to positively influence those matters affecting DART, recognizing that DART can not function without the explicit consent, approval, and participation of its member jurisdictions.
(1) Ensure that policies and programs of DART are conducted in compliance with statutory and regulatory requirements of member jurisdictions.

(2) Ensure that DART operates in compliance with governmental regulatory agencies.

(3) Ensure that DART cooperates with other governmental agencies to attain common goals.

(4) Study and appropriately respond to pending legislation, court cases, and/or administrative action, that will affect DART's ability to accomplish its mission and on going operations.

(5) Respond to legislative fact-finding committees.

(6) Provide timely and accurate information.

(7) Establish effective relations with various entities at the policy-making level.

(8) Demonstrate consistent support for the member jurisdictions.

(8) Promote new member jurisdictions.

OPERATIONS - To develop, integrate, and implement transit services that improve operating efficiency, increase mobility, and promote ridership.

(1) Establish and approve policies to guide the planning and responsive operation of the regional bus and rail system.

(2) Ensure that DART services are provided equitably throughout the region to meet and respond to public service needs.

(3) Evaluate the efficiency and effectiveness of DART's services and resources in meeting and responding to public service needs.

(4) Review monthly and quarterly operation programs of the regional bus and rail system. If necessary, require an accounting of any large deviations of Board approved budgets and policies.
BOARD/STAFF FUNCTION FLOW CHART

PUBLIC
- Voted to create DART
- Elects officials of member jurisdiction
- Ongoing participation

(AUTHORITY)
DART'S ENABLING STATUTE
- ARTICLE 118 Y

MEMBER
JURISDICTIONS
- Appoints board members
- Oversees appointees
- Eminent domain

BOARD OF DIRECTORS
- Acquisition, operation and control of the properties
- Establishes bylaws
- Hires executive director
- Communicates with public
- Hires general counsel
- Hires internal auditor
- Hires exec. asst. to board

EXECUTIVE DIRECTOR
- Hires employees
- Establishes tenure, duties, compensation, removal
- Recommends policy
- Day-to-day management

(POLICY DEVELOPMENT)
- Art & design
- Budget & finance
- Governmental relations
- Minority affairs
- Mobility impaired
- Operations
- Planning & development
- Ad hoc
- Audit

BOARD COMMITTEES
- General counsel
- Internal auditor
- Exec. asst. to the board

STAFF
- AED administration
- AED engineering & construction
- AED operations
- AED planning
- Chief financial officer
- Director of communications

(IMPLEMENTATION)
DART'S MISSION

(OVERSIGHT)
- Performance review of executive director
- DART policies
- Transit system plan/service plan
- Financial plan
- Five year operating plan
- Annual budget
- Goals & objectives
- Monthly board report
- Vital signs
- Mobility impaired services
- Audit reports
The Dallas Area Rapid Transit Board of Directors approved a policy that directed staff to bring all needs analyses, expected to cost more than $50,000 in consulting services and/or staff time, to the Board for approval before processing.

PROJECT APPROVAL SYSTEM:
A Board approval process for both capital projects and operating programs is summarized below. The development process is in six steps as illustrated in Attachment 1.

STEP 1: NEEDS ANALYSIS (CAPITAL & OPERATING PROJECTS)
The development process begins with the research of a specific need for a facility, service or program. The Board must approve the needs study if more than $50,000 in consulting and/or staff time is expected. These studies identify the scope of the problem and quantify general solutions in terms of the support it provides to servicing the customer and overall transit benefit. Example studies include the 1989 System Plan, various bus sector plans, the CBD Master Plan, or a Facilities Master Plan.

STEP 2: PROJECT PLANNING AND FINANCIAL ANALYSIS (CAPITAL & OPERATING PROJECTS)
Once the need for a project is established, the planning process evaluates the scope of the project in more detail. This project planning phase (two percent design level) is more site specific and defines the project functions, quantifies the project size, and develops or refines project alternatives. This information permits the initiation of the alternative selection process. Typical projects might include facility site location studies, alignment studies, an AA/DEIS, or bus route studies. A comprehensive evaluation matrix which considers function, capital cost, operating and maintenance cost, benefits and community impacts is used to rank alternatives and produce recommendations. A key part of this phase is a detailed financial analysis to determine the affordability of the new project or program. Impact on cash flow and possible debt requirement is identified. If a capital project, estimates of long-term operating costs are also provided for Board consideration. After required community input and Board/committee review, project approval is determined, accompanied by a Service Plan amendment, a Transportation Improvement Program amendment, a Financial Plan amendment and a Budget amendment. At this point, the project is considered to be “funded”.

If it is an operating program, it is implemented; if capital, the project development steps continue as shown below.

STEP 3: PROJECT DEFINITION (CAPITAL PROJECTS ONLY)
During this step, the project is subjected to a schematic or concept design effort to establish more definition. This step typically applies to LRT alignments and bus and rail facility locations. Those projects requiring “project definition” will result in development of a design contract for final design beyond the 10% level. This design contract is approved by the Board before the project continues.

STEP 4: FINAL DESIGN (CAPITAL PROJECTS ONLY)
Once project definition is complete, action is initiated to acquire necessary land and complete the preliminary and final design. The final design process not only provides the plans and documents necessary to construct the facility, but also establishes a construction cost for inclusion in bid documents that become part of a construction contract to be approved by the Board. Any land acquisition is also approved by the Board during this step.
STEP 5: CONSTRUCTION (CAPITAL PROJECTS ONLY)

Once all land has been secured and construction contractors hired, construction of capital elements commences. Simultaneous to this process, operating equipment is acquired as needed and new personnel required are hired and trained. During construction, significant change orders are brought to the Board for appropriate action.

STEP 6: OPERATIONS (CAPITAL & OPERATING PROJECTS)

Operations of the new program or project is closely monitored as to on-going costs and ability to satisfy original project objectives. The Board is regularly advised regarding project progress and performance.

Note: Wording located in brackets ([ ]) indicates information which has been added for clarification purposes only.
Project Approval System
Capital Projects and Operating Programs

- Needs Analysis
  - Service Plan Amendment
  - TIP Amendment
  - Financial Plan Amendment
  - Budget Amendment

- Project Planning (0%-2%)
  - Benefits
  - Costs

- Financial Analysis
  - Affordability
  - Cash Flow

- Project Definition (2%-10%)
  - ROW Acquisition
  - Construction Contract

- Final Design (10%-100%)
  - Design Contract

- Operating Programs
  - Construction
  - Operations

Projects Subject to Funding
Funded Projects

Board Approvals

Projects

Subject to Funding
Transit Facility Naming Policy

Section 1. DART seeks to name and identify its Transit Facilities in a way that clearly communicates the location to its frequent, infrequent, and prospective transit users and visitors to the area. In this policy, “Transit Facility” means a light rail station, commuter rail station, transit center or transfer center.

Section 2. Naming Criteria

The name of a Transit Facility shall include the name of an adjacent or nearby street (such as Hampton Station), a well-known destination (such as Dallas Zoo Station), or a combination of location and destination. Business names, product names and personal names shall not be used unless the name is also a street name or a well-known destination (such as Cityplace Station). Consideration shall be given to the various applications where the Transit Facility name will be displayed, including Light Rail Vehicle destination signs which are limited to 12 characters per panel.

Section 3. Renaming Considerations

3.1 There must be a compelling reason to rename a Transit Facility, and the renaming must benefit existing and prospective transit users. The new Transit Facility name must meet the naming criteria set out in this policy. All costs associated with changing the name of a Transit Facility, including any market research that DART may require to determine if a proposed name identifies a well-known destination for existing or prospective transit users, will be paid by the requester. All name changes must be approved by a vote of two-thirds of the appointed and qualified members of the Board.

3.2 Adding the name of a business, product or service to the existing name of a Transit Facility is not considered a renaming under this Policy if adding the name of a business, product or service is required under a naming rights, sponsorship or other similar revenue-producing agreement that is approved by the DART Board of Directors.

Overall Guiding Policy V.06