

Regional Transportation District



Memorandum

To: Board of Directors/RTD Staff
From: Paula Perdue, Executive Manager to the Board of Directors
Date: June 15, 2010
Subject: Minutes of the Special Board Meeting held on Tuesday, June 15 at 5:30 p.m. in RTD room

Special Board Meeting

Chair Pro Tem Martinez called the meeting to order at 5:32 p.m. He indicated that Chair Kemp wanted to be here but was called out of town unexpectedly.

I. Roll Call

Eleven (11) Board members were present for roll call. Directors Brohl and Tayer arrived late. Chair Kemp and Director Cohen were absent.

II. Motion to Move to Executive Session

Motion: Director Malpiede made the motion to move into executive session for the purpose to discuss C.R.S. 24-6-402 (3) (a)-Eagle P-3 Procurement Update.

Director Brohl seconded the motion.

Vote on Motion: Chair Pro Tem Martinez declared the motion **passed**.

The meeting adjourned to Executive Session at 5:35 p.m. The meeting adjourned from Executive Session at 7:47 p.m.

III. Eagle P3 Presentation

The public meeting resumed at 8:00 p.m. Chair Pro Tem Martinez acknowledged all the people in the audience including former Board members. He then turned it over to the General Manager Phil Washington who introduced Rick Clarke and Brian Middleton as the other two presenters on Eagle P-3.

The team provided acknowledgements to all of the people who were partners in the process including FTA Administrator Peter Rogoff. General Manager Washington introduced Tony Loiu as a representative from the FTA who had flown

in specifically for this purpose. Special acknowledgements were made for the support of the Metro Mayors Caucus, shareholders evaluation team, consultants, RTD staff and employees, RTD Board and other community groups that had participated in this process. This was truly a collaborative effort to get to this point.

General Manager Washington thanked the Board for their leadership and referred to this effort as from "concept to contract" as he reviewed some of the highpoints of this project from 2007 to the release of the RFP in September 2009 until its culmination in a Board approval of the concessionaire team.

Rick Clarke walked through the process sharing this was a best value evaluation. There were 120 evaluators looking at several aspects of this team. The technical evaluation had been completed prior to receipt of the financial proposal. These proposals also included renewable energy plans that staff will come back to the Board later for review. The technical components were assigned 40 points and the financial components were assigned 60 points. Overall both teams provided excellent proposals and the evaluators agreed they could work with either team.

Rick reviewed some of the pros and cons of each team proposal. From the stakeholder view, two of them chose DTP, two chose MTP and two remained undecided.

The overall ratings for Denver Transit Partners and Mountainair Transit:

	DTP	MTP
Technical Eval	20.905	20.620
Financial Eval	56.15	21.33
Total	77.05	41.95

Denver Transit Partners had the highest technical rating and the lowest cost. The cost was within the established budget for FasTracks with a potential \$300 million that can be used for other corridors. Further financial analysis will be done and this number could go up or down.

The General Manager and Staff recommendation to the Board is for Denver Transit Partners.

For a copy of the presentation on the General Manager's Recommendation of a Concessionaire Agreement, please refer to the minutes located in the Board office.

Comments by Board Members:

Chair Pro Tem Martinez stated that staff had given them a product/review that was over and above any expectations for clarity and precision. This is a historical time not only for RTD but for transit in general. This will be the first time in the United States that PPP will be done this extensively and we are setting the model

for how both the procurement process and how this should be done. Both concessionaire teams were excellent and they will be able to apply their knowledge to other opportunities that will arise in the US.

Chair Pro Tem Martinez also offered his congratulations to the General Manager, Phil Washington, and his team for this monumental achievement. During his brief period at the helm as both interim and permanent General Manager, he has exceeded expectations and RTD is lucky to have him.

Chair Pro Tem Martinez noted that he could not help but be excited since the East line is in his district. This is a great honor for him and for his constituents who will be able to ride the commuter rail from DIA to downtown Denver. Both DIA and downtown Denver are the two greatest employment centers in the region and we are now able to connect these two centers so that people in this region will have access. For people like him, it will be great to ride to the Stadium and other points downtown but the greater effect will be on his children and their children who can benefit from having access to employment and for the quality of life this will create.

Director Busck reflected that without the Eagle P3, there would be no project. He thanked the FTA for their support and partnership. This effort will enhance not only the transit system in Denver but in the US as more agencies engage in PPP. This is only the starting block, stay tuned, sparks are about to fly.

Director McMullen reflected on what a great moment this is and expressed we need to thank Cal Marsella for all his work and vision in getting us to this point. The staff with their diligence and perseverance is a perfect example of the fruit of his labor. Throughout this transition period, none of the staff left or bailed out.

Director Brohl commented this can be summed up in one word - partnerships. This is a historic moment that is characterized by a long road of partnerships. Someone once said that great metropolitan areas require a great transit system. This is our legacy that we will leave for the next generation.

Director Tayer read a statement which was sent by Director Cohen who was absent. "I regret not being here with you tonight for this very historic moment in the history of FasTracks and Public Private Partnerships in this country. Even though I am unable to join you for this momentous and important occasion, I have every confidence in staff's ultimate recommendation for this contract to complete the Eagle P3. I applaud the efforts of both Denver Transit Partners and Mountain Air Transit Partners for the work that they have put into this process and I thank them both for their investment in our project. I feel humbled and honored to be part of this Board and the RTD as we lay the framework for a new path towards infrastructure development in this country. To everyone and every entity involved congratulations and job well done!"

Director Tayer offered his own assessment of the professional, excellent proposals that had been received.

IV. Recommended Action

The Chair Pro Tem then entertained a motion by the two senior Board members, Directors Pulliam and Christopher, who will be leaving the Board this year.

Motion: Director Pulliam thanked the proposers, RTD staff and the stakeholders for this exceptional proposal and made the recommendation for contract award to Denver Transit Partners for the Eagle Project Concession Agreement.

Director Christopher expressed similar sentiments and seconded the motion.

Vote on Motion: The vote passed 13 in favor and 0 against.


Chair Pro Tem Martinez declared the motion **PASSED Unanimously**.

The General Manager concluded the meeting by showing a slide on the milestones and progress to "do build as much as we can as fast as we can until it is all done."

V. Adjournment from the Special Board Meeting

The meeting adjourned at 9:00 p.m.

Prepared by:



Paula Perdue, Executive Manager of the RTD Board of Directors