

LYNX Oversight Committee Agenda


Meeting Date: 2/24/2022
Meeting Time: 11:30 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.

1. Call to Order

2. Approval of Committee Minutes

 Oversight Committee Minutes 1.27.22

Pg 3

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. Request for Proposal (RFP)

- i.  Authorization to Release a Request for Proposal (RFP) for a Transit Simulator System Pg 7



B. Invitation for Bid (IFB)


- i.  Authorization to Release an Invitation for Bid (IFB) for Transit Bus Tire Leasing Services Pg 9

C. Award Contracts

- i.  Authorization to Negotiate and Award a Contract to Elliott & Company Turf and Landscaping Services, Inc. for Landscaping Services Pg 11
- ii.  Authorization to Negotiate and Award a Contract to AT&T Corp. for Cloud-Based Universal Communications as a Service (UCaaS) Pg 12
- iii.  Authorization to Negotiate and Award a Contract to AT&T Corp. for Internet Cloud-Based Contact Center as a Service (CCaaS) Pg 14
- iv.  Authorization to Negotiate and Award a Contract to Barracuda Building Contractors for the Installation, Repair and Removal of LYNX Transit Shelters and Associated Amenities Pg 17

D. Miscellaneous


- i.  Authorization to Transfer Two (2) Ticket Vending Machines to Southeastern Pennsylvania Transportation Authority Pg 19
- ii.  Authorization to Enter into a Memorandum of Understanding for Transit Planning In Support of the International Drive Transit Feasibility and Alternative Technology Assessment Pg 21

-Attachments 

7. Discussion Items

- A.  FY2021 Preliminary Financial Results Pg 32
- B.  FY2022 1st Quarter Results Pg 33
- C.  FY2023 Budget Assumptions Pg 34
- D.  Reimagining NeighborLink Services Pg 35

8. Action Items

- A.  Election of the 2022 Oversight Committee Officers Pg 36

9. Other Business

10. 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: **January 27, 2022**

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

Members in Attendance:

Viviana Janer, Chair, Commissioner,
Osceola County BoCC
Mary Moskowitz, Seminole County
Tanya Wilder, City of Orlando
Jared Perdue, FDOT
Brian Sanders, Orange County

Staff Members in Attendance:

James E. Harrison, Chief Executive Officer
Tiffany Homler-Hawkins, Chief Administrative Officer
William Slot, Chief Innovation Officer
Leonard Antmann, Chief Financial Officer
Dana Baker, Chief Operations Officer

1. Call to Order

Chair Janer called the meeting to order at 11:02 a.m.

2. Approval of Minutes

A motion to approve the December 9, 2021 Oversight Committee meeting minutes was made by Secretary Perdue and seconded by Mary Moskowitz. 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 the LYNX Operations Center expansion project is almost complete. The expansion includes space for two hundred paratransit vehicles, office space for operational dispatch, and for maintenance staff.

The Rosemont SuperStop is almost complete. This project increased bus shelters from four to ten, upgraded lighting at both shelters and street lights. Safety improvements included installation of security fencing, more seating capacity, installation of traffic calming through road narrowing, speed tables and push button crossing signs for the cross walks.

This project was completed under budget. Kudos to the Engineering and Construction project management for getting these projects completed.

LYNX is closing out its annual ridership reporting to the National Transit Database. In FY2021, there was a slow but steady increase in ridership, with October the highest ridership month since the pandemic started. Fixed-route ridership is about sixty-two percent of FY2019 numbers, with the plan for FY2022 at sixty-seven percent. Paratransit ridership is about seventy percent of FY2019 numbers, with the plan for FY2022 at eighty-three percent.

The proposed revisions to the Administrative Rules will begin to be presented to the Oversight Committee over the next two months. The revisions were performed with a comparative analysis not only with our funding partners, but also with peer transit agencies and a review by legal counsel Akerman and specialty counsel regarding labor and employment matters.

LYNX has received the Certificate of Achievement award from the Government Finance Officer Association for the twenty-ninth consecutive year. This is the highest form of recognition in governmental accounting and financial reporting. Next month, the FY2023 budget assumptions will be presented.

Staff will present an overview of the existing LYNX fleet composition today, and the path towards the future to low and zero emission fleet. This transition began in 2015, when the fixed-route fleet transitioned to compressed natural gas. The LYMMO fleet is transitioning towards battery electric. This presentation will look at the approach, in the coming years, to the transition to a low and zero emissions fleet.

5. Finance & Audit Committee Report

Amanda Clavijo, Chair of Finance and Audit Committee, reported that the Finance and Audit Committee met on Thursday, January 20, 2022.

Ms. Clavijo stated that the committee was introduced to the new Budget Manager, Scott Borrer.

There was a brief update that the audit was going well. The final financial statements will be presented at the next Finance and Audit meeting.

The FY2021 Preliminary Operating results were presented with everything as expected.

There was also a presentation on the FY2023 budget assumptions, with a discussion on the capital contributions from the local funding partners. This has been a \$2 capital charge, with a possible increase to \$3. This would help LYNX with matching for grant opportunities. More information will be presented at the next meeting.

All Consent Agenda items were approved to move forward to the Oversight Committee.

6. Committee Consent Agenda Items

Chair Janer asked if there were any changes to the Consent Agenda before there is a motion to approve consent agenda items 6.A.i. through 6.D.iv. Mr. Harrison stated that he recommends the entire Consent Agenda for approval.

A. Invitation for Bid (IFP)

- i. Authorization to Release an Invitation for Bid (IFP) for the Repainting of Bus Shelters

B. Award Contracts

- i. Authorization to Negotiate and Award a Contract to Jani-King of Orlando, LLC for Facility Disinfecting Services
- ii. Authorization to Award Contract #22-C39 to DesignLab, Inc. for Bus Operators, Transportation, and Maintenance Supervisors Uniforms

C. Extension of Contracts

- i. Authorization to Exercise the First Option Year of Contract #20-C29 with Gray Robinson, P.A. for Labor/Employment Legal Services

D. Miscellaneous

- i. Authorization to Amend the Contract with Ceridian for Human Resource and Payroll Processing
- ii. Authorization to Execute a Change Order with R.L. Burns, Inc. for the Construction of Safety, Security, and Aesthetic Improvements to the Rosemont Transfer Center
- iii. Authorization to Purchase Eight (8) 2022 Ford Utility AWD V-6 Vehicles as Replacement Vehicles for Transportation
- iv. Authorization to Increase the Not to Exceed Amount of Contract #22-C11 with Jobbers Equipment Warehouse for Rotary Mod30 Telescoping Hydraulic Cylinder Replacement

Tanya Wilder made a motion to approve Consent Agenda items 6.A.i through 6.D.iv. Seconded by Secretary Perdue. Motion passed unanimously.

7. Discussion Items

A. LYNX Fleet Composition and Path Towards Zero Emissions

Chair Janer recognized John Slot, Chief Innovation Officer, to make the presentation. Mr. Slot stated that at the Board's direction, LYNX is developing a long-term plan for the migration to a zero-emission fleet. This plan will follow state and federal guidance on zero emissions targets and standards.

LYNX looked at the current planning initiatives of the Regional Funding partners, the State of Florida and the Federal government. These initiatives will be incorporated into the goals for LYNX.

The focus will start with passenger facing fleets with high annual mileage. Approaches will be analyzed and developed for vehicles and associated fueling infrastructure. The transition started back in the 1990s with the purchase of nine compressed natural gas (CNG) buses. By the end of FY2022, over half of the LYNX fleet will be low emissions buses. The first electric bus was ordered in

summer of 2020. Before the end of 2022, the LYMMO fleet will be one hundred percent electric buses. The next step will be to expand to the fixed-route.

The fixed-route fleet is currently at fifty percent low-emissions. NeighborLink, Paratransit and VanPool fleets are one hundred percent gasoline. Support vehicles are a mix between gasoline and diesel, with the majority using gasoline. LYNX goal is to have fifty percent of the fixed-route fleet to zero-emissions by 2028. Paratransit fleet will have a slow and measured approach for conversion to CNG vehicles with transition to zero emission vehicles as improvements are made.

The FDA is now requiring LYNX to develop a zero-emissions transit plan. LYNX will continue with pilot programs, and increasing connectivity with SunRail and better serve the community.

Tanya Wilder asked if LYNX is ahead of the curve or behind the times. Mr. Slot stated that with the size of LYNX, LYNX is leading. Larger agencies may be a little further along.

Brian Stanger stated that with this transition, it is attracting more customers. He commends LYNX for taking risks and bringing the system forward.

Commissioner Janer asked if the Southern Operations base would include charging capabilities to include all of these changes. Mr. Harrison stated that all changes would be incorporated in a new facility.

8. Other Business

Mr. Harrison stated that a similar presentation would be presented to the Board of Directors in the coming months.

9. Adjourned

Meeting adjourned at 11:50 a.m.

Certification of Minutes:

I certify that the foregoing minutes of the January 27, 2021 Oversight Committee meeting are true and correct, approved by the Oversight Committee.

X

Assistant

LYNX Oversight Committee Agenda

Consent Agenda Item #6.A. i

To: LYNX Oversight Committee

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

Phone: 407.841.2279 ext: 6106

Item Name: Authorization to Release a Request for Proposal (RFP) for a Transit Simulator System

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to release a Request for Proposal (RFP) for a Transit Simulator System.

BACKGROUND:

In 2014, the LYNX Board of Directors approved the purchase of the Transit Simulator System. It has been in service for the past 7 years. With new technological changes and upgrades occurring in the past few years the Transit Simulator System is now out of date and requires updates of new technology.

The cost of updating the current simulator system is comparable if not more expensive than the cost to obtain a new system. LYNX staff feels that releasing a request for proposal for a new unit and retiring the current simulator is in the best interest of LYNX.

The Simulator has been used for the retraining of bus operators after an accident, improper rail road crossing, failure to stop at a road sign or digital device and other training scenarios as needed.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

It is the policy of LYNX to ensure that certified DBE's and small business firms have equal opportunity to participate in DOT assisted solicitations and contracts. The DBE goal for this project will be assessed upon the finalization of the scope of work. The contractor will be required to provide documentation and report the certified DBE's and small business firms participating on the project.

LYNX Oversight Cmmittee Agenda

FISCAL IMPACT:

The FY2022 Approved Capital Budget includes \$250,000 for the upgrade of the Simulator, which will be used to purchase the new Transit Simulator System. This project will be funded 100% with Federal funds.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.B. i

To: LYNX Oversight Committee

From: Elvis Dovalles
Director Of Maintenance
Elvis Dovalles
(Technical Contact)

Phone: 407.841.2279 ext: 6239

Item Name: Authorization to Release an Invitation for Bid (IFB) for Transit Bus Tire Leasing Services

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to release an Invitation for Bid (IFB) for transit bus tire leasing services. The contract term shall be for an initial term of three (3) years with two (2) one (1) year options to extend.

BACKGROUND:

On September 28, 2017 the LYNX Board of Directors on Consent Agenda Item #7.B.iv approved the award of Contract #18-C02 to Bridgestone Americas Tire Operations, LLC for three (3) years with the option for two (2) one (1) year options. The final option year of the contract expires September 30, 2022.

The LYNX Vehicle Maintenance Division maintains a fleet of 298 transit buses, the tires used on the buses are currently leased. It has been LYNX practice to lease tires due to the fact that by leasing tires it results in lower costs per tire mile. Additionally, the costs of procuring and maintaining tire inventory and the tire disposal are avoided.

LYNX has continually monitored the market reviewing benefits of leasing versus buying transit bus tires and it has been proven that leasing produces the greater benefit as shown below.

LYNX Oversight Committee Agenda

FY21 Tire Lease to Buy Annual Cost Comparison @ 54,000 miles per year					
Tire Size	Total # Tires	Lease Cost per tire mile	Purchase Cost per tire mile	Lease Cost per year	Purchase cost per year
B275/70R22.5	48	\$ 0.006338	\$ 0.01032	\$16,428.10	\$26,751.21
B315/80R22.5	1566	\$ 0.005886	\$ 0.00952	\$497,743.70	\$805,106.09
B305/70R22.5	340	\$ 0.005964	\$ 0.01021	\$109,499.04	\$187,426.50
385/55R22.5	12	\$ 0.019001	\$ 0.01510	\$12,312.65	\$9,787.53
Annual Totals				\$635,983.49	\$1,029,071.33

All labor, equipment and supplies required to maintain the leased tire inventory are also part of the tire leasing services contract.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

FISCAL IMPACT:

The FY2022 Approved Operating Budget includes \$679,971 for transit bus tire leasing services.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.C. i

To: LYNX Oversight Committee

From: Elvis Dovalés
Director Of Maintenance
Elvis Dovalés
(Technical Contact)

Phone: 407.841.2279 ext: 6239

Item Name: Authorization to Negotiate and Award a Contract to Elliott & Company Turf and Landscaping Services, Inc. for Landscaping Services

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to negotiate and award a contract for an initial three (3) year term with no extension options, to Elliott & Company Turf and Landscaping Services, Inc., for landscaping services for an amount not to exceed \$190,000.

BACKGROUND:

This will be a cooperative purchase agreement off of the State of Florida Department of Management Services (DMS) Contract #70111706-15-ACS for Lawncare Services. The DMS contract is valid through June 30, 2025.

This service is required in order to ensure LYNX complies with City and County ordinances related to landscaping for the purposes of enhancement of the visual and aesthetic appearance of the community. The service also maintains a safe, well-kept natural exterior environment for LYNX's workers, patrons and visitors.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE Goal has been established for this contract. LYNX encourages the Contractor to make every attempt to obtain participation of certified DBEs and other small businesses in the completion of this contract (Race Neutral).

FISCAL IMPACT:

The FY2022 Approved Operating Budget includes \$63,000 for landscaping services.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.C. ii

To: LYNX Oversight Committee

From: **Craig Bayard**
Director Of Information Technology
Jose Felix
(Technical Contact)

Phone: 407.841.2279 ext: 6008

Item Name: **Authorization to Negotiate and Award a Contract to AT&T Corp. for Cloud-Based Universal Communications as a Service (UCaaS)**

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to negotiate and execute a contract with AT&T Corp. for Cloud-Based Universal Communications as a Service (UCaaS). The recommended term of the agreement will be for a three (3) year term with two (2) one (1) year renewal options with a not to exceed cost of \$320,519 for the first three (3) year term.

BACKGROUND:

At the December 10, 2020, LYNX Board of Director's meeting, staff received authorization to Release a Request for Proposal (RFP) for an Internet Cloud-Based Universal Communications as a Service (UCaaS) solution (contract #21-R24). The RFP was released on July 7, 2021, with responses due on August 16, 2021.

The RFP included required telephony services (traditional phone system PBX functions) including Direct Inward Dialing ("DID"), fax, voicemail, unified inbox, auto-attendant, speed dial, call forwarding, caller ID, call pickup, hunt groups, diverse endpoints (phones, mobile devices, softphones) and audio/video conferencing.

The SEC public meeting was held on December 16, 2021, with the following results:

Proposer	Total Score	Ordinal Ranking
AT&T Corp.	435	7
ConvergeOne	426.092	8
NWN	345.29	15

LYNX Oversight Committee Agenda

It was the recommendation of the SEC to shortlist the following proposers and to eliminate the other firm from consideration. The SEC also requested demonstrations and answers to written questions given to both short listed proposers.

Proposer	Total Score	Ordinal Ranking
AT&T Corp.	435	7
ConvergeOne	426.092	8

The SEC received demonstrations from the short-listed proposers and held final scoring on January 26, 2022. The following is the ordinal racking from the SEC after reviewing the written answers and virtual demonstrations from the proposers. The SEC recommends that LYNX proceeds with contracting with AT&T Corp.

Proposer	Ordinal Ranking
AT&T Corp.	5
ConvergeOne	10

Cost for the services that was submitted by the vendor was \$320,519 for the initial three (3) year term, \$72,546 for option year 1, and \$72,564 for option year 2.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE Goal has been established for this contract. LYNX encourages the Contractor to make every attempt to obtain participation of certified DBEs and other small businesses in the completion of this contract (Race Neutral).

FISCAL IMPACT:

The FY2022 Approved Operating Budget includes \$101,040 for Cloud-Based Universal Communications as a Service (UCaaS).

LYNX Oversight Committee Agenda

Consent Agenda Item #6.C. iii

To: LYNX Oversight Committee

From: **Craig Bayard**
Director Of Information Technology
Jose Felix
(Technical Contact)

Phone: 407.841.2279 ext: 6008

Item Name: **Authorization to Negotiate and Award a Contract to AT&T Corp. for Internet Cloud-Based Contact Center as a Service (CCaaS)**

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to negotiate and execute a contract with AT&T Corp. for Internet Cloud-Based Contact Center as a Service (CCaaS). The recommended term of the agreement will be for a three (3) year term with two (2) one (1) year renewal options with a not to exceed cost of \$367,508 for the first three (3) year term.

BACKGROUND:

At the December 10, 2020, LYNX Board of Director's meeting, staff received authorization to issue a Request for Proposal (RFP) for Internet Cloud-Based Contact Center as a Service (CCaaS). The proposal for Internet Cloud-Based Contact Center as a Service (CCaaS) (contract #21-R23) was released on June 18, 2021, with responses due on August 3, 2021.

LYNX's current phone system was installed in 2003 with three upgrades since then. The last was in 2013. The current phone system hardware and software have reached their end of life and are entering into the manufacturer's extended support maintenance. Updating or upgrading the current phone system will not gain the benefits that are required for today's business model without substantial capital and operating expenditure.

The implementation of the Internet cloud-based Contact Center service will augment customer communication with LYNX Mobility Service Representatives by using different methods of communication including voice calls, SMS messaging, and web-based chat.

Providing this level of technology in support of the customer experience is critical to reliability, safety and support of cost-effective public transit and paratransit services in our region. As such,

LYNX Oversight Committee Agenda

we have embarked on a digital transformation to update the way we interact with passengers by moving to the new generation of contact center technology. This change in platform supports the needs of our passengers by providing a fully integrated customer experience.

The SEC public meeting was held on December 12, 2020, with the following results:

Proposer	Total Score	Ordinal Ranking
Connex Services US Inc.	488	11
AT&T Corp.	471	14
Enghouse Transportation	455	15
TTEC Digital, LLC	389	28
Granite Telecommunications	351	32
ConvergeOne	368	33
NWN	359	35

It was the recommendation of the SEC to shortlist the following proposers and to eliminate the other firms from consideration. The SEC also requested demonstrations and answers to written questions given to all three short listed proposers.

Proposer	Total Score	Ordinal Ranking
Connex Services US Inc.	488	11
AT&T Corp.	471	14
Enghouse Transportation	455	15

The SEC received demonstrations from the three short listed proposers and held final scoring on January 13, 2022. The following is the ordinal racking from the SEC after reviewing the written answers and virtual demonstrations from the proposers. The SEC recommends that LYNX proceeds with contracting with AT&T Corp.

Proposer	Ordinal Ranking
AT&T Corp.	6
Connex Services US Inc.	13
Enghouse Transportation	17

Cost for the services that was submitted by the vendor was \$367,508 for the initial three (3) year term, \$100,508 for option year 1, and \$104,529.60 for option year 2.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE Goal has been established for this contract. LYNX encourages the Contractor to make every attempt to obtain participation of certified DBEs and other small businesses in the completion of this contract (Race Neutral).

LYNX Oversight mmittee Agenda

FISCAL IMPACT:

The FY2022 Approved Operating budget includes \$115,000 for Internet Cloud-Based Contact Center as a Service.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.C. iv

To: LYNX Oversight Committee

From: Leonard Antmann
Chief Financial Officer
Jeffrey Reine
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: Authorization to Negotiate and Award a Contract to Barracuda Building Contractors for the Installation, Repair and Removal of LYNX Transit Shelters and Associated Amenities

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to negotiate and award a contract with Barracuda Building Contractors for the installation, repair and removal of LYNX transit shelters and associated amenities. The contract will be for three (3) years with two (2) option years. The total cost not to exceed for the first three (3) years is \$3,129,583.

BACKGROUND:

In August 2020, the LYNX Board of Directors granted permission to proceed with a Request for Proposal for the installation, repair and removal of LYNX transit shelters and associated amenities.

LYNX has previously awarded a contract for this to Barracuda Building Contractors for a term of two (2) years. The current contract expired in February 2021.

LYNX has approximately 1200 bus shelters installed to date. Based on the annual budget, LYNX strives to install approximately 30 bus shelters per year.

The contract supports a variety of tasks to include, but not be limited to: site demolition and preparation, traffic control, ground work, installation of ADA landing pads, installation of transit shelters and amenities; repairs and removal of shelters and amenities. The contract includes all labor, material, equipment, and suppliers required to provide these services.

LYNX Oversight Committee Agenda

RFP #21-R06 was released on May 24, 2021 and responses due on June 25, 2021. The SEC met on September 24, 2021. However, the initial solicitation was met with a protest that resulted in a rejection of all bids on October 27, 2021.

The subsequent re-bid was released on November 17, 2021. The proposals were due on December 17, 2021. A total of two bids were received:

Barracuda Building Contractors Waypoint Contracting, Inc.

The SEC met on January 19, 2022 to discuss the two (2) proposals. The meeting was publicly noticed in accordance with the Florida Sunshine Law.

The proposals were evaluated by each member of the SEC based on the following criteria set forth in the RFP:

- **Qualification of the Proposer and Staff (45)**
- **Methodology / Approach (25)**
- **Pricing Proposal (30)**

Scoring of the proposals submitted was based on a total possible score of 100 and the lowest ordinal ranking will be recommended for contract approval:

Proposer	Score	Ordinal Ranking
Barracuda Building Corporation, Inc.	297	3
Waypoint Contracting, Inc.	264	6

After discussions on the proposals received from the two (2) firms, the SEC ranked the proposals received. The SEC moved to recommend to the LYNX Board of Directors to award this contract to Barracuda Building Contractors.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal of 13% is accessed for this procurement. LYNX's procurement policy requires contractors to use a good faith effort to subcontract portions of their work for material, supplies and services to Disadvantaged Business Enterprise (DBE) Firms.

FISCAL IMPACT:

The FY2022 Approved Capital Budget includes \$4,320,696 for the installation of new shelters which are 100% Federal Funded. The FY2022 Approved Operating Budget includes \$100,000 for the repair and removal of shelters as needed.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.D. i

To: LYNX Oversight Committee

From: **Michelle Daley**
Director Of Finance
Warren Hersh
(Technical Contact)
Edward Velez
(Technical Contact)

Phone: 407.841.2279 ext: 6014

Item Name: Authorization to Transfer Two (2) Ticket Vending Machines to Southeastern Pennsylvania Transportation Authority

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to negotiate and execute the transfer of two (2) ticket vending machines and associated components to Southeastern Pennsylvania Transportation Authority.

BACKGROUND:

At the October 10, 2011 LYNX Board of Directors meeting, the Chief Executive Officer (CEO) was authorized to enter into an Interlocal Agreement with the Florida Department of Transportation (FDOT) to perform a joint procurement of ticket vending machines with FDOT, LYNX and VOTRAN. These ticket vending machines would sell fare media for use on services offered by the three entities. Authorization was provided by the Board of Directors at its August 9, 2012 meeting for the CEO to negotiate and award a contract for ticket vending machines to Affiliated Computer Services, Inc. (ACS).

LYNX procured two ticket vending machines using Federal Transit Administration (FTA) funding which were installed in the passenger lobby at LYNX Central Station. The development of the software to operate the vending machines was delayed during development by the vendor. This has resulted in LYNX not being able to put the vending machines into revenue service to date.

The Southeastern Pennsylvania Transportation Authority has expressed an interest in receiving the two ticket vending machines for their agency. The transfer of the two ticket vending machines will require Federal Transit Administration (FTA) approval in order to waive or

LYNX Oversight Committee Agenda

transfer any outstanding obligation associated with the equipment and their related components which is currently valued at \$70,790. LYNX staff will continue to work with Southeastern Pennsylvania Transportation Authority and/or with other agencies to facilitate the transfer of the two ticket vending machines.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

No DBE participation goal is applicable for this activity.

FISCAL IMPACT:

The net book value of the two (2) ticket vending machines and components is \$70,790. The potential FTA obligation is \$70,790.

LYNX Oversight Committee Agenda

Consent Agenda Item #6.D. ii

To: LYNX Oversight Committee

From: **Bruce Detweiler**
Interim Director Of Planning And Development
Myles O'Keefe
(Technical Contact)

Phone: 407.841.2279 ext: 6136

Item Name: **Authorization to Enter into a Memorandum of Understanding for Transit Planning In Support of the International Drive Transit Feasibility and Alternative Technology Assessment**

Date: 2/24/2022

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to enter into a Memorandum of Understanding with Orange County to provide transit planning in kind services in support of the International Drive (I-Drive) Transit Feasibility and Alternative Technology Assessment (TFATA).

BACKGROUND:

The TFATA study evaluated the potential of implementing a transit circulator operating within the I-Drive District. The project purpose is to improve mobility options for a diverse set of travel markets within the rapidly growing I-Drive District, and to implement a sustainable multimodal system that reflects and complements the surrounding environment.

In its role as the regional transportation authority, and designated recipient for Federal Transit Administration funds for the Central Florida region, LYNX will support the continued efforts of Orange County to advance their plans for transit in the I-Drive corridor with LYNX staff serving as technical advisors.

This cooperative effort will help to address increasing transportation needs and to implement a sustainable multimodal system the complements the surrounding environment.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

A DBE participation goal is not applicable for this activity.

LYNX Oversight Cmmittee Agenda

FISCAL IMPACT:

There is no fiscal impact.

MEMORANDUM OF AGREEMENT

between

ORANGE COUNTY

and

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY
D/B/A LYNX

for

TRANSIT PLANNING IN KIND SERVICES

MEMORANDUM OF AGREEMENT

between

ORANGE COUNTY

and

CENTRAL FLORIDA REGIONAL TRANSIT AUTHORITY
d/b/a LYNX

for

TRANSIT PLANNING IN KIND SERVICES

This Memorandum of Agreement is made and entered into this ____ day of _____, 2022, by and between **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida (hereinafter referred to as "**COUNTY**"), and the **CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY d/b/a LYNX**, a body politic and corporate, created by Part II, Chapter 343, Florida Statutes (hereinafter referred to as "**LYNX**").

WITNESSETH

WHEREAS, COUNTY has authority pursuant to Section 125.01, Florida Statutes, to enter into agreements; and

WHEREAS, LYNX has the authority pursuant to Chapter 343, Part III, Florida Statutes, to enter into agreements; and

WHEREAS, LYNX was created by the above-stated charter to perform functions necessary for the achievement of an integrated, efficient and well-balanced public transportation system in the Central Florida Region; and

WHEREAS, in 2021, COUNTY completed the International Drive Transit Feasibility and Alternative Technology Assessment (TFATA) (hereinafter referred to as "Study"); and

WHEREAS, the Study analyzed the potential of implementing a premium transit service as an urban circular operating within the International Drive (I-Drive) District along International Drive from Sand Lake Road to Sea Harbor Drive (hereinafter referred to as "Project"); and

WHEREAS, the Study also proposes roadway improvements to Tradeshow

Boulevard as part of the Project, including the addition of travel and transit lanes between Destination Parkway and Universal Boulevard; and

WHEREAS, the purpose was to address increasing transportation needs within the I-Drive District and the desire by **COUNTY** to implement a sustainable multimodal system that reflects and complements the surrounding environment; and

WHEREAS, an Implementation Plan was provided to guide the **COUNTY's** decisions around project delivery and **COUNTY** staff was authorized to initiate inter-agency coordination for funding, design, right-of-way acquisition and construction phases of the project; and

WHEREAS, **COUNTY** is putting together a consultant team to include technical reviews of proposer's questions and the proposals for the Project development; and

WHEREAS, **LYNX** has been approached by the **COUNTY** and agrees to provide Transit Planning in-kind services for the Project as the public transit authority for the Central Florida Region and the prospective operator of the completed Project; and

WHEREAS, the in-kind transit planning services provided by **LYNX** will be essential to the success of the Project due to its expertise in the transit industry and knowledge of the Federal Transit Authority (hereinafter referred to as "FTA") project development process for New & Small Starts projects; and

WHEREAS, this Memorandum of Understanding evidences the intentions of the respective parties to cooperate with each other in the furtherance of the public interest to implement a sustainable multimodal system; and

WHEREAS, this Memorandum of Agreement (hereinafter referred to as "Agreement") will be effective upon approval and execution by the **COUNTY and LYNX**.

NOW, THEREFORE, in consideration of the above recitals, the mutual terms, conditions, and covenants hereinafter set forth, **COUNTY and LYNX** agree as follows:

Section 1-SCOPE OF IN-KIND PLANNING SERVICES

1.1 **LYNX** shall furnish to **COUNTY** in-kind transit planning services for the Project as stated in the attached Exhibit "A" (hereinafter referred to as "Services"). **COUNTY** will not provide monetary compensation to **LYNX** for the Services. As the public transit authority for the Central Florida Region and the prospective operator of the

completed Project, **LYNX** will benefit from the provision of Services to the **COUNTY**.

Section 2- TERM

- 2.1 The term of this Agreement shall commence on the date hereof and terminate upon such time as **LYNX** furnishes all Services to **COUNTY** for the Project in accordance with terms herein.

Section 3 - TERMINATION

- 3.1 This Agreement may be terminated for convenience by either party upon thirty (30) days written notice to the other party of an intent to terminate and the date on which such termination becomes effective.

Section 4- INDEMNIFICATION

- 4.1 **LYNX** and **COUNTY** are each a political subdivision or agency of the State of Florida as defined in Chapter 768.28, Florida Statutes or Chapter 343, Part II, Florida Statutes and each agrees to be fully responsible for the acts and omissions of its agents or employees, to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency, political subdivision of the State of Florida or an agency of the State to be sued by third parties in any matter arising out of this Agreement or any other contract.

Section 5 - GENERAL PROVISIONS

- 5.1 Neither **LYNX** nor **COUNTY** intend to directly or substantially benefit a third party by this Agreement. Therefore, the parties agree that there are no third-party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against either of them based upon this Agreement. The parties expressly acknowledge that it is not their intent to create any rights or obligations in any third person or entity under this Agreement.
- 5.2 Whenever either party desires to give notice to the other related to termination, such notice must be in writing, sent by certified United States Mail, postage prepaid, return receipt requested, or by hand-delivery with a request for a written receipt of acknowledgment of delivery, addressed to the party for whom it is intended at the place last specified. The place for giving notice shall remain the

same as set forth herein until changed in writing in the manner provided in this section. As for any other notice regarding services provided for under this Agreement, electronic communication is acceptable. For the present, the parties designate the following:

LYNX
LYNX CEO
455 N. Garland Ave
Orlando, FL 32801

With copy to:

LYNX
Myles O'Keefe, Manager of Strategic Planning 455
N. Garland Ave
Orlando, FL 32801

COUNTY:
Orange County Administrator's Office
Orange County Administration Building
201 South Rosalind Avenue, 5th Floor
Orlando, Florida 32801
Attention: County Administrator

DIVISION:
Manager, Transportation Planning
Planning, Environmental and Development Services
4200 S. John Young Parkway
Orlando, Florida 32839

- 5.3 Neither this Agreement nor any interest herein shall be assigned, transferred, or encumbered by either party.
- 5.4 The rendition of services, standards of performance, discipline of employees and other matters incidental to the performance of services and control of personnel shall remain with **LYNX**. This Agreement does not make **LYNX's** agents, employees or legal representatives the officers or employees of **COUNTY** for any purpose whatsoever, and the employees and agents of **LYNX** are in no way authorized to make any contract, agreement, warranty or representation on behalf of the **COUNTY** or to create any obligation on behalf of the **COUNTY**.

- 5.5 Any costs or expenses, including reasonable attorney's fees, associated with the enforcement of the terms and conditions of this Agreement shall be borne by the respective parties, provided however, that this clause pertains only to the parties to this Agreement.
- 5.4 **COUNTY** and **LYNX** agree that each requirement, duty, and obligation set forth herein is substantial and important to the formation of this Agreement and, therefore, is a material term hereof.
- 5.5 Failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement.
- 5.6 In the event a portion of this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless **COUNTY** or **LYNX** elects to terminate this Agreement. An election to terminate this Agreement based upon this provision shall be made within seven (7) days after the finding by the court becomes final.
- 5.7 The parties acknowledge that they have sought and received whatever competent advice and counsel as was necessary for them to form a full and complete Agreement of all rights and obligations herein and that the preparation of this Agreement has been their joint effort. The language agreed to expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.
- 5.8 If there is a conflict or inconsistency between any term, statement, requirement, or provision of any exhibit attached hereto, any document or events referred to herein, or any document incorporated into this Agreement by reference and a term, statement, requirement, or provision of this Agreement, the term, statement, requirement, or provision contained in Articles 1 through 5 of this Agreement shall prevail and be given effect.
- 5.9 This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. Any controversies or legal problems arising out of this Agreement and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the state courts of Orange County, Florida, the venue situs, and shall be governed by the laws of the State of Florida. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation.

- 5.10 No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the Board of County Commissioners and the Board of Directors of **LYNX** or its Chief Executive Officer.
- 5.11 This document incorporates and includes all prior negotiations, correspondence, conversations, and agreements applicable to the matters contained herein and the parties agree that there are no commitments, or agreements concerning the subject matter of this Agreement that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.
- 5.12 The truth and accuracy of each “Whereas” clause set forth above is acknowledged by the parties.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the authorized signatories named below have executed this Memorandum of Agreement on behalf of the parties as of the effective date.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings
Orange County Mayor

Date: _____

**CENTRAL FLORIDA REGIONAL
TRANSPORTATION AUTHORITY**

By: _____

James E. Harrison, Esq., PE
Chief Executive Officer

Reviewed as to Form:

This Agreement has been reviewed as to form by LYNX Senior Staff Attorney. This confirmation is not to be relied upon by any person other than LYNX or for any other purpose.

By: _____

Exhibit “A”

The International Drive (I-Drive) Transit Feasibility and Alternative Technology Assessment (TFATA) evaluated the potential of implementing a premium transit service as an urban circulator operating within the I-Drive District. The project purpose is to improve mobility options for a diverse set of travel markets within the rapidly growing I-Drive District, and to implement a sustainable multimodal system that reflects and complements the surrounding environment.

The I-Drive 2040 Strategic Vision Plan approved by the Orange County Board of County Commissioners in February 2016 includes a policy direction intended to further enhance and sustain the economic viability of the I-Drive District and the Orange County Convention Center (OCCC). Careful planning and design for an effective premium transit system with multiple transportation modes can achieve the intent and purpose of the Board’s direction and will be essential to the existing and future growth of the I-Drive District.

In its role as the regional transportation authority, and designated recipient for Federal Transit Administration funds for the Central Florida region, LYNX will support the continued efforts of Orange County to advance their plans for premium transit in the I-Drive corridor with staff serving as technical advisors. In this role, LYNX staff and consultants will provide services that include, but not limited to:

- Development and review of scopes of work, project objectives, and procurement materials;
- Provide technical input related to proposals received;
- Make available applicable professional service vendors;
- Participate in staff level meetings and discussions;
- Provide data research and analysis;
- Participate in public outreach events;
- Support and potentially present project updates to applicable boards and commissions;
- Coordinate with the Florida Department of Transportation (FDOT) District and Central Offices;
- Coordinate with MetroPlan Orlando; and
- Coordinate with the Federal Transit Administration (FTA).

LYNX Oversight Committee Agenda

Discussion Item #7.A.

To: LYNX Oversight Committee

From: Leonard Antmann
Chief Financial Officer
Michelle Daley
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: FY2021 Preliminary Financial Results

Date: 2/24/2022

LYNX staff will present the FY2021 Preliminary Financial Results.

LYNX Oversight Committee Agenda

Discussion Item #7.B.

To: LYNX Oversight Committee

From: Leonard Antmann
Chief Financial Officer
Michelle Daley
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: FY2022 1st Quarter Results

Date: 2/24/2022

LYNX staff will present the FY2022 1st Quarter results.

LYNX Oversight Committee Agenda

Discussion Item #7.C.

To: LYNX Oversight Committee

From: Leonard Antmann
Chief Financial Officer
Michelle Daley
(Technical Contact)

Phone: 407.841.2279 ext: 6125

Item Name: FY2023 Budget Assumptions

Date: 2/24/2022

LYNX staff will present the FY2023 Budget Assumptions.

LYNX Oversight Committee Agenda

Discussion Item #7.D.

To: LYNX Oversight Committee

From: **Bruce Detweiler**
Interim Director Of Planning And Development
Myles O'Keefe
(Technical Contact)
Francis Franco
(Technical Contact)
Cody Johnson
(Technical Contact)

Phone: 407.841.2279 ext: 6136

Item Name: Reimagining NeighborLink Services

Date: 2/24/2022

LYNX staff will present an overview of the agency's analysis of NeighborLink routes 631 and 632 and their recommendations for updating the service.

This presentation is intended to inform the Oversight Committee of recent staff activities, discuss their methodologies, and how this has become the basis to evaluate all routes within the NeighborLink family of services.

LYNX Oversight Committee Agenda

Action Agenda Item #8.A.

To: LYNX Oversight Committee

From: James E. Harrison, Esq., P.E.
Chief Executive Officer
Tiffany Homler Hawkins
(Technical Contact)

Phone: 407.841.2279 ext: 6017

Item Name: Election of the 2022 Oversight Committee Officers

Date: 2/24/2022

ACTION REQUESTED:

Per Administrative Rule 2.12.1, E, the Oversight Committee shall annually elect from its members a Chairman and Vice Chairman.

General Counsel will guide the Oversight Committee in the election of officers for the upcoming year.