

SOUTH FLORIDA
REGIONAL TRANSPORTATION
AUTHORITY
GOVERNING BOARD

REGULAR MEETING AGENDA
APRIL 24, 2009
9:30 a.m.

South Florida Regional Transportation Authority
Board Room
800 NW 33rd Street
Suite 100
Pompano Beach, FL 33064

SFRTA BOARD MEETINGS ARE SCHEDULED ON THE FOURTH FRIDAY OF EACH MONTH AT 9:30 A.M. FOR FURTHER INFORMATION CALL (954)942-RAIL (7245). TIME OF MEETINGS SUBJECT TO CHANGE.

SFRTA Board Members

Commissioner Bruno Barreiro
Alice N. Bravo
James A. Cummings

Commissioner Josephus Eggleton, Chair
Marie Horenburger
Commissioner Jeff Koons

Felix M. Lasarte
George Morgan, Jr.
F. Martin Perry

Executive Director

Joseph Giulietti

GOVERNING BOARD REGULAR MEETING
OF APRIL 24, 2009

The meeting will convene at 9:30 a.m., and will be held in the Board Room of the South Florida Regional Transportation Authority, Administrative Offices, 800 NW 33rd Street, Suite 100, Pompano Beach, Florida 33064.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL – Additions, Deletions, Revisions

DISCUSSION ITEMS

MATTERS BY THE PUBLIC – Persons wishing to address the Board are requested to complete an “Appearance Card” and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

PUBLIC HEARING -1

ADVERTISED PUBLIC HEARING
NOTICE OF PUBLIC HEARING AND INTENT TO INCREASE PASSENGER FARES FOR THE TRI-RAIL COMMUTER RAIL SERVICE
<p>NOTICE IS HEREBY GIVEN THAT at its meeting on April 24, 2009, the Governing Board for the South Florida Regional Transportation Authority (SFRTA) will hold a Public Hearing at 9:30 A.M. to receive public input on SFRTA’s intent to increase passenger fares for the Tri-Rail commuter rail service. The proposal would increase all fare types by 25%. All interested individuals and/or groups are invited to attend this meeting and will have an opportunity to present their views and comments on the proposed fare increase, or have their written comments considered by the Board. Persons wishing to address the Board are requested to complete an “Appearance Card” and will be limited to three (3) minute. Please see the Minutes Clerk prior to the meeting.</p>

PH1 –

1. Open Public Hearing
2. Close Public Hearing
3. **MOTION TO APPROVE:** The proposed new fare structure to become effective June 1, 2009.

Department: Executive
Project Manager: Renee Matthews

Department Director: Jack Stephens
Procurement Director: N/A

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Board Member, however, that item may be removed from the Consent Agenda and considered separately.

C1. MOTION TO APPROVE: Minutes of Governing Board's Regular Meeting March 27, 2009.

REGULAR AGENDA

Those matters included under the Regular Agenda differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

R1.

MOTION TO APPROVE: Exercising the second of two (2) one (1) year renewal options to Agreement No. 04-100, between the South Florida Regional Transportation Authority (SFRTA) and Meridian Management Corporation, for station maintenance services, in the maximum not-to-exceed amount of \$1,850,704.

Department: Operations
Project Manager: Lauran Mehalik

Department Director: Bradley Barkman
Procurement Director: Christopher Bross

R2.

(A) MOTION TO APPROVE: Issuance of a Purchase Order to William Scotsman for the purchase of an office trailer to replace the existing unit at the Hialeah Rail Yard, pursuant to General Services Administration Contract No. GS-07F-2557M, in the amount of \$56,710.00.

(B) MOTION TO APPROVE: The cost of various utility connections for the new trailer unit (electrical, plumbing, phones, IT network and wireless camera infrastructure) in the not-to-exceed amount of \$10,000.00.

Department: Operations
Project Manager: Wayne Ramnarine

Department Director: Brad Barkman
Procurement Director: Chris Bross

R3.

MOTION TO APPROVE: First Amendment to Agreement No. 05-102, between the South Florida Regional Transportation Authority (SFRTA) and The Wackenhut Corporation, to increase the contract for armed security, revenue collection and fare inspection services, in the maximum not to exceed amount of \$6,624,000.00.

Department: Executive
Project Manager: Allen Yoder

Department Director: Jack Stephens
Procurement Director: Chris Bross

R4.

MOTION TO APPROVE: First Amendment to Agreement No. 09-002 between the South Florida Regional Transportation Authority (SFRTA) and Booz Allen Hamilton, Inc. to extend the contract term for three (3) additional months through August 31, 2009 at no additional cost.

Department: Executive
Project Manager: Renee Matthews

Department Director: Jack Stephens
Procurement Director: Chris Bross

R5.

(A) MOTION TO APPROVE: Request for Letter of Interest (LOI) No. 09-007 for Transportation Planning Consultant Services (see Exhibits 1 and 2).

(B) MOTION TO APPOINT: Evaluation and Selection Committee for the analysis and ranking of the responding firms' letters of interest. The proposed committee members are: Daniel Mazza, South Florida Regional Transportation Authority (SFRTA) Director of Engineering and Construction, Planning and Capital Development, Eddie Woods, SFRTA Director of Finance & Information Technology, Marie Suzie Papillon, SFRTA Transportation Planning Manager, Joseph Quinty, SFRTA Transportation Planning Manager and Marie Jarman, SFRTA Administrative Compliance Officer.

Department: Planning and Capital Development
Project Manager: Marie Suzie Papillon

Department Director: Daniel R.Mazza, P.E.
Procurement Director: Chris Bross

R6.

(A) MOTION TO APPROVE: Issuance of Request for Proposals (RFP) No. 09-008 for General Counsel Legal Services.

(B) MOTION TO APPROVE: The composition of an Evaluation/Selection Subcommittee. The Evaluation/Selection Subcommittee will be comprised of the following staff members for the evaluation and short-listing of proposals submitted pursuant to RFP No. 09-008 for General Counsel Legal Services.

Department: Executive
Project Manager: N/A

Department Director: Joseph Giulietti
Procurement Director: Chris Bross

INFORMATION / PRESENTATION ITEMS

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

I-1 INFORMATION – Planning Technical Advisory Committee (PTAC) Report

I-2 INFORMATION – Federal Transit Administration (FTA) Job Access Reverse Commute (49 U.S.C. 5316) and New Freedom Programs (49 U.S.C. 5317)

COMMITTEE REPORTS / MINUTES

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

- A. PROPERTY TASK FORCE
- B. [CONSTRUCTION OVERSIGHT COMMITTEE](#)
- C. PLANNING TECHNICAL ADVISORY COMMITTEE
- D. MARKETING COMMITTEE
- E. [OPERATIONS TECHNICAL COMMITTEE](#)
- F. [CITIZENS ADVISORY COMMITTEE](#)
- G. AUDIT COMMITTEE
- H. LEGISLATIVE COMMITTEE
- I. ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

MONTHLY REPORTS

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

- A. [ENGINEERING & CONSTRUCTION MONTHLY PROGRESS REPORTS](#) – All projects are completed
- B. [RIDERSHIP GRAPHS](#) – March
- C. [ON-TIME PERFORMANCE GRAPHS](#) – March
- D. [MARKETING MONTHLY SUMMARY](#) – March
- E. [BUDGETED INCOME STATEMENT](#) – March
- F. [PAYMENTS OVER \\$2,500.00](#) – March
- G. [REVENUE AND FARE EVASION REPORTS](#) – March
- H. [SOLICITATION SCHEDULE](#) – March
- I. [CONTRACT ACTIONS EXECUTED UNDER THE EXECUTIVE DIRECTOR'S AUTHORITY](#) - March
- J. [CONTRACT ACTIONS EXECUTED UNDER THE CONSTRUCTION OVERSIGHT COMMITTEE](#) – March
- K. [PROPERTY COMMITTEE – PROJECT SCHEDULE](#) - Current
- L. [SECURITY REPORT](#) - March

OTHER BUSINESS

EXECUTIVE DIRECTOR REPORTS/COMMENTS

LEGAL COUNSEL COMMENTS

CHAIR COMMENTS

BOARD MEMBER COMMENTS

ADJOURNMENT

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 NW 33rd Street, Suite 100, Pompano Beach, Florida, or telephone (954) 942-RAIL (7245) for assistance; if hearing impaired, telephone (800) 273-7545 (TTY) for assistance.

Any person who decides to appeal any decision made by the Governing Board of the South Florida Regional Transportation Authority with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she 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.

Persons wishing to address the Board are requested to complete an "Appearance Card" and will be limited to three (3) minutes. Please see the Minutes Clerk prior to the meeting.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
GOVERNING BOARD MEETING: APRIL 24, 2009

AGENDA ITEM REPORT

Consent Regular Public Hearing

TRI-RAIL FARE STRUCTURE

REQUESTED ACTION:

MOTION TO APPROVE: The proposed new fare structure to become effective June 1, 2009.

SUMMARY EXPLANATION AND BACKGROUND:

At the March 27, 2009, Governing Board meeting, an overview of the results of the fare study was presented to the Governing Board by PB America. As part of the presentation, a recommendation on a new fare structure was presented. The recommendation is for an overall 25% fare increase to each ticket type. Exhibit 1 outlines the new fare table including the 25% fare increase.

A public hearing is scheduled to be held at the April 24, 2009 Governing Board meeting to solicit public comment. Following the hearing, a new fare structure will be presented to the Governing Board for consideration.

Department: Executive
Project Manager: Renee Matthews

Department Director: Jack Stephens
Contracts Director: Chris Bross

FISCAL IMPACT: N/A

EXHIBITS ATTACHED: Exhibit 1 - SFRTA Fare Policy

TRI-RAIL FARE STRUCTURE

Recommended by:  4/14/09
Department Director Date

Approved by:  4/16/09
Contracts Director Date

Authorized by:  4/14/09
Executive Director Date

Approved as to Form by: _____
General Counsel Date

Board Action:

Approved: _____ Yes _____ No

Vote: _____ Unanimous

Amended Motion:

Commissioner Josephus Eggleton _____ Yes _____ No

Commissioner Jeff Koons _____ Yes _____ No

Commissioner Bruno Barreiro _____ Yes _____ No

Alice N. Bravo _____ Yes _____ No

James Cummings _____ Yes _____ No

George A. Morgan, Jr. _____ Yes _____ No

Marie Horenburger _____ Yes _____ No

Martin Perry _____ Yes _____ No

Felix M. Lasarte _____ Yes _____ No

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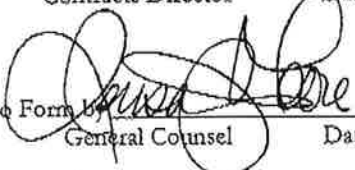
AGENDA ITEM NO. RH 3

TRI-RAIL FARE STRUCTURE

Recommended by: _____
Department Director Date

Approved by: _____
Contracts Director Date

Authorized by: _____
Executive Director Date

Approved as to Form by  4/14/09
General Counsel Date

Board Action:

Approved: Yes No

Vote: Unanimous

Amended Motion:

Commissioner Josephus Eggelletion Yes No

Commissioner Jeff Koons Yes No

Commissioner Bruno Barreiro Yes No

Alice Bravo Yes No

James Cummings Yes No

George A. Morgan, Jr. Yes No

Marie Horenburger Yes No

Martin Perry Yes No

Felix Lasarte Yes No

**NEW TRI-RAIL FARE STRUCTURE FOR THE SOUTH FLORIDA
REGIONAL TRANSPORTATION AUTHORITY (SFRTA)**

The fare table listed below represents an overall increase of 25% to each ticket type. The chart shows the zone-fare with each corresponding ticket type by zone.

PROPOSED NEW FARE STURCTURE – EFEECTIVE JUNE 1, 2009

Number OF Zones Traveled	One- Way	Discount One- Way	Round Trip	Discount Round Trip	12-Trip	Monthly	Discount Monthly	Weekend (Daily)	Discount Weekend (Daily)
1	\$2.50	\$1.25	\$4.40	\$2.50	\$21.25	\$100.00	\$50.00	\$5.00	\$2.50
2	\$3.75	\$1.90	\$6.25	\$3.75	\$31.25	\$100.00	\$50.00	\$5.00	\$2.50
3	\$5.00	\$2.50	\$8.45	\$5.00	\$41.90	\$100.00	\$50.00	\$5.00	\$2.50
4	\$5.65	\$2.80	\$9.70	\$5.65	\$47.50	\$100.00	\$50.00	\$5.00	\$2.50
5	\$6.25	\$3.15	\$10.65	\$6.25	\$52.50	\$100.00	\$50.00	\$5.00	\$2.50
6	\$6.90	\$3.45	\$11.55	\$6.90	\$57.50	\$100.00	\$50.00	\$5.00	\$2.50

MINUTES
SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
GOVERNING BOARD REGULAR MEETING
OF MARCH 27, 2009

The regular meeting of the South Florida Regional Transportation Authority Governing Board was held at 9:30 a.m. on Friday, March 27, 2009 in the South Florida Regional Transportation Authority Board Room, 800 Northwest 33rd Street, Suite 100, Pompano Beach, Florida 33064.

BOARD MEMBERS PRESENT:

Bruno Barreiro, Miami-Dade County Commissioner - *arrived at 10:00 a.m.*
 Alice N. Bravo, Florida Department of Transportation, District VI
 James A. Cummings, Citizen Representative, Broward County
 Josephus Eggelletion, Jr., Chair – Broward County Commissioner
 Marie Horenburger, Citizen Representative, Palm Beach County
 Felix M. Lasarte, Citizens Representative, Miami-Dade County – *arrived at 9:57 a.m.*
 George Morgan, Governor’s Appointee
 F. Martin Perry, Governor’s Appointee – *via telephone*

BOARD MEMBERS ABSENT:

Jeff Koons, Vice-Chair, Palm Beach County Commissioner

ALSO PRESENT:

Joseph Giulietti, Executive Director, SFRTA
 Jack Stephens, Deputy Executive Director, SFRTA
 Bonnie Arnold, Director of Marketing, SFRTA
 Brad Barkman, Director of Operations, SFRTA
 Chris Bross, Director of Procurement, SFRTA
 Diane Hernandez Del Calvo, Director of Administration, SFRTA
 Mary Jane Lear, Director of Human Resources, SFRTA
 Renee Matthews, Special Projects Manager, SFRTA
 Dan Mazza, Director of Engineering and Construction, SFRTA
 Teresa Moore, General Counsel, SFRTA
 Jeffrey Olson, Staff Counsel, SFRTA
 Edward Woods, Director of Finance & IT, SFRTA
 Sandra Thompson, Executive Administrative Coordinator, SFRTA

CALL TO ORDER

The Chair called the meeting to order at 9:50 a.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

Board Member Bravo led the Pledge of Allegiance

AGENDA APPROVAL

Board Member Bravo requested that a discussion item on forming a budget committee be added to the Agenda under Other Business.

Board Member Marie Horenburger moved to approve revised Agenda. The motion was seconded by Board Member Alice Bravo.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

MATTERS BY THE PUBLIC

Mr. Joseph Stanecki of Oakland Park, Florida addressed the Board. Mr. Stanecki commented on a new lobby group formed in Washington, D.C. called "OneRail." Mr. Stanecki commented on the repayment of the \$320 million grant that would have to be repaid should Tri-Rail not run the agreed number of trains. He also stated that he enjoys riding the train and it is a relaxed ride.

PUBLIC HEARING -1

PH1 – FY 2008 -2009 grant applications to the Federal Transit Administration

1. Open Public Hearing

The Chair opened the public hearing at 9:58 a.m. to discuss the South Florida Regional Transportation Authority's Federal Administration fiscal year 2009 funding requests. SFRTA is holding this public hearing to afford an opportunity for citizens, officials, private transportation providers, and other interest groups to present their views and comments regarding SFRTA's intent to file federal grant applications for fiscal year 2009 Program of Projects. The SFRTA welcomes all comments. Should anyone wish to comment on this funding request, please see the Recording Secretary to complete an "Appearance card."

The Chair called upon Joseph Giulietti to make an opening statement.

Mr. Giulietti stated that pursuant to federal regulations SFRTA must hold a public hearing to give interested persons the opportunity to express their concerns about SFRTA's intent to file federal applications to secure funds for SFRTA's fiscal year 2009 Program of Projects. SFRTA fiscal year 2009 federal grant funds will include: Funding for Preventive Maintenance costs associated with the Operating Budget in the amount of \$10.1 million; Funding for the purchase of SFRTA's Rolling Stock in the amount of \$19

million, this amount includes \$16 million from the American Recovery Reinvestment Act of 2009; Funding for Planning & Development and Project Administration in the amount of \$3.3 million. These funds are necessary for planning functions associated with managing federal grants and projects; Funding for the purchase of Ticket Vending Machines (TVM) projects in the amount of \$3 million; and Funding for a GPS tracking system in the amount of \$1.6 million.

The Chair called upon the Board Members for comments. The Chair called upon the public for comments.

Mr. Dan Glickman of Deerfield Beach, Florida addressed the Board. Mr. Glickman inquired as to the timing of the fiscal year 2009.

Mr. Edward Woods, SFRTA Director of Finance and Information Technology, responded that this is for SFRTA fiscal year '08-'09. The federal government is generally 6 to 8 months behind in disbursing the funds.

The Chair requested any other comments from the public and from the Board Members. Seeing there are no other comments. The Chair requested a motion to close the public hearing.

2. Close Public Hearing at 10:00 a.m.

Board Member George Morgan moved to close the public hearing. The motion was seconded by Board Member Alice Bravo.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

3. MOTION TO APPROVE: Resolution No. 09-01, permitting staff to submit FY 2008-09 grant applications to the Federal Transit Administration (FTA) in order to secure \$42,835,214 in capital and planning funds to support the South Florida Regional Transportation Authority (SFRTA) Program of Projects.

Board Member Jim Cummings moved for approval. The motion was seconded by Board Member George Morgan.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion in the form listed below. If discussion is desired by any Board Member, however, that item may be removed from the Consent Agenda and considered separately.

C1. MOTION TO APPROVE: Minutes of Governing Board's Regular Meeting February 27, 2009.

C2. MOTION TO APPROVE: The following business travel for the Governing Board and/or the Executive Director for calendar year 2009:

	Meeting with Insurance Underwriters – Bermuda/London
APTA Conferences:	Transit CEO's Seminar
	Legislative Conference
	Commuter Rail/Rail Transit Conference
	Annual Meeting
FPTA:	Florida Public Transportation Association's Annual Conference

Board Member Jim Cummings moved to approve the Consent Agenda. The motion was seconded by Board Member Marie Horenburger.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

REGULAR AGENDA

Those matters included under the Regular Agenda differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion, if so desired.

R1. MOTION TO APPROVE: First Amendment to Agreement No. 06-101, between the South Florida Regional Transportation Authority (SFRTA) and National Railroad Passenger Corporation (AMTRAK) for Transition, Dispatching, Train Control and Yard Services for the South Florida Rail Corridor to reduce the staffing levels, including reduction in compensation, for dispatching over the New River Bridge Corridor.

Board Member Jim Cummings moved for approval. The motion was seconded by Commissioner Bruno Barreiro.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

R2. MOTION TO APPROVE: The second renewal to Agreement No. 04-285, between the South Florida Regional Transportation Authority and Gilly Vending, Inc., for vending machine services, exercising the second of two (2) one (1) year renewal options, extending the term through April 29, 2010.

Board Member Jim Cummings moved for approval. The motion was seconded by Board Member Marie Horenburger.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

R3. MOTION TO APPROVE: Settlement Agreement with Westchester Fire Insurance Company.

Board Member Jim Cummings moved for approval. The motion was seconded by Board Member Marie Horenburger.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

R4.

A. MOTION TO APPROVE: An Interlocal Agreement between the South Florida Regional Transportation Authority (SFRTA) and Palm Beach County (County) to fund the construction of a parking lot to serve the West Palm Beach Tri-Rail Station through a change order to County's contract for the West Palm Beach Intermodal Transit Facility (Palm Tran) Project No. 93222 with Catalfumo Construction, Ltd., in the maximum amount of \$1,006,446.88.

B. MOTION TO APPROVE: An Easement Agreement between SFRTA and County that grants SFRTA the right to use the unused portion of the County Property (Easement Premises) for a shared employee parking and public parking for patrons of the Tri-Rail Station.

C. MOTION TO APPROVE: A License Agreement between SFRTA and County to allow County employees working within the Intermodal Facility to use SFRTA restroom facilities.

Board Member Jim Cummings moved for approval of "A," "B," and "C".

The motion was seconded by Board Member Marie Horenburger.

Board Member Horenburger inquired about the Delray Beach parking lot.

Mr. Giulietti responded that SFRTA is in negotiations and this item will be part of the budget discussion.

The Chair called for further discussion and/or opposition to the motion.

Upon hearing none, the Chair declared the motion carried unanimously.

The Chair announced that Discussion Item 1. SFRTA Legal Representation will now be heard.

DISCUSSION ITEMS

1. SFRTA Legal Representation

Commissioner Barreiro commented on the letter regarding GreenbergTraurig's (GT) resignation as General Counsel. The Commissioner stated that it is a perception issue as well as a business issue and questioned what benefit would be derived from changing attorneys mid-course of SFRTA's efforts to pursue dedicated funding.

The Chair stated that each Board Member had received a copy of a letter addressed to the SFRTA informing the Board of circumstances that would necessitate the resignation.

Board Member Morgan requested clarification for the public knowledge.

The Chair clarified that GT represents rental car companies and the SFRTA is pursuing a \$2 surcharge on rental car fees as a dedicated funding source, and that the rental car companies are opposing this additional surcharge. He stated that the circumstance creates a dilemma that shows a conflict. This issue has recently come to the Boards attention.

Ms. Teresa Moore, SFRTA General Counsel addressed the Board. Ms. Moore stated that the firm does not have a legal conflict due to the fact that SFRTA does not retain GT for lobbying services and GT is not working on either side of the same issue. GT defers to the Board on how to proceed.

The Chair asked Ms. Moore if GT was willing to drop the rental car client.

Ms. Moore stated that GT is not willing to drop the client. The firm is willing to consider an amendment to the contract that should, in the future, if this conflict arise that the firm would not continue to represent the conflicting client and would defer to the agencies representation.

Board Member Morgan commented that as Chair of the Property Committee, he has worked with Ms. Moore on several items and considers the representation excellent. On a given matter that may be unrelated, a waiver is requested and this issue should have been brought to the Board's attention directly by Ms. Moore. Board Member Morgan requested the resignation.

Board Member Perry concurred with Board Member Morgan and commented on the excellent work that Ms. Moore and GT perform.

Board Member Lasarte inquired as to how many lawyers GT employs.

Ms. Moore responded as to approximately 1800 employees.

Board Member Lasarte commented that this is not a direct legal conflict in that an employee wrote an article to express an opinion. There is no way to control 1800 lawyers and this is not a direct conflict. GT is a large firm and there is no malfeasance here.

Board Member Morgan rebutted. He stated that in a large law firm, where a member states his/her personal opinion, where the firm sends their attorneys into the legislature to discuss the validity of their argument, an obvious conflict of interest.

Board Member Perry commented that the article in question was brought to his attention by a leader of a Palm Beach business group. The business leader questioned the relationship of counsel.

The Chair stated that the SFRTA has been soliciting the business community for support of the dedicated funding source. A Board Member who has this issue brought to his attention may lose credibility.

Board Member Horenburger stated Ms. Moore has done a wonderful job for the Board, yet agrees with Board Members Morgan and Perry. This article, opposing the \$2 request, was written for the Associated Industries of Florida (AIF) which went to all business members in Florida. This article was written by someone who is a representative of the rental car company and a consultant to the AIF.

Commissioner Barreiro recapped. SFRTA is sure GT is lobbying against the \$2 request. SFRTA knows that disclosure was not made. If we change counsel, will GT stop lobbying against SFRTA. SFRTA will not gain anything by accepting the resignation and changing counsel. This is only a perception issue.

Board Member Lasarte asked Ms. Moore if she was aware of this conflict.

Ms. Moore responded that when she became aware of the conflict she notified the Executive Director and subsequently the Board Members.

Board Member Bravo stated the issue is the visibility. GT is offering to amend the contract and the amendment should be taken into consideration.

Board Member Morgan inquired as to how long GT has represented Enterprise Rental Car (ERC).

Ms. Moore responded that GT has represented ERC for a number of years.

Board Member Morgan pointed out that the SFRTA has been pursuing this funding source for several years.

The Chair stated that this issue is not new and the rental car companies and travel agents were against SFRTA quest for funding. AIF is a powerful association in Tallahassee. The Chair stated that he does not understand how the firm that represents SFRTA can go against SFRTA. The Chair accepts the letter of resignation.

Mr. Dan Glickman of Deerfield Beach, Florida addressed the Board. He stated that this is not about Ms. Moore, but about GT. Mr. Glickman commented on former Governor Bush's veto in 2006.

Mr. Howard Bregman, shareholder with Palm Beach office of GT addressed the Board. He stated that GT does not represent AIF, but does represent the rental car agency for several years. GT's offer to amend the contract is to fill a gap on an issue that did not arise for 6.5 years. Mr. Bregman requested the Board to take into consideration the 6.5 years of service and to accept the amended contract.

The Chair called for a motion.

Board Member Cummings commented on the exceptional services that Ms. Moore has provided over the years. In view of the GT firm, this should not have happened and GT has embarrassed the SFRTA. He stated that he is not voting against Ms. Moore but accepting GT resignation.

Board Member Jim Cummings moved to accept Greenberg Traurig's resignation.

The motion was seconded by Board Member George Morgan.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried as follows:

Board Member Jim Cummings – yes
Board Member George Morgan – yes
Board Member Marie Horenburger – yes
Board Member Marty Perry – yes (*verbal via teleconference*)
Commissioner Barreiro – no
Board Member Alice Bravo – no
Board Member Felix Lasarte – no

The Chair requested a Request Letter of Interest (RLI) to immediately be prepared.

R5. MOTION TO APPROVE: The holding of a public hearing for discussion of alternatives for the proposed new Tri-Rail fare structure and for a recommended new fare structure to be presented to the Governing Board for consideration at its next board meeting (which will occur immediately following the public hearing).

Mr. Giulietti commented that a letter was received from Miami-Dade Transit. The letter said that in the near future Miami-Dade will install new fare gates. Miami-Dade will no longer provide

free transfers to Metrorail for daily tickets. They are willing to offer a discount for monthly riders of 50%. Mr. Giulietti introduced Ms. Renee Matthews, SFRTA Special Projects Manager to give a presentation.

Ms. Matthews stated that at the February Board meeting, an overview of the fare study performed by Parsons Brinkerhoff. Ms. Matthews introduced Mr. John Lafferty and Ms. Lauren Issac.

Mr. Lafferty gave an overview of the assessment of the fare policy, evaluation and a recommendation. Mr. Lafferty gave a breakdown on the travel zones and pricing structure on flat verses zone systems. The recommendation that Mr. Lafferty gave is a 25% ticket price increase. A 6 Zone travel would be \$6.90 compared to the current rate of \$5.50 and a monthly pass would increase from \$80 to \$100. The current discount policy would remain intact. The 25% increase would provide for a 3% recovery in revenue bringing the ratio to 21%.

Board discussion took place.

Mr. Giulietti commented that the current fare box recovery is at 17.8%. Increase fares by 25% will put a 3% dent in the overall budget of \$60 million.

Board Member Bravo inquired as to the overall percentage of ridership that benefits from the discount pass.

Mr. Giulietti clarified that the Employer Discount Program (EDP) gets a 25% discount of the \$80 fare and the balance of the discount categories receive a 50% discount and 39% do not receive a discount.

Board Member Horenburger requested a side by side comparison chart and a clearer matrix.

Mr. Lafferty commented that disabled and senior citizens receive a 50% discount.

The Chair requested that Mr. Lafferty take questions and return to the Board with the answers.

Mr. Morgan inquired as to the national average of full fare verses discount fares of other transit systems.

Mr. Giulietti stated that this information would be forthcoming.

Board Member Cummings inquired about the equipment when the machines are not available.

Mr. Giulietti stated that SFRTA has been working with Miami-Dade Transit (MDT) and MDT will have their machines installed soon. The SFRTA will utilize the MDT contract to bring machines to the SFRTA. The Board will eventually make a decision on technology policy to use a "Smart Card" to create a compatible seamless system. SFRTA is working with the three transit directors on these issues. It is recommended that the Board allow the SFRTA to increase fares

by 25%, thus allowing the public hearing and allow the SFRTA to work on the feedback from the hearing.

Board Member Cummings inquired if 5 months to bring this together is possible.

Mr. Giulietti responded that the fare increase can be implemented on the SFRTA system. When the SFRTA is able to utilize the MDT machines, the question is who will provide the “Smart Cards.”

Board Member Horenburger inquired as to the timing of the fare increase with relationship to the dedicated funding pursuit in Tallahassee. She recommended taking the fare increase issue up at the May meeting after the state legislature has ended.

Commissioner Barreiro commented that he supports the fare increase and that the four transit properties should work out the transfer policy.

The Chair inquired as to the point of diminishing returns.

Ms. Issac replied that there will be an estimated 6% ridership loss with a 25% increase in fares.

Board Member Marie Horenburger moved for approval. The motion was seconded by Board Member George Morgan.

Mr. Dan Glickman of Deerfield Beach, Florida addressed the Board. He stated that the public is entitled to know the basic facts. The public should know what the current fare box recovery ratio is and what is the proposed fare box recovery ratio.

Mr. Joe Stanecki of Oakland Park, Florida commented that South East Pennsylvania Transit Authority (SEPTA) did not suffer a decline in ridership.

The Chair called for further discussion and/or opposition to the motion. Upon hearing none, the Chair declared the motion carried unanimously.

Board Member Perry signed off the meeting teleconference at 11:36 a.m.

INFORMATION / PRESENTATION ITEMS

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

I-1 INFORMATION – Proposed Scheduled Enhancements

Mr. Brad Barkman, SFRTA Director of Operations addressed the Board. He stated that a modification to the schedule before the Board is to take into consideration that the original schedule was made to operate 48 trains and currently there are 50 trains being operated. With the increase in passengers, it takes longer for boarding. This modified schedule takes into consideration additional time to turn the trains and only impact the riders minimally. The improvement to the schedule will improve the on-time-performance.

COMMITTEE REPORTS / MINUTES

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

- A. PROPERTY TASK FORCE
- B. CONSTRUCTION OVERSIGHT COMMITTEE
- C. PLANNING TECHNICAL ADVISORY COMMITTEE
- D. MARKETING COMMITTEE
- E. OPERATIONS TECHNICAL COMMITTEE
- F. CITIZENS ADVISORY COMMITTEE
- G. AUDIT COMMITTEE
- H. LEGISLATIVE COMMITTEE

Commissioner Barreiro stated that additional consultants have been engaged by the Authority to assist the SFRTA in its pursuit of a dedicated funding source.

The Chair requested the Board be supplied with a list of the consultants and that talking points be provided. The Chair commented that he had met with the FDOT Secretary of Transportation, Stephanie Kopelousos and that a message be related to the SFRTA, “FDOT has not abandoned South Florida.”

Mr. Giulietti stated that the Authority has been put on notice that Palm Beach County resolution says they will only provide the minimum amount of funding as mandated by legislation, which is \$1.565 million. Based on that, a budget will be prepared that will only allow the SFRTA to operate 30 weekday trains as of October 5, 2009. Feeder service and weekend service will be discontinued. The SFRTA will be able to operate beyond that date for 1 year and 10 months.

Board Member Bravo inquired about the usage of the \$2.67 million contributions from each county that is currently labeled capital.

Mr. Giulietti responded that the original legislative language required that these funds would be used to drawdown a match of federal funds within a certain time frame or be relieved of by the counties. If some of these funds were to be used, by the Board’s decision, this may be able to extend the operating time while cancelling contracts for equipment and construction.

Board Member Morgan added that prior to double tracking the system, SFRTA was running 28 weekday trains. The SFRTA is the only system in the United States that operates without a dedicated funding source. It is time to protect the trust of the people and the \$1.2 billion investment that has been made.

Commissioner Barrerio stated that the SFRTA needs everyone's support. And that a letter has been prepared, addressed to Governor Crist, Senate President Atwater and House Speaker Cretul, seeking support for a dedicated funding source.

Mr. Giulietti stated that a budget will be prepared using the \$1.565 million as mandated by legislation.

The Chair gave direction as to the above budget guidelines.

Mr. Glickman addressed the Board. He inquired as to if FDOT would continue to match the operating funds.

I. ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

MONTHLY REPORTS

Action not required, provided for information purposes only. If discussion is desired by any Board Member, however, that item may be considered separately.

A. ENGINEERING & CONSTRUCTION MONTHLY PROGRESS REPORTS – All projects are completed

B. RIDERSHIP GRAPHS – February

Mr. Giulietti stated that ridership

C. ON-TIME PERFORMANCE GRAPHS – February

D. MARKETING MONTHLY SUMMARY – February

E. BUDGETED INCOME STATEMENT – February

F. PAYMENTS OVER \$2,500.00 – February

G. REVENUE AND FARE EVASION REPORTS – February

H. SOLICITATION SCHEDULE – February

I. CONTRACT ACTIONS EXECUTED UNDER THE EXECUTIVE DIRECTOR'S AUTHORITY - February

J. CONTRACT ACTIONS EXECUTED UNDER THE CONSTRUCTION OVERSIGHT COMMITTEE – February

K. PROPERTY COMMITTEE – PROJECT SCHEDULE - Current

L. SECURITY REPORT- February

OTHER BUSINESS

Board Member Bravo requested that a goal-setting budget committee be formed to assist the administration with detail line items budget and policy planning.

The Chair commented that committees are poorly attended due to difficult schedules and suggested that Board Member Bravo submit specific items that she would like to see addressed at the next meeting. The Chair commented on the “sunshine” and legal requirements and the cost of advertising. If it is the will of the Board to form a committee, the Board will entertain this request at the next meeting.

Board Member Horenburger suggested forming a temporary task force to address specific short term issues as opposed to a standing committee.

Board Member Lasarte stated that a budget committee may be necessary in view of the current legislative climate.

Board Member Morgan commented that the individual schedules and public notice requirements are extremely cumbersome and suggested assigning a Board Member to a specific task and report back to the Board on that topic.

Commissioner Barreiro stated that it is important to focus on the operations budget, yet flexibility of attending and timing is an issue and teleconferencing may be a better way to go.

EXECUTIVE DIRECTOR REPORTS/COMMENTS

LEGAL COUNSEL COMMENTS

CHAIR COMMENTS

BOARD MEMBER COMMENTS

Board Member Horenburger inquired as to the date of the May meeting and suggested changing the May 22, 2009 meeting due to the Memorial Day weekend.

The Chair requested a poll of Board Member availabilities for the dates of May 22nd and May 29th.

The Chair stated that should the funding not come through, the Board will need to plan a retreat to understand where the SFRTA is headed.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:22 p.m.

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
GOVERNING BOARD MEETING: APRIL 24, 2009

AGENDA ITEM REPORT

Consent Regular

RENEWAL OPTION TO AGREEMENT NO. 04-100
WITH MERIDIAN MANAGEMENT CORPORATION
FOR STATION MAINTENANCE SERVICES FOR
SFRTA/TRI-RAIL'S COMMUTER RAIL STATIONS

REQUESTED ACTION:

MOTION TO APPROVE: Exercising the second of two (2) one (1) year renewal options to Agreement No. 04-100, between the South Florida Regional Transportation Authority (SFRTA) and Meridian Management Corporation, for station maintenance services, in the maximum not-to-exceed amount of \$1,850,704.

SUMMARY EXPLANATION AND BACKGROUND:

In May 2005, the Board approved Agreement No. 04-100, between SFRTA and Meridian Management Corporation for Station Maintenance Services in the amount of \$3,688,215. In April 2006, SFRTA amended the Agreement, adding \$100,000 to cover the cost of additional expenses related to hurricane-related clean up and repairs. In March 2007, SFRTA amended the Agreement adding \$500,000 to allow for the performance of additional services above the base routine maintenance required for SFRTA's commuter rail stations. In November 2007, SFRTA amended the Agreement, adding \$600,000 to accommodate potential repair and/or renovation work at a variety of stations above the base routine maintenance required for SFRTA's commuter rail stations and facilities. In May 2008, SFRTA exercised the first of two (2) one (1) year options in the amount of \$1,562,329.

Based on the satisfactory performance of the Contractor during the initial four years, staff recommends the agency exercises the second of two (2) one (1) year options with Meridian Management Corporation in the maximum not-to-exceed amount of \$1,850,704.



Department: Operations
Project Manager: Lauran Mehalik

Department Director: Bradley Barkman
Procurement Director: Christopher Bross

FISCAL IMPACT: Funding will be budgeted in SFRTA's FY 2009-10 Operating Budget.

EXHIBITS ATTACHED: None

RENEWAL OPTION TO AGREEMENT NO. 04-100
WITH MERIDIAN MANAGEMENT CORPORATION
FOR STATION MAINTENANCE SERVICES FOR
SFTRA/TRI-RAIL'S COMMUTER RAIL STATIONS

Recommended by:  4/16/09 Approved by:  4/16/09
Department Director Date Procurement Director Date

Authorized by:  4/16/09 Approved as to Form by: _____
Executive Director Date General Counsel Date

Board Action:

Approved: Yes No

Vote: Unanimous

Amended Motion:

Commissioner Bruno Barreiro	<input type="checkbox"/> Yes <input type="checkbox"/> No	Commissioner Jeff Koons	<input type="checkbox"/> Yes <input type="checkbox"/> No
Alice N. Bravo	<input type="checkbox"/> Yes <input type="checkbox"/> No	Felix M. Lasarte	<input type="checkbox"/> Yes <input type="checkbox"/> No
James A. Cummings	<input type="checkbox"/> Yes <input type="checkbox"/> No	George A. Morgan, Jr.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commissioner Josephus Eggelletion	<input type="checkbox"/> Yes <input type="checkbox"/> No	F. Martin Perry	<input type="checkbox"/> Yes <input type="checkbox"/> No
Marie Horenburger	<input type="checkbox"/> Yes <input type="checkbox"/> No		

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AGENDA ITEM NO. R1

RENEWAL OPTION TO AGREEMENT NO. 04-100
WITH MERIDIAN MANAGEMENT CORPORATION
FOR STATION MAINTENANCE SERVICES FOR
SFTRA/TRI-RAIL'S COMMUTER RAIL STATIONS

Recommended by: _____
Department Director Date

Approved by: _____
Contracts Director Date

Authorized by: _____
Executive Director Date

Approved as to form by:  4/14/09
General Counsel Date

Board Action:

Approved: _____ Yes _____ No

Vote: _____ Unanimous

Amended Motion:

Commissioner Bruno Barreiro _____ Yes _____ No
Alice N. Bravo _____ Yes _____ No
James A. Cummings _____ Yes _____ No
Commissioner Josephus Eggleston _____ Yes _____ No
Marie Hoxenburger _____ Yes _____ No

Commissioner Jeff Koons _____ Yes _____ No
Felix M. Lasarte _____ Yes _____ No
George A. Morgan, Jr. _____ Yes _____ No
F. Martin Perry _____ Yes _____ No

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
GOVERNING BOARD MEETING: APRIL 24, 2009

AGENDA ITEM REPORT

Consent Regular

PURCHASE OF REPLACEMENT TRAILER OFFICES
FOR THE SFRTA HIALEAH RAIL YARD

REQUESTED ACTION:

(A) MOTION TO APPROVE: Issuance of a Purchase Order to William Scotsman for the purchase of an office trailer to replace the existing unit at the Hialeah Rail Yard, pursuant to General Services Administration Contract No. GS-07F-2557M, in the amount of \$56,710.00.

(B) MOTION TO APPROVE: The cost of various utility connections for the new trailer unit (electrical, plumbing, phones, IT network and wireless camera infrastructure) in the not-to-exceed amount of \$10,000.00.

SUMMARY EXPLANATION AND BACKGROUND: SFRTA's existing office trailer unit at the Hialeah Rail Yard has been in use since 1988. The condition of the trailer has severely depreciated over the years. The office has suffered storm damage, deteriorating floorboards, and poor air conditioning. Staff now recommends the purchase of a new trailer from William Scotsman using General Services Administration Contract No. GS-075F-2557M in the amount of \$56,710.00. The purchase amount includes the new unit, delivery, and removal and disposal of the old unit. Staff also recommends the authorization in the not-to-exceed amount of \$10,000.00 for all utility connections related to the new trailer, including electrical, plumbing, phones, IT network, and wireless camera infrastructure.

Department: Operations
Project Manager: Wayne Ramnarine

Department Director: Brad Barkman
Procurement Director: Chris Bross

FISCAL IMPACT: Funding is available in the Operations Hialeah Yard Capital Budget

EXHIBITS ATTACHED: None

PURCHASE OF REPLACEMENT TRAILER OFFICES
FOR THE SFRTA HIALEAH RAIL YARD

Recommended by:  4/16/09 Approved by:  4/16/09
Department Director Date Procurement Director Date

Authorized by:  4/16/09 Approved as to Form by:  4/16/09
Executive Director Date Staff Counsel Date

Board Action:

Approved: Yes No

Vote: Unanimous

Amended Motion:

Commissioner Bruno Barreiro Yes No
Alice N. Bravo Yes No
James A. Cummings Yes No
Commissioner Josephus Eggelation Yes No
Marie Horenburger Yes No

Commissioner Jeff Koons Yes No
Felix M. Lasarte Yes No
George A. Morgan, Jr. Yes No
F. Martin Perry Yes No

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
GOVERNING BOARD MEETING: APRIL 24, 2009

AGENDA ITEM REPORT

Consent Regular Public Hearing

FIRST AMENDMENT TO AGREEMENT NO. 05-102
THE WACKENHUT CORPORATION
ARMED SECURITY, REVENUE COLLECTION, AND FARE INSPECTION SERVICES

REQUESTED ACTION:

MOTION TO APPROVE: First Amendment to Agreement No. 05-102, between the South Florida Regional Transportation Authority (SFRTA) and The Wackenhut Corporation, to increase the contract for armed security, revenue collection and fare inspection services, in the maximum not to exceed amount of \$6,624,000.00.

SUMMARY EXPLANATION AND BACKGROUND:

In September 2005 the Board approved Agreement No. 05-102 with The Wackenhut Corporation to provide armed security, revenue collection, and fare inspection services to SFRTA/Tri-Rail for a period of five (5) years, in the total not-to-exceed amount of \$17,103,910. During the term of the contract SFRTA increased weekday Tri-Rail service from 28 trains daily to 50 trains daily. As a result, SFRTA required that Wackenhut provide additional security posts on board trains and at stations.

In order to maintain the current level of armed security service throughout the remainder of the contract term, SFRTA wishes to increase the not-to-exceed amount of the Agreement with an additional \$6,624,000.00, making the total not-to-exceed amount of the Agreement \$23,727,910.00. The budget line item for security has accounted for the level of service required under the 50 train schedule and therefore no budget adjustment is required. The contract is scheduled to expire on October 31, 2010.

Should Tri-Rail service be reduced due to funding or budget issues, the assignment and placement of contract armed security personnel will be reduced accordingly.

Department: Executive
Project Manager: Allen Yoder

Department Director: Jack Stephens
Procurement Director: Chris Bross

FISCAL IMPACT: Funding for FY 08/09 is available in the FY 08/09 Operating Budget

EXHIBITS ATTACHED: Exhibit 1 – First Amendment to Agreement No. 05-102

FIRST AMENDMENT TO AGREEMENT NO. 05-102
THE WACKENHUT CORPORATION
ARMED SECURITY, REVENUE COLLECTION, AND FARE INSPECTION SERVICES

Recommended by: [Signature] 4/16/09
Department Director Date

Approved [Signature] 4/16/09
Procurement Director Date

Authorized by: [Signature] 4/16/09
Executive Director Date

Approved as to Form by: [Signature] 4/16/09
Staff Counsel Date

Board Action:

Approved: Yes No

Vote: Unanimous

Amended Motion:

- | | | | |
|-----------------------------------|--|-------------------------|--|
| Commissioner Bruno Barreiro | <input type="checkbox"/> Yes <input type="checkbox"/> No | Commissioner Jeff Koons | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Alice N. Bravo | <input type="checkbox"/> Yes <input type="checkbox"/> No | Felix M. Lasarte | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| James A. Cummings | <input type="checkbox"/> Yes <input type="checkbox"/> No | George A. Morgan, Jr. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Commissioner Josephus Eggelletion | <input type="checkbox"/> Yes <input type="checkbox"/> No | F. Martin Perry | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Marie Horenburger | <input type="checkbox"/> Yes <input type="checkbox"/> No | | |



FIRST AMENDMENT TO AGREEMENT NO. 05-102

BETWEEN

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

AND

THE WACKENHUT CORPORATION

FOR

ARMED SECURITY, REVENUE COLLECTION,
AND FARE INSPECTION SERVICES

FIRST AMENDMENT TO AGREEMENT NO. 05-102

BETWEEN

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

AND

THE WACKENHUT CORPORATION

FOR

**ARMED SECURITY, REVENUE COLLECTION,
AND FARE INSPECTION SERVICES**

This is a First Amendment to the Agreement for Armed Security, Revenue Collection, and Fare Inspection Services between **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**, an agency of the State of Florida, hereinafter referred to as “**SFRTA**” and **THE WACKENHUT CORPORATION**, hereinafter referred to as “**FIRM**”.

WHEREAS, on September 23, 2005, **CONTRACTOR** and **SFRTA** entered into a five year Agreement in the total not-to-exceed amount of \$17,103,910.00 (“the Agreement”); and

WHEREAS, during the term of the contract SFRTA increased weekday Tri-Rail service from 28 trains to 50 trains. As a result, SFRTA required that the FIRM provide additional security posts on board trains and at stations. In order to maintain the current level of armed security service throughout the remainder of the contract term (to November 2010), SFRTA now wishes to increase the not-to-exceed amount of the Agreement with an additional \$6,624,000.00, making the total not-to-exceed amount of the Agreement \$23,727,910.00; and

NOW THEREFORE in consideration of the promises, mutual covenants and obligations herein contained, and subject to the terms and conditions hereinafter stated, the parties hereto agree to amend the Agreement as follows:

1. **COMPENSATION** is amended to read as follows:

SFRTA agrees to pay the FIRM compensation, as specified in the RFP Requirements and Instructions to Firms and FIRM’S Price Proposal, in the total not-to-exceed amount of ~~Seventeen Million One Hundred Three Thousand Nine Hundred Ten Dollars (\$17,103,910.00)~~ Twenty Three Million Seven Hundred Twenty Seven Thousand Nine Hundred Ten Dollars (\$23,727,910.00).

Except to the extent amended, the Agreement shall remain in full force and effect. In the event of any conflict between the terms of this First Amendment to the Agreement and the Agreement, the parties hereby agree that this document shall control.

IN WITNESS WHEREOF, the parties have made and executed this First Amendment to the Agreement on the respective date under each signature: **THE WACKENHUT CORPORATION**, signing by and through its _____, duly authorized to execute same and **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY** signing by and through its Chair, authorized to execute same by Board action on the ____ day of _____, 2009.

SFRTA

ATTEST:

SOUTH FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

JOSEPH GIULIETTI
EXECUTIVE DIRECTOR

By _____
JOSEPHUS EGGELLETION, JR., CHAIR

_____ DAY OF _____, 2009

Approved as to form by:

CHRIS BROSS, Director
Procurement

LEGAL COUNSEL, SFRTA

ATTEST:

THE WACKENHUT CORPORATION

WITNESS

By _____
PRESIDENT OR VICE PRESIDENT

_____ DAY OF _____, 2009

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
GOVERNING BOARD MEETING: APRIL 24, 2009

AGENDA ITEM REPORT

Consent Regular

FIRST AMENDMENT TO AGREEMENT NO. 09-002 FOR “TECHNICAL SERVICES AND
PROCUREMENT SUPPORT RELATED TO THE UNIVERSAL AUTOMATED FARE
COLLECTION SYSTEM”

REQUESTED ACTION:

MOTION TO APPROVE: First Amendment to Agreement No. 09-002 between the South Florida Regional Transportation Authority (SFRTA) and Booz Allen Hamilton, Inc. to extend the contract term for three (3) additional months through August 31, 2009 at no additional cost.

SUMMARY EXPLANATION AND BACKGROUND:

On August 22, 2008 the Governing Board approved Agreement No. 09-002 with Booz Allen Hamilton, Inc. for technical services and procurement support of the Universal Automated Fare Collection (UAFC) System Procurement. The Agreement is currently scheduled to expire on May 31, 2009.

Due to unexpected delays in negotiations and finalizing necessary agreements, Staff is recommending a three (3) month, no-cost extension to be able to complete the negotiation process.

Department: Executive
Project Manager: Renee Matthews

Department Director: Jack Stephens
Procurement Director: Chris Bross

FISCAL IMPACT: None

EXHIBITS ATTACHED: Exhibit 1 – First Amendment to Agreement No. 09-002

FIRST AMENDMENT TO AGREEMENT NO. 09-002 FOR "TECHNICAL SERVICES AND
PROCUREMENT SUPPORT RELATED TO THE UNIVERSAL AUTOMATED FARE
COLLECTION SYSTEM"

Recommended by:  4/16/09
Department Director Date

Approved by:  4/16/09
Procurement Director Date

Authorized by:  4/16/09
Executive Director Date

Approved as to Form by: _____
General Counsel Date

Board Action:

Approved: ____ Yes ____ No

Vote: ____ Unanimous

Amended Motion:

Commissioner Bruno Barreiro ____ Yes ____ No
Alice N. Bravo ____ Yes ____ No
James A. Cummings ____ Yes ____ No
Commissioner Josephus Eggelation ____ Yes ____ No
Marie Horenburger ____ Yes ____ No

Commissioner Jeff Koons ____ Yes ____ No
Felix M. Lasarte ____ Yes ____ No
George A. Morgan, Jr. ____ Yes ____ No
F. Martin Perry. ____ Yes ____ No

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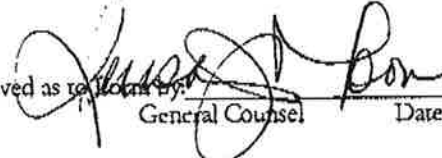
AGENDA ITEM NO. R4

FIRST AMENDMENT TO AGREEMENT NO. 09-002 FOR "TECHNICAL SERVICES AND
PROCUREMENT SUPPORT RELATED TO THE UNIVERSAL AUTOMATED FARE
COLLECTION SYSTEM"

Recommended by _____
Department Director Date

Approved by _____
Contracts Director Date

Authorized by _____
Executive Director Date

Approved as to form by:  _____
General Counsel Date 4/13/09

Board Action:

Approved: Yes No

Vote: Unanimous

Amended Motion:

Commissioner Bruno Barreiro	<input type="checkbox"/> Yes <input type="checkbox"/> No
Alice N. Bravo	<input type="checkbox"/> Yes <input type="checkbox"/> No
James A. Cummings	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commissioner Josephus Eggeleston	<input type="checkbox"/> Yes <input type="checkbox"/> No
Marie Horenburger	<input type="checkbox"/> Yes <input type="checkbox"/> No

Commissioner Jeff Koons	<input type="checkbox"/> Yes <input type="checkbox"/> No
Felix M. Lasarte	<input type="checkbox"/> Yes <input type="checkbox"/> No
George A. Morgan, Jr.	<input type="checkbox"/> Yes <input type="checkbox"/> No
F. Martin Perry	<input type="checkbox"/> Yes <input type="checkbox"/> No



AMENDMENT 1 TO
AGREEMENT NO. 09-002
BETWEEN
SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY
AND
BOOZ ALLEN HAMILTON, INC.
FOR
TECHNICAL SERVICES AND PROCUREMENT SUPPORT
RELATED TO
THE UNIVERSAL AUTOMATED FARE COLLECTION SYSTEM

**AMENDMENT 1 TO
AGREEMENT NO. 09-002**

BETWEEN

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

AND

BOOZ ALLEN HAMILTON, INC.

FOR

**TECHNICAL SERVICES AND PROCUREMENT SUPPORT RELATED TO THE
UNIVERSAL AUTOMATED FARE COLLECTION SYSTEM**

This is an Agreement, by and between SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY, hereinafter referred to as "SFRTA".

AND

BOOZ ALLEN HAMILTON, INC, a Virginia Corporation, authorized to and doing business in the State of Florida, hereinafter referred to as "CONSULTANT".

DEFINITIONS

For the purposes of this Agreement and the various covenants, conditions, terms, and provisions that follow, the definitions and identifications set forth below are assumed to be true and correct and are agreed upon by the parties.

- a. Board. The nine (9) member board which is the governing body of SFRTA, created pursuant to amendments to Chapter 343, Florida Statutes.
- b. Contract Administrator. The Executive Director for SFRTA or appointed designee. In the administration of this Agreement, all parties may rely upon the instructions or determinations made by the Contract Administrator.
- c. Consultant. The Consultant selected to perform the services pursuant to this Agreement is BOOZ ALLEN HAMILTON, INC
- d. Project. Providing all services described in the Contract Documents.
- e. Project Manager. A person supplied by SFRTA and the single point of contact for Consultant with SFRTA.

PREAMBLE

In order to establish the background, context, and frame of reference for this Agreement and to generally express the objectives and intentions of the respective parties herein, the following statements, representations, and explanations shall be accepted as predicated for the undertakings and commitments included within the provisions which follow and may be relied upon by the parties as essential elements of the mutual consideration upon which this Agreement is based.

- a. SFRTA has budgeted funds for this Project.
- b. CONSULTANT was determined to be the most qualified firm for the TECHNICAL SERVICES AND PROCUREMENT SUPPORT RELATED TO THE UNIVERSAL AUTOMATED FARE COLLECTION SYSTEM in accordance with Section 30C-2.003 (13) of SFRTA's Procurement Code, Sole Source Procurement.

CONSULTANT covenants and agrees to perform all obligations of CONSULTANT set forth in this Agreement and in the documents listed below, which documents are incorporated herein by reference and which documents together with this Agreement are hereinafter called "Contract Documents."

General Terms and Conditions
Scope of Services
All Exhibits, Appendices and Attachments
Drug Free Workplace Certification
Debarment & Suspension Certification
Certification of Restriction on Lobbying
Truth in Negotiation Certificate

TERM

CONSULTANT shall perform the services described in the Scope of Services as directed by the Project Manager. The period of performance shall be Twelve Months from Notice to Proceed for the same cost as the original term.

COMPENSATION

SFRTA agrees to pay the CONSULTANT as specified in the General Terms & Conditions the total not-to-exceed amount of Three Hundred Seventy Three Thousand Six Hundred Two Dollars (\$373,602.00).

ADDRESSES

CONSULTANT:

Booz Allen Hamilton, Inc.
201 North Charles St.
Suite 1201
Baltimore, MD. 21201

Attn: Thomas Donahue

SFRTA:

South Florida Regional Transportation Authority
800 N.W. 33 Street
Suite 100
Pompano Beach, FL 33064

Attn: Renee Matthews

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective date under each signature: **Booz Allen Hamilton, Inc.**, signing by and through its _____, duly authorized to execute same and **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**, signing by and through its Chair, authorized to execute same by Board action on the ____ day of _____, 2009.

SFRTA

ATTEST:

SOUTH FLORIDA REGIONAL
TRANSPORTATION AUTHORITY

JOSEPH GIULIETTI
EXECUTIVE DIRECTOR

By _____
JOSEPHUS EGGELETION, JR., CHAIR
____ DAY OF _____, 2009

(SFRTA SEAL)

Approved as to form by:

Procurement Department

GREENBERG TRAUIG, P.A.
General Counsel, SFRTA

ATTEST:

CONSULTANT

WITNESS

BOOZ ALLEN HAMILTON, INC.

(Corporate Seal)

____ DAY OF _____, 2009