

Regional Transportation District

1600 Blake Street
Denver, CO 80202-1399
303/299-2303

Board of Directors

Chair – Lee Kemp, District I
First Vice Chair – Christopher Martinez, District B
Second Vice Chair – Noel Busck, District K
Secretary – Kent Bagley, District H
Treasurer – John Tayer, District O

Barbara Brohl, Director, District D	Angie Malpiede, District C
Bill Christopher, District J	William “Bill” McMullen, District E
Matt Cohen, District M	Jack O’Boyle, District G
Bruce Daly, District N	Wally Pulliam, District L
Bill James, District A	Tom Tobiassen, District F

**BOARD OF DIRECTORS MEETING
Tuesday, July 20, 2010 at 5:30 PM**

I. CALL TO ORDER

II. ROLL CALL-DETERMINATION OF QUORUM

III. RETIREE AWARDS

SPECIAL RECOGNITION

International Rail Roadeo Participants
Operator: Robert Dennis – 1st place
Maintenance Team: Randall Lovegrove and George Sweeney – 2nd place
Overall: RTD Team – 1st place

The following communication assistance is available for public meetings:

- Language Interpreters
- Sign-language Interpreters
- Assisted listening devices

Please notify RTD of the communication assistance you require at least 48 hours in advance of a RTD meeting you wish to attend by calling 303.299.2307

THE CHAIR REQUESTS THAT ALL PAGERS AND CELL PHONES BE SILENCED DURING THE BOARD OF DIRECTORS MEETING FOR THE REGIONAL TRANSPORTATION DISTRICT.

IV. PUBLIC PARTICIPATION

V. COMMITTEE REPORTS-(See Minutes)

Planning & Development Committee - Chaired by Director Bagley
Legislative Committee – Chaired by Director Daly
FasTracks Monitoring Committee – Chaired by Director O’Boyle
DBE Committee – Chaired by Director Martinez
Operations/Customer Services Committee – Chaired by Director Brohl
Financial/Administration Committee – Chaired by Director Tayer
GM Oversight and Performance Management – Chaired by Director Busck
CDOT – Director Cohen
E-470 – Director Busck
ACED – Director Busck
DRCOG – TBD
Denver Union Station Advisory – Director James
Northwest Parkway-Chair Kemp and Director Pulliam
Pension Committee - Director Pulliam
Rocky Mountain Rail Authority-Director Christopher
Chair’s Report- Chair Lee Kemp

VI. GENERAL MANAGER OVERSIGHT & PERFORMANCE MANAGEMENT UPDATE

VII. METRO MAYOR TASK FORCE UPDATE

VIII. APPROVAL OF REGULAR BOARD MEETING MINUTES OF JUNE 22, 2010

IX. APPROVAL OF SPECIAL BOARD MEETING MINUTES OF JUNE 29, 2010

X. APPROVAL OF SPECIAL BOARD MEETING MINUTES OF JULY 13, 2010

XI. GENERAL MANAGER’S REPORT

XII. UNANIMOUS CONSENT

A. RESOLUTION NO. _____ SERIES OF 2010 Honoring the RTD International Light Rail Roadeo Team

B. Authorization to Accept SB1 Funding for the Table Mesa Pedestrian Bridge

It is recommended by the FasTracks Monitoring Committee that the RTD Board of Directors authorize the General Manager or his designee to execute all documents necessary to receive Senate Bill 1 grant funding in the amount of \$3,500,000 from the Colorado Department of Transportation (CDOT), Division of Transportation Development for the Table Mesa pedestrian bridge, and pay the required local match in an amount of \$3,500,000. Funding for the project is included in the 2010 Adopted Budget for the US 36 BRT Phase 2 project.

- C. Authorization for the Transfer of Land Sale Proceeds – Denver Union Station**
It is recommended by the FasTracks Monitoring Committee that the Board of Directors authorize the General Manager to transfer to the Denver Union Station Project Authority (DUSPA) land sale proceeds from parcels sold by RTD at Denver Union Station (DUS) and Market Street to be used for the DUS Project construction funding.
- D. Grant of Permanent Easement for Utility Facilities to the City of Lakewood, Approximately 13th Place and Kipling Street**
It is recommended by the Planning and Development Committee that the Board of Directors authorize the General Manager and/or his designee to execute all documents necessary to convey a permanent easement for utility facilities containing approximately 1,465 square feet plus improvements to the City of Lakewood for the construction, operation and maintenance of the City's Intersection Improvement Project to be placed in part upon RTD property located at approximately West 13th Place and Kipling Street.
- E. Resolution Regarding Property Acquisition, Exchange of Property and Indemnification of Claims for Union Pacific Railroad's Burnham Lead and sections of Moffat, Greeley and Limon Subdivisions**
It is recommended by the FasTracks Monitoring Committee that the Board of Directors adopt the attached resolution. The resolution authorizes the General Manager or his designee to enter into Purchase and Sale Agreements for (i) portions of the Union Pacific Railroad's (UPRR) Burnham Lead for RTD's West Corridor; (ii) portions of the UPRR Limon and Greeley Subdivisions for RTD's East Corridor; and, (iii) portions of UPRR's Moffat Subdivision for RTD's Gold Line. It further authorizes the General Manager to transfer exchange property needed by UPRR or to authorize payment to UPRR for exchange property UPRR has acquired directly for its relocation, and to enter into Relocation and Construction Agreements (Relocation Agreements) for relocation of existing track and facilities and construction of new facilities necessary to restore functionality to the UPRR. The General Manager is also authorized to enter into Operations and Maintenance Agreements (O&M Agreements) for the East and Gold Line Corridors. The resolution authorizes capital expenditures for these Agreements in an amount estimated at \$84.5 million (eighty four million five hundred thousand dollars). Funding for the agreements is included in the 2010 Amended Budget for the FasTracks capital program.
- RTD by the attached Resolution waives sovereign immunity to the extent it may be applicable up to the amount of available insurance and agrees to indemnify the UPRR for claims arising out of RTD's ownership and/or use of the acquired property, and obligates RTD to purchase insurance for various types of claims. Liability insurance in an amount up to \$200 million (two hundred million dollars) during construction and \$400 million (four hundred million dollars) after commencement of operations is required, as is automobile liability insurance in similar amounts. Railroad protective insurance is required on the East and Gold Line Corridors. Pollution liability insurance in the amount of \$5 million (five million dollars) per claim is required along with other insurance applicable to construction projects or required by law. The resolution acknowledges that indemnity and insurance requirements may increase based on changes in law or market conditions.

- F. Architectural/Engineering Contract with Merrick & Company, 16 DO-025 Contract Amendment**
It is recommended by the Operations and Customer Services Committee that the Board of Directors authorize the General Manager to amend contract 16 DO-025 with Merrick & Company to allow for additional architectural/engineering design services in the amount of \$500,000 for a new, not-to-exceed contract amount of \$1,600,000 and to extend the contract duration to June 30, 2012. Work is administered on an as-needed, work order basis. The amended amount is to be funded by annual projects for the duration of the contract.
- G. FasTracks Desktop Support Contractor**
It is recommended by the Financial Administration and Audit Committee that the Board of Directors authorize the General Manager to execute all documents necessary to award Dataman a 3 year contract with two 1 year options for IT Desktop Support Services (Contract # 10DY001) in the amount of \$246,000 not to exceed for 3 years. Dataman, an SBE company, was selected through the competitive bid process. The contract is being brought to the Board because this is a Personal Services Contract per RTD Resolution No. 27, Series of 1983.
- H. Reduced Duration of Eagle P3 Project Concession**
It is recommended by the Financial Administration and Audit Committee that the Board of Directors authorize the General Manager to negotiate a change to the Concession Agreement with Denver Transit Partners (DTP) to amend the expiration date of the concession from December 31, 2056 to December 31, 2044.
- I. Board Approval of updated General Manager Job Description**
It is recommended by the General Manager Oversight and Performance Management Committee that the Board of Directors approve this updated job description for the General Manager.
- J. Board Policy on Goal Setting Process for the General Manager**
It is recommended by the General Manager Oversight and Performance Management Committee that the Board of Directors adopt a policy (guidelines) for the General Manager goal setting process.
- K. Board Policy on the Evaluation Process for the General Manager's Annual Performance Review**
It is recommended by the General Manager Oversight and Performance Management Committee that the Board of Directors adopt a policy (guidelines) for the process to perform an annual evaluation of the General Manager performance that is inclusive of feedback from all Board members and the process is transparent to the public.

XIII. RECOMMENDED ACTION

L. Award of "Group 22" Contracted Fixed-route Services

It is recommended by the Operations and Customer Services Committee that the Board of Directors authorize the General Manager, or his designee, to enter into a contract for the provision of "Group 22" contracted fixed-route transit services with First Transit, Inc. This contract is for three years for an amount not to exceed \$33,046,625 with two (2) one-year options in the amount of \$11,615,882 (option year 1) and \$11,877,437 (option year 2), for a total five year amount not to exceed \$56,539,944. In addition, RTD will reimburse the contractor's direct fuel costs in an amount estimated to be approximately \$6,477,610 for the initial three year contract term, \$2,238,799 for option year 1, \$2,274,389 for option year 2, for a total of \$10,990,799 for the five year period. This results in a total contract amount not to exceed \$39,524,235 for the initial three year contract period and \$67,530,743 for the five year period. This proposal represents the most responsive and responsible proposal received in response to Request for Proposals (RFP) 10-DH-007, to provide "Group 22" Public Transportation Services. The contract to provide this service is scheduled to be effective with implementation of the January, 2011, service changes on January 9, 2011.

XIV. EXECUTIVE SESSION

XV. RECOMMENDED ACTION

XVI. UNFINISHED BUSINESS

XVII. NEW BUSINESS

XVIII. ADJOURN