

Minutes of the

REGULAR MEETING OF THE TRANSPORTATION COMMITTEE

February 24, 2020

LOCATION: Metropolitan Council Chambers, Saint Paul, MN

Committee Members Present: Chair Deb Barber, Lynnea Atlas-Ingebretson, Reva Chamblis, Molly Cummings, Christopher Ferguson, Kris Fredson, Francisco Gonzalez, Phillip Sterner, Raymond Zeran

Committee Members Absent:

TAB Liaison Present: Peter Dugan

TAAC Chair Present: David Fenley

CALL TO ORDER

A quorum was present when Chair Barber called the regular meeting of the Council's Transportation Committee to order at 4:01 p.m. on Monday, February 24, 2020 in the Metropolitan Council Chambers, Saint Paul, MN.

APPROVAL OF AGENDA AND MINUTES

Motion by Gonzalez, seconded by Zeran to approve the agenda. Motion carried.

Motion by Sterner, seconded by Zeran to approve the minutes of the January 27, 2020 regular meeting of the Transportation Committee. Motion carried.

TAB LIAISON REPORT

Peter Dugan reported on MAC improvements, MnDOT preparation for construction season. MPCA is working on Clean Car Minnesota rule and expect to complete in March to release for public comment. MPCA is entering Phase 2 of the VW settlement. In Phase 2 (2020-2023), MPCA has earmarked 65% of available funds to support electrifying our transportation sector. MPCA will invest approximately \$7 million in eligible heavy-duty EVs like trucks and transit buses, \$4.7 million in electric school buses, and \$3.5 million in EV charging stations.

TAAC REPORT

David Fenley reported on the discussion around the amount of accessible seating on transit.

PUBLIC COMMENT

LeAnn Hotovec spoke about her experience with Metro Mobility.

METROPOLITAN TRANSPORTATION SERVICES DIRECTOR AND METRO TRANSIT GENERAL MANAGER REPORTS

Metropolitan Transportation Services Director Nick Thompson reported:

Streamlined TIP Amendments

The TAB took action to change the streamlined TIP policy. TIP amendments will now be heard at the TAC level and if recommend by TAC they will then go on the TAB consent agenda.

Regional Solicitation

The Regional Solicitation application is now open. Trainings will start this week for applicants to learn how to use the program.

DeafBlind Meeting

The DeafBlind community requested a meeting with Metropolitan Council staff and it has been scheduled for March 23, 2020.

Metro Transit General Manager Wes Kooistra reported:

Hiring Update

As of today, 2/24, Metro Transit has around 45 operators in training, many of whom received offers as part of the one-day hiring event. More than 30 operators who are now in training are expected to begin operating in-service buses beginning in March. While Metro Transit remains below the ideal staffing number, the addition of these new operators is a significant step forward. Metro Transit continues to solicit and accept new bus operator applications, though it may take more time than usual to advance applicants through the process given the high level of interest that has been seen since the one-day hiring event.

Events coming up

Annual Black History Month Celebration at Heywood

- Friday, 2/28, Heywood Garage, 10:30am-2pm
- Program features Saint Paul Mayor Melvin Carter begins at 11am

Free rides on St. Patrick's Day

- Free rides on all routes from 6pm to 3am (Tuesday 3/17-Wednesday, 3/18)
- Underwritten by Miller Lite, as it is in cities across the U.S.
- Promotion has a 23-year history and is supported by local law enforcement

Transit Driver Appreciation Day

- Recognize bus and train operators on Wednesday, March 18
- Breakfast and lunch will be served at each Metro Transit garage and rail facilities (4-7am and 11am-2pm)
- Customer Relations staff will be doing outreach at Maplewood (6-8am), BCTC (11am-1pm) and Southdale (4-6pm)
- Great day to ride, say thanks, share your support. Please coordinate with Council Member outreach staff if you'd like to plan your participation that day

Cummings asked about operators coming from the bus driver pool. Gonzalez asked for more demographic information on the operator pool. Chamblis asked about the new operator applicants impacting the driver shortage. Deputy Chief Operating Officer – Bus Brian Funk answered that the projection is that late May early June should see Metro Transit having reached an ideal status.

BUSINESS

Consent Items:

Motion was made by Cummings, seconded by Gonzalez and carried, to approve the following consent items:

1. **2020-74:** 2020-2023 TIP Amendment for Anoka County: Osbourne Road 4-to-3-Lane Conversion

Motion: That the Metropolitan Council approve an amendment to the 2020-2023 Transportation Improvement Program (TIP) to add a multi-use trail to Anoka County's Osborne Road (CSAH 8) 4-to-3 lane conversion.

2. **2020-75:** 2020-2023 TIP Amendment for MnDOT: Traffic Signal Update

Motion: That the Metropolitan Council approve an amendment to the 2020-2023 Transportation Improvement Program (TIP) to add a project upgrading signals at the intersection of the Blue Line and E. 35th St. in Minneapolis.

Non-Consent Items:

1. **2020-7:** Public Hearing for Orange Line Connecting Bus Study Concept Plan
Metro Transit Route Planning Manager Cyndi Harper presented this item.

Atlas-Ingebretson asked what will be different between the community meetings and the public hearing. Harper said the only difference will be that the public hearing carries the 45-day requirement with Council approval. Atlas-Ingebretson and Chamblis both asked for a community meeting during the evening in Minneapolis.

Motion by Cummings, seconded by Fredson:

That the Metropolitan Council (Council) authorize a public hearing to accept comments on proposed service changes outlined in the Orange Line Connecting Bus Study Concept Plan.

Motion carried. Hearing no objection, Chair Barber stated this item could proceed as Consent to Council.

2. **2020-28:** Authorization to Amend HASTUS License and Support Agreement
Metro Transit Service Development Assistant Director Kristin Thompson presented this item.

There were no comments or questions from Council Members.

Motion by Sterner, seconded by Gonzalez:

That the Metropolitan Council (Council) authorize the Regional Administrator to amend a sole source contract with GIRO, Inc by \$216,255 to purchase the MinBus module for the HASTUS software system.

Motion carried. Hearing no objection, Chair Barber stated this item could proceed as Consent to Council.

3. **2020-51:** Request for Proposals for 2020-2034 Bridge Inspection & Engineering Services
Metro Transit Principal Engineer Tom McGannon presented this item.

Cummings asked how this compares to the last contract. McGannon said it is in-line with what has been done. Chamblis commented on the importance of safety. Gonzalez asked about the scope of the work.

Motion by Sterner, seconded by Chamblis:

That the Metropolitan Council (Council) authorize the Regional Administrator to award and execute contract 19P219 with Kimley-Horn and Assoc. Inc. in the amount up to \$2,651,000 for engineering support services and structures inspections of existing and future structural assets from 2020 to 2024.

Motion carried. Hearing no objection, Chair Barber stated this item could proceed as Consent to Council.

4. **2020-52 SW:** Change Order for Mall of America Transit Station Renovation Project, Contract 17P185A

Metro Transit Principal Engineer Derek Berube presented this item.

There were no comments or questions from Council Members.

Motion by Cummings, seconded by Fredson:

That the Metropolitan Council (Council) authorize the Regional Administrator to execute a change order to construction contract 17P185A with Morcon Construction in the amount of \$500,000.

Motion carried.

5. **2020-56:** Light Rail Passenger Seating Purchase

Metro Transit LRV Maintenance Project Manager Jay Wesely presented this item.

Metro Transit General Manager Wes Kooistra shared that counties are paying for part of the cost. Cummings asked why there was only one bid. Wesely said he has not received feedback with an explanation. Chamblis asked why this is not done in one piece instead of two. Wesely said the seat frame accepts two pieces and for ease of removal two will be kept. Sterner asked if there had been an estimated cost. Wesely answered that quotations were conducted to get an idea of what the cost would be.

Motion by Sterner, seconded by Ferguson:

To reject the bid so that this may be rebid.

Motion failed.

General Manager Wes Kooistra said reopening the bid will put the project months out and staff is comfortable with the selected bid. Ferguson asked for the cost savings per year. Wesely said it is estimated to be around \$215,000 a year. Chamblis agreed that multiple bids would make her more comfortable. Sterner asked how long the new seats will last. Wesely said the seats in the pilot have been resilient and the new ones would last longer than the current cloth seats. Gonzalez wondered why the original seats were designed as cloth. Fredson asked if other colors have been explored. Wesely said a design phase will include color and texture. Atlas-Ingebretson said she wants employment data to be explicit and public.

Motion by Fredson, seconded by Cummings:

That the Metropolitan Council (Council) authorizes award and execution of contract 19P210 with Visual Productions Group, Inc., in the amount of \$1,797,436.00 for the design and manufacture of plastic Light Rail Vehicle passenger seating inserts to replace the current cloth covered seating.

Motion carried.

6. **2020-62:** SWLRT (Green Line Extension) Eden Prairie Town Center Change Order

Metro Transit Transit System Design & Construction Director Brian Runzel presented this item.

Ferguson asked about workforce goals. Runzel said they apply to all amendments.

Motion by Ferguson, seconded by Fredson:

That the Metropolitan Council (Council) authorize the Southwest LRT Council Authorized Representative to negotiate and execute a change order with Lunda McCrossan Joint Venture in the amount not to exceed \$11,413,550 to construct the Eden Prairie Town Center (EPTC) Station.

Motion carried. Hearing no objection, Chair Barber stated this item could proceed as Consent to Council.

7. **2020-73:** SWLRT (Green Line Extension) Amendment 1 to Subrecipient Agreement with City of Eden Prairie

Metro Transit Transit System Development SWLRT Interim Director Joan Hollick presented this item.

There were no comments or questions from Council Members.

Motion by Ferguson, seconded by Gonzalez:

That the Metropolitan Council (Council) authorize the Regional Administrator to negotiate and execute the first Amendment to Subrecipient Agreement with the City of Eden Prairie (City), the grant subrecipient, related to the funding and construction of Eden Prairie Town Center (EPTC) Station as part of the Southwest Light Rail Transit (SWLRT) Project.

Motion carried. Hearing no objection, Chair Barber stated this item could proceed as Consent to Council.

8. **2020-82:** Body Worn Camera Council Policy and Public Comment Report
Metro Transit Project Manager Leah Palmer and MTPD Police Officer Pat McCabe presented this item.

There were no comments or questions from Council Members.

Motion by Sterner, seconded by Cummings:
That the Metropolitan Council:

1. Reviews and accepts the public comment report related to body-worn cameras;
2. Reviews and adopts the Council Policy on body-worn cameras.

Motion carried.

9. **2020-78 SW:** Metro Mobility Demand South Zone Contract 2020-2025, Contract 19P212
Metropolitan Transportation Services Metro Mobility Senior Manager Christine Kuennen presented this item.

Atlas-Ingebretson commented on DBE and workforce goals. Office of Equal Opportunity Senior Manager Tracey Jackson said OEO reviews and evaluates all procurements, identifying funding and also looking for subcontracting opportunities. Jackson added that the Department of Human Rights sets the workforce goals. Metropolitan Transportation Services Director Nick Thompson shared that the Metropolitan Council has asked providers to voluntarily provide workforce goals in addition to their required report to the Department of Human Rights. Ferguson asked for clarification on the contract expectations regarding capacity. Zeran asked who provides the current service. Kuennen said the current provider is First Transit. Zeran asked if any weight is assigned to the incumbent. Kuennen answered that in order to maintain fairness and an open process, no weight is given to incumbents. Chamblis asked about transition plans. Kuennen said she intends that this transition plan follow closely to previous transition plans.

Teamsters Local 120 Director of Politics & Organizing Paul Slattery said his concerns are the same as when he spoke in April of 2018: driver retention, driver continuity, and the relationships that the drivers have with the vulnerable results they serve. Slattery said the Teamsters believe First Transit is the best provider to serve the South Zone Metro Mobility contract based on their years of service, on-time performance, and rate. Slattery added that the Teamsters question why the service provider would be changed when the bids are so close. Slattery stated that the new service provider is non-union, and the Teamster members do not want to work in a non-union environment, he said this will cause a disruption in the workforce. Slattery mentioned that in the April 2018 interaction he had asked Transit Team if they would retain current drivers and rates, he asked to again have in writing assurances for the protection of drivers and the vulnerable adults they serve and he asked that the Committee and Council implement labor piece and driver retention language in all Metropolitan Council contract proposals.

First Transit General Manager Paul Johnson said over 30 years of working with the Metropolitan Council, First Transit has proven themselves as dependable, responsive, and a trusted member of the Twin Cities community. Johnson expressed disappointment over the award of the contract and that his 220 employees may be displaced due to only a 2% price difference in bids. Johnson said First Transit

is asking the Transportation Committee to take another review of this recommendation and consider the significant message it delivers.

Transit Team President and CFO Mike Richter said this is similar to April 2018 and that startup went smoothly, over 100 drivers were hired in a five-month period. Richter said when Transit Team approached First Transit to transition drivers, First Transit was uncooperative and only through grass-roots recruiting were 26 drivers able to be recruited, in addition to the other 75 drivers hired. Richter said they would like to transition as many First Transit drivers as possible but it partially depends on First Transit allowing them access to the drivers. Richter added that Metro Mobility and paratransit service is core to Transit Team's business and the money earned from services stays local.

Fredson expressed concern over the timing of this item. Fredson also said he is concerned that the disruption of service is not considered as part of the evaluation and he thinks that the Council should consider the cost of disruption.

Motion by Fredson, seconded by Zeran:

To amend the proposed action as follows:

That the Metropolitan Council authorize the Regional Administrator to negotiate and execute a contract with First Transit to provide Metro Mobility Demand South Zone service from August 1, 2020 to July 31, 2025 with an option to extend one additional year in an amount not to exceed \$116,422,094.

Zeran said it seems clear from testimony that First Transit employees do not want to work for Transit Team since last time they were unable to be retained and brought over. Zeran added that there is no guarantee drivers will be reconnected to employment. Barber asked if service was considered in the contract review. Kuennen said it was. Kuennen said if the proposer is not the incumbent, they have to provide information on how they would transition a service. Ferguson said it is a dangerous precedent to make a judgement over the procurement team. Office of General Counsel Deputy General Counsel Dave Theisen said the Council must comply with FTA guidelines with procurements, it has to be an open and fair competition and equally accessible to any responsive proposer or bidder. Cummings asked if the evaluation panel had a unanimous recommendation, Kuennen said it was. Atlas-Ingebretson said she will be voting no on both the amendment and project in general because in order for her to vote yes, she requires information about the goals and that it be explicit and provided to the public. Gonzalez asked if the customers are asked about current satisfaction and stated that should be an important criterion in evaluating contracts. TAAC Chair David Fenley shared that disability ought to be included in the equity discussion and it was discussed as part of the selection process. Thompson said there is a strong monitoring of customer experiences and there are also contractual ways to bring vendors into compliance. Chamblis said the processes should be done with integrity and accountability and she will not be voting yes on this amendment.

Motion failed.

Motion by Ferguson, seconded by Cummings:

That the Metropolitan Council (Council) authorize the Regional Administrator to negotiate and execute a contract with Transit Team, Inc. to provide Metro Mobility Demand South Zone service from August 1, 2020 to July 31, 2025 with an option to extend one additional year in an amount not to exceed \$100,778,685.

Motion carried with Atlas-Ingebretson, Gonzalez, and Zeran voting in opposition.

10. 2020-79 SW: St. Paul and Anoka County Transit Service, Contract 19P363
Metropolitan Transportation Services Fixed Route/Transit Link/Vanpool Manager John Harper presented this item.

Ferguson asked who the incumbents are currently. Harper said the incumbents are Metro Transit, MTN, and First Transit.

Motion by Gonzalez, seconded by Chamblis:

That the Metropolitan Council (Council) authorize the Regional Administrator to negotiate and execute a contract with First Transit, Inc. to provide regular route transit service under the St. Paul and Anoka County contract 19P363, from June 14, 2020 through June 30, 2025, in an amount not to exceed \$27,095,290.

Motion carried with Atlas-Ingebretson voting in opposition.

INFORMATION

1. Transportation Committee 2020 Workplan

Metro Transit General Manager Wes Kooistra and Metropolitan Transportation Services Director Nick Thompson presented this item.

There were no comments or questions from Council Members.

ADJOURNMENT

Business completed, the meeting adjourned at 6:29 p.m.

Jenna Ernst
Recording Secretary