

LYNX Oversight Committee Agenda

Meeting Date: 5/28/2020
Meeting Time: 10:30 AM

Central Florida Regional Transportation Authority
455 N. Garland Ave.
2nd Floor Open Space
Orlando, FL 32801

As a courtesy to others, please silence all electronic devices during the meeting.

The Central Florida Regional Transportation Authority d/b/a LYNX meeting will be held virtually by means of communications media technology pursuant to the Office of the Governor Executive Order #20-112 that extended Executive Order #20-69.

The opportunity to provide public comment is available until the Chair closes the item. To appear in person to speak or to submit written comments to LYNX Oversight Committee, complete the customer service form and select Public Comment on <http://www.golynx.com/contactus> or email to publiccomments@golynx.com. For additional information regarding other methods of submitting comments, contact the Board Agenda Coordinator at 407-254-6003.

When you are recognized, state your name and address. Please limit your comments to the 3 minute limit set by LYNX Board of Directors policy. Large groups are asked to name a spokesperson.

1. Call to Order

2. Approval of Committee Minutes



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3. Public Comments







- Citizens who would like to speak under Public Comments shall submit a request form to the Assistant Secretary prior to the meeting. Forms are available at the door.









4. Chief Executive Officer's Report

5. Finance & Audit Committee Report

6. Consent Agenda

A. Miscellaneous

- i.  Authorization to Transfer One (1) Retired Revenue Vehicle to the Orange County Sheriff's Office Pg 7
- ii.  Authorization to Order Three (3) Vanterra XLT Turtle Top vehicles in an Amount Not to Exceed \$260,000 for 5310 Sub-Recipient Awards Pg 9
- iii.  Ratification of the Waiver of Collective Bargaining and Implementation of Certain Emergency Relief in the LYNX Defined Contribution Plan for BU Employees under the Coronavirus Aid, Relief, and Economic Security Act (CARES) Pg 11
- iv.  Ratification of the Waiver of Collective Bargaining and Implementation of Certain Emergency Relief in the LYNX Money Purchase Plan under the Coronavirus Aid, Relief, and Economic Security Act (CARES) Pg 13
- v.  Ratification of the Implementation of Certain Emergency Relief in the LYNX Deferred Compensation Plan under the Coronavirus Aid, Relief, and Economic Security Act (CARES) Pg 15
- vi.  Ratification of an Application Submitted to the US Department of Homeland Security for FY2020 Competitive Funding Opportunity, Transit Security Grant Program (TSGP), for \$673,000 Pg 17

- vii.  Ratification of a Grant Application to the Commission for the Transportation Disadvantaged Pg 19 for Fiscal Year 2020/2021 Innovation and Service Development Funding in the Amount of \$1,228,815 and Adoption of Resolution #20-006
-Attachments 
- viii.  Authorization to Execute Resolution #20-008 for a Public Transit Grant Agreement with the Pg 23 Florida Department of Transportation for FY2021 Block Grant Funding in the Amount of \$12,060,907
-Attachments 
- ix.  Authorization to Execute Resolution #20-009 for a Public Transportation Grant Agreement Pg 27 with the Florida Department of Transportation under the Coronavirus Aid, Relief, and Economic Security (CARES) Act for Rural 5311 Program in the amount of \$2,342,149
-Attachments 
- x.  Authorization to Cancel Contract #13-C07 for Automated Fare Collection System Pg 31
- xi.  Authorization to Extend the Suspension of the Collection of Fares Through June 30, 2020 Pg 33

7. Other Business

8. Adjourned

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Benjamin Gonzalez at 455 N. Garland Ave, Orlando, FL 32801 (407) 254-6038, not later than three business days prior to the meeting. If hearing impaired, contact LYNX at (407) 423-0787(TDD).

LYNX
Central Florida Regional Transportation Authority
Oversight Committee Meeting Minutes

PLACE: **LYNX Central Station**
 455 N. Garland Avenue
 Virtual and 2nd Floor, Board Room
 Orlando, FL 32801

DATE: **April 23, 2020**

TIME: **11:00 a.m.**

Members in Attendance:

Viviana Janer, Chair, Osceola County
Lee Constantine, Seminole County
Billy Hattaway, City of Orlando
Jo Santiago, FDOT

Staff Members in Attendance:

James E. Harrison, Chief Executive Officer
Tiffany Homler-Hawkins, Chief Administrative Officer
Bert Francis, Chief Financial Officer
William Slot, Chief Innovation and Sustainability Officer
Leonard Antmann, Director of Finance

1. Call to Order

Chair Janer called the meeting to order at 11:00 a.m.

Mr. Harrison read a statement that allows for this meeting to be held virtually pursuant to an order by the Governor #20-69 which suspends the in-person forum for this meeting and allows for video and teleconferencing. All Oversight Committee members, senior LYNX staff, and general counsel, Pat Christiansen are present. There is a direct video feed in the LYNX Board Room for public comments, and a conference phone number allows the public to listen to this meeting.

2. Approval of Minutes

A motion to approve the February 27, 2020 Oversight Committee meeting minutes was made by Billy Hattaway and seconded by Commissioner Constantine. Motion carried unanimously.

3. Public Comments

No one requested to address the committee.

4. Chief Executive Officer's Report

Jim Harrison, Chief Executive Officer stated that his comments will encompass the LYNX response to the COVID pandemic. LYNX instituted an emergency response team for the COVID-19 Pandemic. We planned for service reductions, and immediately increased cleaning protocols.

On March 27, we eliminated fare collection and had passengers enter the bus through the rear door. Riders with accessibility devices can still use the ramp on the front door. This eased financial burden for some of our customers and eliminated the physical contact with our drivers and the handling of cash transactions. This protects both the passengers and the bus drivers.

March 30, we modified and limited routes in the community. This was due to reduced ridership and anticipated staffing shortages. This also helped to eliminate non-essential travel. The schedule was designed to provide transit to essential workers and visits to doctors and essential activities. We have also limited the capacity on the buses to encourage social distancing.

We also moved our entire call center, fifty-eight employees, and allowed them to work from home. This was a seamless process for our customers.

Mr. Harrison introduced Tellis Chandler, Director of Safety and Security. Mr. Chandler stated that we closed our gyms, ordered driver shields, and we placed chains on the buses to create barriers to ensure social distancing. We enhanced bus and facility cleaning and started having administrative meetings virtually. We trained all of our frontline employees on COVID-19. We created a task force to address concerns and generate feedback on all of our initiatives. We also supplied our employees with masks, gloves and hand sanitizer. We have encouraged our passengers to wear face coverings while riding the bus.

Mr. Harrison introduced Mr. Bert Francis, Chief Financial Officer. Mr. Francis stated that fare revenues have declined. The fares constitute two million per month. Our cleaning expenses have increased about four hundred thousand per month. We have not furloughed any of our employees. The total impact is about \$3.7 million per month. Our decline in ridership will create an impact on funding through the FTA.

The CARES Act will provide funding for operating expenses and capital costs. There is no local match required. There are three allocations for formula funding: the Orlando Urbanized Area, the Kissimmee Urbanized Area, and there is a Rural allocation. So far, we are anticipating about seventy-seven million through this funding. We still have questions on how these allocations will come through. We are confident that with the CARES Act and our reserve balance that we will be ok.

Mr. Harrison stated that we are looking at our planned re-entry. We will go back to full-service while continuing the fare suspension and limited capacity on the buses in the next few weeks.

Chair Janer asked if there were any questions or comments on the CEO report. Commissioner Constantine discussed how the CARES Act is affecting Seminole County. Chair Janer stated that the CARES Act funding that LYNX will receive does not have an expiration date.

5. Finance & Audit Committee Report

Amanda Clavijo, Finance and Audit Committee Chair reported that the Finance and Audit Committee met on Thursday, March 11, 2020. She gave an overview of the Finance & Audit Committee agenda.

She stated that they reviewed the FY2021 Operating budget. There were no major increases and costs were controlled. One increase was to MV Transportation due to a shift in increased rides. There was a discussion on preventative maintenance. They also approved the application of the CAFR, which had no findings.

6. Committee Consent Agenda Items

Chair Janer asked Mr. Harrison if there were any changes to the Consent Agenda before there is a motion to approve consent agenda items 6.A.i. through 6.C.vii.

Mr. Harrison stated that he recommends the approval of the Consent agenda in full.

Jo Santiago stated that she has conflicts on Consent Agenda items 6.D.i. and 6.D.ii.

A. Request for proposal (RFP)

- i. Authorization Release a Request for Proposal (RFP) for Public Awareness and Education in Accordance with FDOT Service Development Grant

B. Invitation for Bid (IFB)

- i. Authorization to Release an Invitation for Bid (IFB) for the Printing of Fare Media

C. Award Contracts

- i. Authorization to Award a Contract to Urban Transportation Associates, Inc. for an Amount Not-To-Exceed \$1,150,000 for the Procurement and Installation of Automated Passenger Counters on Fixed Route Buses and for the Provision of the Backend Reporting System for Three (3) Years with Two (2) One-Year Option

D. Miscellaneous

- i. Authorization to Submit a Grant Application to the Florida Department of Transportation under the Coronavirus Aid, Relief, and Economic Security (CARES) Act for Rural 5311 Services
- ii. Authorization to Submit a Grant Application to the Federal Transit Administration for Funding Under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and to Suballocate to Lake County Transit Services and the Florida Department of Transportation
- iii. Authorization to Submit a Trip and Equipment Grant Application to the Florida Commission for the Transportation Disadvantaged in the Amount of \$5,069,182
- iv. Authorization to Extend Sub-Recipient Awards to Selected Human Services Agency Projects and to Enter into Sub-Recipient Agreements with the Selected Applicants for Section 5310 Funding, a Federal Transit Administration (FTA) Program for the Enhanced Mobility of Seniors and Individuals with Disabilities
- v. Ratification of LYNX's 2020 Title VI Program Update Submitted to the Federal Transit Administration (FTA)

- vi. Authorization to Exercise the First Option Year on Contract #17-C16 with Tolar Manufacturing, Inc. for the manufacture of Commercial Style Bus Shelters
- vii. Authorization to Exercise the Second Option Year on Contracts #16-C06 with Jacobs Engineering Group Inc., #16-C07 with Kimley Horn and Associates, Inc. and #16-C08 with Parsons Brinckerhoff, Inc. for General Architectural and Engineering Consultant Services
- viii. Authorization to Auction Surplus Capital items and Obsolete Parts
- ix. Authorization to Dispose of Items Accumulated Through the Lost and Found Process
 - x. Authorization to Write Off of Assets Pursuant to the June 30, 2019 Physical Inventory Count and Reconciliation
- xi. Authorization to Enter into a Master Interlocal Agreement and Interlocal Project Agreement No. 1 with the Orlando Utilities Commission
- xii. Authorization to Negotiate and Execute a Contract to Purchase Seven (7) Proterra 35' Battery Electric Buses, Charging Equipment, and Related Items from Proterra, Inc. at a Not-to Exceed Amount of \$6,955,364
- xiii. Authorization to Submit an Application to the Federal transit Administration (FTA) for FY2020 Competitive Funding Opportunity, Section 5339 Bus and Bus Facilities Program for Six (6) Electric Buses and charging Infrastructure
- xiv. Authorization to Exercise the Second Option year of the Federal Lobbying Services Contracts #16-C09 for an Amount Not to Exceed \$100,000
- xv. Authorization to Approve FY2019 Comprehensive Annual Report (CAFR)
- xvi. Authorization to Extend the Suspension of the Collection of Fares Through May 31, 2020

Chair Janer asked for a motion on the Consent agenda.

Commissioner Constantine made a motion to approve the Consent Agenda items 6.D.i and 6.D.ii. Seconded by Billy Hattaway. Motion passed with Jo Santiago abstaining.

Chair Janer asked for a motion on Consent Agenda items 6.A.i through 6.D.xvi excluding items 6.D.i and 6.D.ii. Motion made by Billy Hattaway, second by Jo Santiago. Motion passed unanimously.

7. Other Business

No other business was discussed.

8. Adjourned

Meeting adjourned at 11:41 a.m.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.A. i

To: LYNX Oversight Committee

From: Leonard Antmann
Director Of Finance
Warren Hersh
(Technical Contact)
Edward Velez
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: Authorization to Transfer One (1) Retired Revenue Vehicle to the Orange County Sheriff's Office

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to transfer one (1) revenue vehicle to the Orange County Sheriff's Office.

BACKGROUND:

LYNX maintenance staff identified one (1) diesel revenue vehicle for retirement. The Orange County Sheriff's Office has expressed an interest in receiving the retired vehicle for training purposes at their Firing Range.

Staff is recommending the removal of the one bus that was scheduled for retirement from service as part of the fleet reduction to comply with the 20% spare ratio requirements. The decision to remove this unit from service is a business decision based on economics and service efficiencies.

The transfer of the diesel bus will require Federal Transit Administration (FTA) approval in order to waive or transfer any outstanding obligation associated with the vehicle and the related components which is currently valued at \$0. LYNX staff will continue to work with Orange County Sheriff and/or with other agencies to facilitate the transfer of the revenue vehicles.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE project participation goal is not applicable for this activity.

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FISCAL IMPACT:

The net book value of the one (1) diesel revenue vehicle and components is \$0. The potential FTA obligation is \$0.

Vehicle Listing

System Number	Asset ID	Acquisition Date	Class	Description	Estimated Life	Acquisition Value	Net Book Value
11441	603	6/30/2007	RV	40' LF BRT - G27D102N4 Gillig Bus	9	\$299,083	0
11464	603A	6/30/2007	RV	CUMMINS ISL 8.3L 280HP ENGINE	5	\$19,626	0
11465	603B	6/30/2007	RV	VOITH DIWA 864.5 SSP TRANS	5	\$17,247	0
Totals						\$335,956	0

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Consent Agenda Item #6.A. ii

To: LYNX Oversight Committee

From: **Norman Hickling**
Director Of Mobility Services
Belinda Balleras
(Technical Contact)
Benjamin Gonzalez
(Technical Contact)

Phone: 407.841.2279 ext: 6169

Item Name: Authorization to Order Three (3) Vanterra XLT Turtle Top vehicles in an Amount Not to Exceed \$260,000 for 5310 Sub-Recipient Awards

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to purchase Three (3) Vanterra XLT Turtle Top vehicles to be leased to 5310 sub-recipients through the LYNX Vanpool program in an amount less than \$260,000 to Alliance Bus Company, Inc., a vendor listed on the Florida Department of Management Services State Contract # TRIPS-17-CA-ABG.

BACKGROUND:

LYNX is the agency designated to administer the FTA's Section 5310 funding program in the urbanized areas of Orlando and Kissimmee. As the designated recipient, LYNX has the responsibility to develop the program of projects, including soliciting projects from non-profit organizations and other eligible entities under Section 5310 to serve seniors and individuals with disabilities. The Section 5310 program is intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.

LYNX received Board authorization on April 23, 2020 to provide Section 5310 sub-recipient funding to four (4) non-profit agencies. Sub-recipients will provide the 50% local match under the Section 5310 grant program for operating projects.

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DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

LYNX's DBE program requires that each transit vehicle manufacturer as a condition to bid for or propose on FTA-assisted vehicle procurements must provide certification of compliance with the requirements of the regulations by having an established annual overall percentage goal approved by FTA. DBE requirement is monitored by the Federal Transit Administration (FTA). Those transit vehicle manufacturers listed on FTA's eligible Transit Vehicle Manufacturers' (TVMs) list, or that have submitted a goal methodology to FTA that has been approved or has not been disapproved, at the time of solicitation are eligible to bid.

FISCAL IMPACT:

The Approved FY2020 Capital Budget includes \$1,677,000 for the purchase of sub-recipient vehicles.

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Consent Agenda Item #6.A. iii

To: LYNX Oversight Committee

From: Terri Settington
Director Of Human Resources
Terri Settington
(Technical Contact)

Phone: 407.841.2279 ext: 6106

Item Name: Ratification of the Waiver of Collective Bargaining and Implementation of Certain Emergency Relief in the LYNX Defined Contribution Plan for BU Employees under the Coronavirus Aid, Relief, and Economic Security Act (CARES)

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' ratification of the Chief Executive Officer (CEO) or his designee's waiver of collective bargaining and implementation of certain emergency relief in the LYNX Defined Contribution Plan for BU Employees under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

BACKGROUND:

Description of Plan: The LYNX Defined Contribution Plan for BU Employees ("Plan") was implemented effective March 1, 2014 to provide tax-qualified, defined contribution retirement benefits for employees represented by the Amalgamated Transit Union AFL-CIO Local 1596 ("Union") who do not participate in the closed defined benefit pension plan.

CBA Provisions Concerning the Plan: Article 30, section 5 of the current Labor Agreement (October 1, 2017 through September 30, 2020) ("CBA") between LYNX and the Union states, in pertinent part, "Any changes to the . . . Plan after its implementation shall be negotiated by the parties."

CARES Act Relief Implemented: Section 2203 of the CARES Act provides for a temporary waiver of required minimum distributions ("RMDs") under Internal Revenue Code section 401(a)(9) for the period from January 1, 2020 through December 31, 2020.

The benefit of a waiver of the RMD is that the participant is not forced to receive taxable income if s/he does not need it, and rather than Plan account assets being liquidated at a potential loss to

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make the RMD, the assets can remain invested with the possibility of rebounding in value. The participant is still permitted to take any distributions that would have otherwise been required – this temporary waiver simply means that s/he is not required to do so.

Pursuant to the CARES Act, an employer that wishes to offer this relief should do so with immediate effect and then later amend the governing Plan document's technical terms, by a deadline to be set forth in future IRS guidance. Accordingly, LYNX staff worked with the Plan's service provider (MassMutual) to immediately implement the CARES Act relief for the benefit of the Plan's participants and provided notice to the participants of the available relief.

Union Approval: Prior to proceeding with the CARES Act relief, LYNX's benefits counsel consulted with the Union's counsel, who confirmed in writing that the Union had no problem with LYNX implementing the relief.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

There is no financial impact to LYNX. The implemented relief merely permits Plan participants to have more flexibility with respect to their vested benefits in the Plan.

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Consent Agenda Item #6.A. iv

To: LYNX Oversight Committee

From: Terri Settington
Director Of Human Resources
Terri Settington
(Technical Contact)

Phone: 407.841.2279 ext: 6106

Item Name: Ratification of the Waiver of Collective Bargaining and Implementation of Certain Emergency Relief in the LYNX Money Purchase Plan under the Coronavirus Aid, Relief, and Economic Security Act (CARES)

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' ratification of the Chief Executive Officer (CEO) or his designee's waiver of collective bargaining and implementation of certain emergency relief in the LYNX Money Purchase Plan under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

BACKGROUND:

Description of Plan: The LYNX Money Purchase Plan ("Plan") provides tax-qualified, defined contribution retirement benefits for administrative employees and employees represented by the Amalgamated Transit Union AFL-CIO Local 1749 ("Union"). Under section 6.3 of the current Labor Agreement (October 1, 2017 through September 30, 2020) ("CBA") between LYNX and the Union, employees represented by the Union participate in the Plan on the same terms and conditions that apply to the administrative employees generally.

CARES Act Relief Implemented: Section 2203 of the CARES Act provides for a temporary waiver of required minimum distributions ("RMDs") under Internal Revenue Code section 401(a)(9) for the period from January 1, 2020 through December 31, 2020.

The benefit of a waiver of the RMD is that the participant is not forced to receive taxable income if s/he does not need it, and rather than Plan account assets being liquidated at a potential loss to make the RMD, the assets can remain invested with the possibility of rebounding in value. The participant is still permitted to take any distributions that would have otherwise been required – this temporary waiver simply means that s/he is not required to do so.

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Pursuant to the CARES Act, an employer that wishes to offer this relief should do so with immediate effect and then later amend the governing Plan document's technical terms, by a deadline to be set forth in future IRS guidance. Accordingly, LYNX staff worked with the Plan's service provider (MassMutual) to immediately implement the CARES Act relief for the benefit of the Plan's participants and provided notice to the participants of the available relief.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

There is no financial impact to LYNX. The implemented relief merely permits Plan participants to have more flexibility with respect to their vested benefits in the Plan.

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Consent Agenda Item #6.A. v

To: LYNX Oversight Committee

From: Terri Settington
Director Of Human Resources
Terri Settington
(Technical Contact)

Phone: 407.841.2279 ext: 6106

Item Name: Ratification of the Implementation of Certain Emergency Relief in the LYNX Deferred Compensation Plan under the Coronavirus Aid, Relief, and Economic Security Act (CARES)

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' ratification of the Chief Executive Officer (CEO) or his designee's implementation of certain emergency relief in the LYNX Deferred Compensation Plan under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

BACKGROUND:

Description of Plan: The LYNX Deferred Compensation Plan (“Plan”) provides an optional means for employees to save more for their retirement through tax-deferred elective deferrals from their wages. The Plan is generally available to all employees of LYNX, including those represented by the Amalgamated Transit Union AFL-CIO Local 1596 and Local 1749.

CARES Act Relief Implemented: Section 2203 of the CARES Act provides for a temporary waiver of required minimum distributions (“RMDs”) under Internal Revenue Code section 401(a)(9) for the period from January 1, 2020 through December 31, 2020.

The benefit of a waiver of the RMD is that the participant is not forced to receive taxable income if s/he does not need it, and rather than Plan account assets being liquidated at a potential loss to make the RMD, the assets can remain invested with the possibility of rebounding in value. The participant is still permitted to take any distributions that would have otherwise been required – this temporary waiver simply means that s/he is not required to do so.

Section 2202 of the CARES Act allows an additional type of relief for active participants in this Plan, which generally cannot be offered under any of the other LYNX retirement plans (because they are defined benefit or money purchase pension plans). Specifically, Section 2202 of the

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CARES Act provides that Plan participants personally impacted by the coronavirus in the manner specified in the statute may have the opportunity to take a distribution from their Plan accounts of up to \$100,000 ("COVID Distribution"). COVID Distributions will not be subject to any immediate tax withholding unless the participants so choose. Moreover, unless elected otherwise by the participants, COVID Distributions will be taxable to the participants on a pro rata basis over three tax years. If participants want to return the distributed retirement monies to their retirement savings in order to place themselves back into the tax-deferred retirement financial position that they would be in had the COVID Distributions not been necessary, they may (but are not required), to repay the monies into a tax-qualified retirement account over a three-year period.

Pursuant to the CARES Act, an employer that wishes to offer the above-described forms of relief should do so with immediate effect and then later amend the governing Plan document's technical terms, by a deadline to be set forth in future IRS guidance. Accordingly, LYNX staff worked with the Plan's service provider (MassMutual) to immediately implement the above-described CARES Act relief for the benefit of the Plan's participants and provided notice to the participants of the available relief.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

There is no financial impact to LYNX. The implemented relief merely permits Plan participants to have more flexibility with respect to their vested benefits in the Plan.

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Consent Agenda Item #6.A. vi

To: LYNX Oversight Committee

From: **Tellis Chandler**
Director Safety And Security
Tellis Chandler
(Technical Contact)

Phone: 407.841.2279 ext: 6154

Item Name: **Ratification of an Application Submitted to the US Department of Homeland Security for FY2020 Competitive Funding Opportunity, Transit Security Grant Program (TSGP), for \$673,000**

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' ratification of a grant application to the US Department of Homeland Security for FY2020 Competitive Funding Opportunity, Transit Security Grant Program (TSGP), for \$673,000.

BACKGROUND:

On February 14, 2020, the Federal Emergency Management Agency (FEMA), a component of the Department of Homeland Security (DHS), released a Notice of Funding Opportunity (NOFO) and availability of \$88 million in FY2020 TSGP competitive grant funding for eligible public transportation systems to support transportation infrastructure security activities. The applications were due April 30, 2020.

The TSGP provides funds to protect critical transportation infrastructure and the travelling public from terrorism, and to increase transportation infrastructure resilience. The DHS/FEMA is continuously evaluating the national risk profile and setting priorities that help ensure appropriate allocation of scarce security dollars. In assessing the national risk profile for FY2020, three areas attract the most concern: 1) Enhancing cybersecurity; 2) Enhancing the protection of soft targets/crowded places; and 3) Addressing emerging threats (e.g., transnational criminal organizations, weapons of mass destruction [WMD], unmanned aerial systems [UASs], etc.).

LYNX will submit for video camera improvements that align with recommendations provided in the 2020 LYNX Threat and Vulnerability Analysis (TVA) and in the 2019 Department of Homeland Security baseline assessment. The TVA evaluates the likelihood of specific threats

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that may endanger system operations and provides recommended actions and counter measures to eliminate or mitigate such threats. LYNX operations facilities are deemed critical assets as defined within the TVA, having a potential for a high level of employee and/or passenger casualties and system disruptions.

Due to this project being categorized as security sensitive, staff will provide only a brief summary of the project. The project will consist of the overall enhancement of the security cameras at LYNX properties. The current equipment is dated and has met and/or exceeded FTA's useful life. The new equipment will provide LYNX with surveillance video analytics and cybersecurity enhancements. The project time line for completion is two years from the date of start.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

LYNX staff will include the award of this program in the appropriate LYNX fiscal year budget upon confirmation of award. This funding program is 100% DHS funded.

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Consent Agenda Item #6.A. vii

To: LYNX Oversight Committee

From: Norman Hickling
Director Of Mobility Services
Norman Hickling
(Technical Contact)

Phone: 407.841.2279 ext: 6169

Item Name: Ratification of a Grant Application to the Commission for the Transportation Disadvantaged for Fiscal Year 2020/2021 Innovation and Service Development Funding in the Amount of \$1,228,815 and Adoption of Resolution #20-006

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' ratification of a grant application submitted to the Commission for the Transportation Disadvantaged (CTD) for Fiscal Year 2020/2021 for the TD Taxi/TNC expansion project in the amount of \$1,228,815 and adoption of Resolution #20-006 (attached hereto), authorizing the CEO to undertake and if awarded, execute a Memorandum of Agreement to be provided by the CTD.

BACKGROUND:

The Transportation Disadvantaged Trust Fund is administered by the CTD, pursuant to Section 427.0159, Florida Statutes. The purpose of the Transportation Disadvantaged Trust Fund is to provide dedicated funding source for the operational and planning expenses of the CTD in carrying out its legislative responsibilities.

On May 3, 2019, the CTD released a competitive funding opportunity for an additional \$10 million allocated by the Florida Legislature under the Transportation Disadvantaged Trust Fund beginning Fiscal Year 2019-20. This funding shall be used to award competitive grants to Community Transportation Coordinators (CTCs) and Transportation Network Companies (TNCs) for the purposes of providing cost-effective, door-to-door, on-demand and scheduled transportation services that:

1. Increase a transportation disadvantaged person's access to and departure from job training, employment, health care, and other life-sustaining services;
2. Enhance regional connectivity and cross-county mobility; or,

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3. Reduce the difficulty in connecting transportation disadvantaged persons to a transportation hub and from the hub to their final destination.

This grant program provides ninety-percent (90%) funding and requires a ten-percent (10%) cash match generated from local sources. No state or federal government revenues are acceptable as local match. LYNX will be utilizing farebox revenues as the cash match.

CTD Funding (90%):	\$1,228,815
Local Share (10%)	<u>\$ 136,535</u>
Total Project Amount:	\$1,365,350

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE project participation goal is not applicable for this activity.

FISCAL IMPACT:

LYNX staff will include the award for this program in the appropriate LYNX fiscal year budget upon confirmation of award and securing the local match.

CFRTA RESOLUTION NO. 20-006

RESOLUTION OF THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY (d/b/a/ LYNX) AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE AND SUBMIT AN INNOVATION AND SERVICE DEVELOPMENT GRANT APPLICATION TO THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED (CTD) IN CONNECTION WITH THE TD TAXI/TNC EXPANSION PROJECT FOR FISCAL YEAR 2020/2021 IN THE AMOUNT OF \$1,228,815 DOLLARS.

WHEREAS, the Transportation Disadvantage Trust Fund was created to provide dedicated funding for the operational and planning expenses of the CTD in carrying out its legislative responsibilities; and

WHEREAS, on May 3, 2019, the CTD released a competitive funding opportunity to award competitive grants to Community Transportation Coordinators and Transportation Network Companies for the purpose of providing cost-effective, door-to-door, on-demand and scheduled transportation services meeting certain requirements; and

WHEREAS, the LYNX Board of Directors (BOARD) has the authority and believes it is in the best interest of LYNX to authorize the CEO to file and execute this Grant Application, and supporting documents and assurances, and to undertake a transportation disadvantage service project as authorized by Section 427.0159, Florida Statutes, and Rule 41-2, of the Florida Administrative Code;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The LYNX BOARD has the authority to authorize the submission of grant applications to the CTD.
2. The BOARD authorizes James E. Harrison, Esq., P.E., Chief Executive Officer, or designee, to submit an Innovation and Service Development Grant Application to the CTD in connection with the TD Taxi/TNC Expansion Project for fiscal year 2020/2021 in the amount of \$1,228,815 dollars on behalf of LYNX and the ability for the CEO to execute the application, amendments, warranties, certifications and any other documents in connection with the Grant Project and the acceptance of the award. This includes the expenditure of funds in connection with this grant award.
3. The BOARD's Registered Agent in Florida is the Central Florida Regional Transportation Authority located at 455 N. Garland Ave, Orlando, FL 32801.
4. That the above authorization shall be continuing in nature until revoked by the Chairman of the Governing Board.

CFRTA RESOLUTION NO. 20-006

RESOLUTION OF THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY (d/b/a/ LYNX) AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE AND SUBMIT AN INNOVATION AND SERVICE DEVELOPMENT GRANT APPLICATION TO THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED (CTD) IN CONNECTION WITH THE TD TAXI/TNC EXPANSION PROJECT FOR FISCAL YEAR 2020/2021 IN THE AMOUNT OF \$1,228,815 DOLLARS.

APPROVED AND ADOPTED this 28th day of May, 2020 by the Governing Board of the Central Florida Regional Transportation Authority.

CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

By: Governing Board

Chairman

ATTEST:

Assistant Secretary

LYNX Oversight mmittee Agenda

Consent Agenda Item #6.A. viii

To: LYNX Oversight Committee

From: **Tiffany Homler Hawkins**
Chief Administrative Officer
Belinda Balleras
(Technical Contact)

Phone: 407.841.2279 ext: 6064

Item Name: **Authorization to Execute Resolution #20-008 for a Public Transit Grant Agreement with the Florida Department of Transportation for FY2021 Block Grant Funding in the Amount of \$12,060,907**

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to execute Resolution #20-008 for a Public Transportation Grant Agreement with the Florida Department of Transportation District 5 (FDOT) for the FY2021 State Block Grant for operating assistance in the amount of \$12,060,907.

BACKGROUND:

The Florida Block Grant Program was enacted by the Florida Legislature to provide a stable source of funding for public transportation. The funds are awarded to eligible transit providers who are recipients of funding from the Federal Transit Administration's formula program for urbanized and non-urbanized areas.

FDOT included in its Work Program the FY2021 LYNX block grant funding. FDOT will obligate funds in the amount of \$12,060,907 under a Public Transportation Grant Agreement (PTGA) FM #4333061.

Authorizing Resolution #20-008 is attached.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE project participation goal is not applicable for this activity.

LYNX Oversight mmittee Agenda

FISCAL IMPACT:

LYNX staff will include the above awarded amount in the FY2021 Operating Budget.

CFRTA RESOLUTION NO. 20-008

RESOLUTION OF THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY (d/b/a/ LYNX) AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE AND SUBMIT A PUBLIC TRANSPORTATION GRANT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 5 (FDOT) FOR THE FY2021 STATE BLOCK GRANT FOR OPERATING ASSISTANCE IN THE AMOUNT OF \$12,060,907 DOLLARS.

WHEREAS, the Florida Block Grant Program was enacted by the Florida Legislature to provide a stable source of funding for public transportation; and

WHEREAS, these funds are awarded to eligible transit providers who are recipients of funding from the Federal Transit Administration's formula program for urbanized and non-urbanized areas; and

WHEREAS, the LYNX Board of Directors (BOARD) has the authority and believes it is in the best interest of LYNX to authorize the CEO, or designee, to file and execute this Grant Application, and all supporting documents, agreements and assurances which may be required in connection with the application as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The LYNX BOARD has the authority to authorize the submission of grant applications to FDOT.
2. The BOARD authorizes James E. Harrison, Esq., P.E., Chief Executive Officer, or designee, to submit a Public Transportation Grant Application to FDOT for fiscal year 2021 in the amount of \$12,060,907 dollars on behalf of LYNX and the ability for the CEO to execute the application, amendments, warranties, certifications and any other documents in connection with the Grant Application and acceptance. This includes the expenditure of funds in connection with this grant award.
3. That the above authorization shall be continuing in nature until revoked by the Chairman of the Governing Board.

CFRTA RESOLUTION NO. 20-008

RESOLUTION OF THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY (d/b/a/ LYNX) AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE AND SUBMIT A PUBLIC TRANSPORTATION GRANT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 5 (FDOT) FOR THE FY2021 STATE BLOCK GRANT FOR OPERATING ASSISTANCE IN THE AMOUNT OF \$12,060,907 DOLLARS.

APPROVED AND ADOPTED this 28th day of May, 2020 by the Governing Board of the Central Florida Regional Transportation Authority.

CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

By: Governing Board

Chairman

ATTEST:

Assistant Secretary

LYNX Oversight Committee Agenda

Consent Agenda Item #6.A. ix

To: LYNX Oversight Committee

From: **Tiffany Homler Hawkins**
Chief Administrative Officer
Tiffany Homler Hawkins
(Technical Contact)

Phone: 407.841.2279 ext: 6064

Item Name: **Authorization to Execute Resolution #20-009 for a Public Transportation Grant Agreement with the Florida Department of Transportation under the Coronavirus Aid, Relief, and Economic Security (CARES) Act for Rural 5311 Program in the amount of \$2,342,149**

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to execute Resolution #20-009 for a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) under the FY2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act for Rural 5311 in the amount of \$2,342,149.

BACKGROUND:

At the April 23, 2020 Board Meeting, staff received authorization to submit a grant application to the Florida Department of Transportation (FDOT) for the funding provided through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed by President Donald J. Trump on March 27, 2020 in the amount of approximately \$1,500,000. That authorization included the execution of a Public Transportation Grant Agreement (PTGA) with FDOT.

FDOT District 5 has determined the final updated allocation amount for Section 5311 funding awarded under the CARES Act. LYNX's total award amount will be \$2,342,149.

The FDOT award will be 100% federally funded for the operating grant request using the CARES Act allocation. Further guidance on FDOT's administration of Section 5311 funding made available through the CARES Act will be included in the PTGA. A Board resolution is required for the 5311 CARES Act Public Transportation Grant Agreement with FDOT, as the direct grantee for the state rural CARES apportionment.

Board Resolution #20-009 is attached.

LYNX Oversight Committee Agenda

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE participation goal is applicable for this activity.

FISCAL IMPACT:

LYNX staff will include CARES Act federal funds as part of the Adopted Operating and Capital Budgets for FY2020.

CFRTA RESOLUTION NO. 20-009

RESOLUTION OF THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY (d/b/a/ LYNX) AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE AND SUBMIT A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE 5311 CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT FOR RURAL 5311 PROGRAMS IN THE AMOUNT OF \$2,342,149 DOLLARS.

WHEREAS, this is a resolution of the LYNX Board of Directors (BOARD) which hereby authorizes the signing and submission of the LYNX grant applications and supporting documents and assurances to the Florida Department of Transportation (FDOT) in connection with the CARES Act for Rural 5311 Programs; and

WHEREAS, the LYNX BOARD has the authority and believes it is in the best interest of LYNX to authorize the CEO, or designee, to file and execute this Grant Application in connection with the CARES Act for Rural 5311 Programs, and all supporting documents, agreements and assurances which may be required in connection with the application as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The LYNX BOARD has the authority to authorize the submission of grant applications to FDOT.
2. The BOARD authorizes James E. Harrison, Esq., P.E., Chief Executive Officer, or designee, to submit a Grant Application to FDOT in connection with CARES Act for Rural 5311 Programs on behalf of LYNX and the ability for the CEO to execute the application, amendments, warranties, certifications, agreements and any other documents in connection with the Grant Application and acceptance. This includes the expenditure of funds in connection with this grant award.
3. That the above authorization shall be continuing in nature until revoked by the Chairman of the Governing Board.

CFRTA RESOLUTION NO. 20-009

RESOLUTION OF THE CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY (d/b/a/ LYNX) AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE AND SUBMIT A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE 5311 CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT FOR RURAL 5311 PROGRAMS IN THE AMOUNT OF \$2,342,149 DOLLARS.

APPROVED AND ADOPTED this 28th day of May, 2020 by the Governing Board of the Central Florida Regional Transportation Authority.

CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

By: Governing Board

Chairman

ATTEST:

Assistant Secretary

LYNX Oversight Committee Agenda

Consent Agenda Item #6.A. x

To: LYNX Oversight Committee

From: William Slot
Chief Innovation Sustain Off
Kenneth Jamison
(Technical Contact)

Phone: 407.841.2279 ext: 6146

Item Name: Authorization to Cancel Contract #13-C07 for Automated Fare Collection System

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer ("CEO") or designee to negotiate and enter into, on behalf of LYNX, a mutual cancellation of Contract #13-C07 for Automated Fare Collection System, dated as of September 27, 2012 (as amended, the "AFC Contract") by and between LYNX and Conduent Transport Solutions, Inc. (as successor in interest to ACS Transport Solutions, Inc. and Xerox Transport Solutions, Inc.) ("Conduent") in an amount Not to Exceed \$149,586.92.

BACKGROUND:

LYNX entered into the AFC Contract with ACS Transport Solutions, Inc., the predecessor to Conduent, on September 27, 2012 as part of a joint procurement with the Florida Department of Transportation (FDOT). The original intent of the AFC Contract was for LYNX to be able to purchase ticket vending machines, a Central Data Collection and Information System, On-Board Smart Media Processors, Point of Sale Machines, spare parts, test tools, test equipment, documentation, training, technical assistance and warranties. The equipment purchased was intended to be fully compatible with FDOT's Sunrail system so that passengers using both LYNX and Sunrail would have a seamless payment experience when making connections between the two systems. The AFC Contract was funded by grants from the Federal Transit Administration (FTA). In connection with the AFC Contract, LYNX also entered into a tri-party escrow agreement with Conduent and the Florida Department of Financial Services (the "Escrow Agreement") in order to escrow the source code of the AFC Contract deliverables.

The AFC Contract contemplated that all AFC Contract deliverables would be fully delivered by February 28, 2014. Due to various delays and deficiencies, the AFC Contract deliverables were never fully delivered. Similarly, the deliverables in FDOT's counterpart contract with Conduent

LYNX Oversight Committee Agenda

were never fully delivered. As a result, passengers riding both LYNX and Sunrail do not have a seamless payment experience when connecting between the two systems. LYNX staff desires to cancel the AFC Contract in order to free up the FTA funding to be used for other LYNX priorities.

LYNX staff and Conduent have negotiated preliminary terms tied to specific obligations that both parties have agreed are fair and equitable under the Contract. These terms are the basis for a mutual cancellation of the Contract and Final Payment to Conduent of \$149,586.92 to close out the Project.

LYNX staff desires Board authorization to negotiate and enter into a formal mutual agreement with Conduent cancelling the AFC Contract (and the associated Escrow Agreement) in accordance with the terms set forth above and such additional terms as may be negotiated by the parties.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE participation goal is applicable for this activity.

FISCAL IMPACT:

The approved FY2020 Amended Operating budget does not include this expense. The expense will be paid from reserves or other budgeted savings.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.A. xi

To: LYNX Oversight Committee

From: **Tiffany Homler Hawkins**
Chief Administrative Officer
Tiffany Homler Hawkins
(Technical Contact)

Phone: 407.841.2279 ext: 6064

Item Name: **Authorization to Extend the Suspension of the Collection of Fares Through June 30, 2020**

Date: 5/28/2020

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to extend the suspension of the collection of fares through June 30, 2020.

BACKGROUND:

In response to the national COVID-19 pandemic and the local "Stay at Home" orders by the City of Orlando, Orange and Osceola Counties and subsequently the State of Florida, LYNX instituted several measures to support the reduction of the spread of the coronavirus, including the following:

1. Elimination of fare collection on fixed-route and ACCESSLYNX
2. System-wide reduction of bus service
3. Rear-door bus boarding with the exception of customers with mobility challenges using the front door.

These measures have been critical in helping to ensure the safety of LYNX riders, Bus Operators and the general public during the COVID-19 pandemic. In order to support efforts to reduce the spread of COVID-19 by continuing physical distancing protocols, LYNX recommends continuing the fare suspension through June 30, 2020.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE participation goal is applicable for this activity.

LYNX Oversight mmittee Agenda

FISCAL IMPACT:

The FY2020 Operating Budget included approximately \$2 million in customer fares per month.