I. Pledge of Allegiance

II. Safety Briefing

III. Public Comment:

IV. Advisory Committee Updates:
   1. Update on the Customer Satisfaction Advisory Committee (CSAC)
   2. Update on the Access Advisory Committee (AAC)

V. Board Committee Updates:
   1. Operations, Planning and Safety Committee
   2. Finance, Audit and Administration Committee; and
   3. CAMPO update

VI. Consent Items
   1. Approval of Minutes from the July 30, 2018 Board Meeting.
   2. Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Agreement (ILA) with Travis County for employee transit passes for a period of one year from October 1, 2018, to September 30, 2019, for an amount of $87,000, and which includes an option to extend the ILA for three additional one-year terms.
   3. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a Memorandum of Understanding with the City of Round Rock authorizing Round Rock to be a direct recipient of a portion of Capital Metro’s FY2019 and FY2020 Federal Section 5307 Program funds.
   4. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with AgH2O Holdings, LLC for construction of a new bus farebox probe station and two vestibules for the exterior elevator at the North Operations Facility in an amount not to exceed $202,834.
5. Approval of a resolution authorizing the President & CEO, or his designee, to execute a contract with INFOR for implementation of an Enterprise Asset Management System in an amount not to exceed $4,840,141.

6. Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Contract with the Texas Department of Information Resources (DIR) relating to the use of the DIR Shared Services Master Service Agreements.

7. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an agreement for Services with Transco Livery Services, Inc. for special event services to the 2018 Austin City Limits (ACL) Music Festival in an amount not to exceed $275,000.

VII. Action Items:

1. Approval of a resolution authorizing the President & CEO, or his designee, to negotiate and execute a three-year Interlocal Agreement (ILA) with Travis County to implement the Travis County Transit Development Plan in an amount not to exceed $221,422 in FTA Section 5307 funds and $332,133 in local funds from Travis County per year.

2. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute Amendment Two to the Interlocal Agreement (ILA) for Regional Mobility and Transportation Projects with the City of Austin to reduce the total reimbursement by Capital Metropolitan Transportation Authority to the City of Austin by $6,000,000 and to redirect those funds for the development of Project Connect.

3. Approval of a resolution authorizing the President & CEO, or his designee, to approve the August 2018 Service Changes beginning Sunday, August 19, 2018.

VIII. Presentations:

1. Capital Metro Technology Update
2. Capital Metro Diversity and Workforce Report

IX. Reports:

1. President & CEO Update

X. Items for Future Discussion:

XI. Adjournment

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512)389-7458 or email gina.estrada@capmetro.org if you need more information.

BOARD OF DIRECTORS: Wade Cooper, chairperson; Delia Garza, vice chair; Juli Word, board secretary; Terry Mitchell, Pio Renteria, Jeffrey Travillion, Ann Kitchen and Rita Jonse. Board Liaison: Gina Estrada (512)389-7458, email gina.estrada@capmetro.org if you need more information.

The Board of Directors may go into closed session under the Texas Open Meetings Act. In accordance with Texas Government Code, Section 551.071, consultation with attorney for any legal issues, under Section 551.072 for real property issues; under Section 551.074 for personnel matters, or under Section
551.076, for deliberation regarding the deployment or implementation of security personnel or devices; arising regarding any item listed on this agenda.
TITLE: CSAC Advisory Committee Minutes
Call to Order:
Chairman David Foster, CSAC

Chairman Foster called the meeting to order at 6:00 p.m.

Introductions:

Committee members present were Chair Foster, Jeffrey Lewis, BJ Taylor, Michael French, and Ephraim Taylor.

Capital Metro staff members present were Kevin Conlan, Kendall Jackson, Ed Easton, Dottie Watkins, and Lawrence Deeter.

Others present were David King, Ruven Brooks, and Zenobia Joseph.

Citizens’ Communication
Members of the public

David King: Last night, ZAP discussed interlocal agreements between Cap Metro and the city. City should be proactive in vetting projects with Cap Metro in mind. Working on resolution to promote Cap Metro’s involvement in ILAs. Also, want to talk about Title VI. If we can early on find out what customers’ needs are, can tailor services to developments. Cap Remap – we have a responsibility to monitor changes with equity in mind. There have been disparate impacts. Dig in to different groups’ needs: is there shelter? How many transfers? Communities of color have to make the biggest effort; they’re often the lowest income; and they’re pushed to areas where there isn’t great service.

Jeff: do you feel that lion’s share of burden is on City of Austin? What you’re talking about in Cap Metro is a symptom of the land development and economic development policies in the city. Land developer should pay their share at Cap Metro. There are so few resources to spread around, so we should focus on transit dependent riders. BJ: What about the developments and neighborhoods that already exist? David: He’s talking about moving forward. Lawrence: Under planning department, we conduct origin and destination committee every five years. Always surprised that many customers have access to automobiles.

Ruven Brooks: Much of that data is available at American Community Survey, down to block group. Can look up how people get to work. Story is more about Eastern crescent than about people getting pushed out of the city. If you overlay poverty and bus routes, Cap Metro has done a great job. Jay Beasley and John Laycock did an analysis of providing service through Cap Remap, which Cap Metro did again. People in poverty are much more impacted in a positive
way by Cap Remap. Travis County Transit Development Plan now includes Austin’s Colony for the first time.

Zenobia: Showed presentation and handout to committee. Jeff: What do you need from us / Cap Metro? Zenobia: Re-analyze East routes and routes North of NLTC. Foster: Could we meet to discuss? Also, talking about 5/10 minutes walk, but what about the quality of that walk? Jeff: Maybe somewhere in between we can find common ground?

**Budget Update**  
*Kevin Conlan, Director of Budget and Financial Planning*

Kevin presented the FY2019 Budget Plan. Jeff: What does ILA stand for? Kevin: Interlocal agreement, between two agencies. The money we give Austin goes to things like sidewalk improvement. Foster: Is there any end in sight to owing Austin $? Kevin: City is talking to Cap Metro about helping with Project Connect. Foster: wants to see ¼ penny numbers and what was built with that money. Kevin: Can get him that. Lewis: 6.5 million for strategic planning – what is that? Kevin: NLTC, and moving a rail station (but most of that comes from developer).

**August 2018 Service Changes**  
*Lawrence Deeter, Principal Planner*

Lawrence presented on the August service changes. BJ: Why isn’t there a change on Route 300? There are new residences on Rogge Lane that now don’t have service. Lawrence: Have met with residents, right now our plan is to keep going with the route as it stands. We’ll be looking at ridership after school goes back in session. Ephraim: How did we do outreach? Kendall: Outreach to housing affected by 493; outreach to school tripper schools; big UT push. Scaled down version of what we did for Cap Remap, but still a thorough push.

**Title VI Update**  
*Lawrence Deeter, Principal Planner*

Lawrence will return to present at the September meeting.

**Approval of June 2018 Minutes**  
*CSAC*

David Foster moved to approve the June minutes, and BJ Taylor seconded. The motion carried unanimously.

The meeting was adjourned at 7:45 p.m.
**TITLE:** Access Advisory Committee Minutes
Call to Order:
Chairman Chris Prentice, Access Advisory Committee

Chairman Prentice called the meeting to order at 5:30 p.m.

Introductions:

Committee members present were Chair Chris Prentice, Molly Birrell, Mike Gorse, Pat Thomas, John McNabb, Glenda Born, and Paul Hunt.

Capital Metro staff members present were Chad Ballentine, Kendall Jackson, Kevin Conlan, Jeff Dennin, Caitlin D’Alton, and Mark Hererra.

Capital Metro contractor staff present were Regina Marshall and Nate D.

Others present were Cheryl Hunt and Katherine Rutledge.

ADA Anniversary Commemoration
Chair Prentice and Chad Ballentine

Chair Prentice: Last week was the 28th anniversary of ADA.

Chad: Cap Metro held an ADA celebration. Martin organized the celebration for the agency, and 65 people attended.

Citizens’ Communication
Members of the public

Cheryl Hunt: RideRight small van drivers often have food in the car and it makes dogs excited. Also, she has trouble getting into the back of the van with bench seats – these vans need to be replaced. Paul Hunt: Metro needs to do a better job holding the contractors accountable. Nate: We’ve traded out 2 so far. All replaced in the next 3 weeks. He’ll pass these concerns along.

Glenda Born: She scheduled a ride for tonight and it processed as two hours later. Asks that scheduling people be diligent about verifying. Spoke to supervisor who was very helpful. CM staff: We are aware, and went back and rewatched the call. A trainee entered the wrong time.

Chris Prentice: At stop ID 3316, it is a stop for route 271, but there’s no sign there. Also, people are smoking at bus stop. Something should be done – maybe no smoking signs on bus stop?

Katherine Rutledge: Are there plans to get Pickup back? It’s very convenient to not have to make a reservation too far in advance.
Loma: Had a ride yesterday, and driver told her that its her responsibility to describe her pickup location. Nate will pull the video. Also, she is a door to door passenger. Was left standing on the curb, and luckily a nurse intervened to tell the driver a better place to dropoff. Hunt: There’s a policy that the driver can’t leave the vehicle out of sight. Chad: Consistency is very important. Safety is also important. Sometimes need to make something curb to curb because of the dropoff location. In those situations, we work with the location. Drivers don’t leave vehicle because passengers could get out while the driver is away. At St. David’s, there should be specific instructions from the reservation agent. He’ll take a look at that. Prentice: Driver should make sure the passenger and the destination knows that it’s a curb to curb trip.

**Statistics / Tech Update**  
*Chad Ballentine, VP of Demand Response and Innovative Mobility*

Chad provided his monthly Statistics and Tech Update. He also noted that Raoul is now the Operations Manager at South Base (what Nate does at the North Base). There was an opening for a Director of Innovative Mobility and Demand Response. We just filled that position, and she’ll be one day in at the next meeting.

**Pilot Projects Update**  
*Chad Ballentine, VP of Demand Response and Innovative Mobility*

There is the TNC Pilot, Ride Austin, which is acting as a replacement for the 21/22. Not much usage. The Pickup pilot will come back around June next year, but we don’t know where yet. We’re in the process of buying an app for that. The autonomous vehicle pilot was being tested in the middle of the night. Federal government is working through how they permit these. We’re still moving forward with a November release for the app. It will integrate with other mobility options like bike.

**Future Innovation Zones Update**  
*Chad Ballentine, VP of Demand Response and Innovative Mobility*

HNTB is about to roll out their framework for innovative mobility zones. Same zones as in Cap Remap, also in greater Travis County. Once we get HNTB report back we’ll bring it to the public and consider social equity, etc.

**Budget Update**  
*Kevin Conlan, Director of Budget and Financial Planning*

Kevin presented the FY2019 Budget Plan.

**Cap Remap Bus Stop Construction**  
*Mark Herrera, Technical Project / Program Manager*

Mark gave a presentation on the bus stops that have been constructed during the Cap Remap period. Paul Hunt: Will there be shelters for all frequent routes? Mark: shelters at stops with 50 boardings a day. Molly: Check rail at West Mall stop. Prentice: Check stops on Pierce between Ross and 130. Pat: Can you make benches out of something other than metal? They get very hot.
In Santa Fe, the bus stops are made of something else. Mark: It’s something of an industry standard to provide something indestructible. Pat: Took a group of seniors. Lamar and Airport, 801 stop. Busy shopping center there. Very dangerous to cross. On 801 NB. Caitlin: That intersection has been challenging for years. The City and Cap Metro are looking at better practices for pedestrians, rail crossing, etc.

**August 2018 Service Changes**  
*Caitlin D’Alton, Senior Planner*

Caitlin gave a presentation on the August 2018 service changes. Prentice: 20 getting out of downtown at rush hour is packed, usually standing room only. Caitlin: Will look up. Mike Gorse: 801/803 stopping at Wheatsville. Is that permanent? Caitlin: For a few years we’ve been planning on 8 additional station pairs. 4 of those have been “turned on” ahead of permanent stop being constructed. Put in temporary station at those ones, the other 4 we weren’t able to. Wheatsville, Fairfield, St. Elmo, one more. Those will be there. Throughout the year the other stations will be built. Hunt: The annunciators aren’t announcing those stops.

**Approval of June 2018 Minutes**  
*Access Committee*

Paul Hunt moved to approve the June minutes, and Glenda born seconded. The motion carried unanimously.
Approval of Minutes from the July 30, 2018 Board Meeting.
I. Pledge of Allegiance

II. Safety Briefing

Chief Safety Officer Donna Simmons gave her monthly briefing. Donna screened a short PSA sponsored by Capital Metro that focused on distracted driving.

III. Public Comment:

B.J. Taylor, citizen and Customer Service Advisory Committee member, is a regular rider and spoke to encourage people to give both positive and constructive feedback on Capital Metro's operations and bus operators. She also spoke of the challenges entering the building where CSAC meetings are held.

Cliff Bodenhoffer, citizen, is a fixed-route and MetroAccess customer. Mr. Bodenhoffer spoke of an incident in July where a driver could not find his church for a pickup and he was left to sit out in the heat for an hour. He has had problems with this driver before and he feels his complaints are not being followed up on. Chair Cooper apologized and asked staff to speak with Mr. Bodenhoffer.

Lucius Davis, citizen, spoke of several incidents where bus operators would not put the ramp down for him. He has reported this but is unhappy with the follow up to his complaints. He feels he is lucky to have not been hurt. President Clarke asked Dottie Watkins to follow up with Mr. Davis.

Nailah Sankofa, citizen, expressed her disappointment in a meeting she held recently with President Clarke. She also met with some residents and Capital Metro planning staff about Route 300, and it is clear that Capital Metro is not going to help residents of The Reserve, which had previously been served by this route. It is time for more community action regarding the lack of services from Capital Metro.

Zenobia Joseph, citizen, reiterated her comments that Capital Metro is not following Title VI regulations. Capital Metro has not analyzed all the alternatives and implemented the least discriminatory as required. Changes to routes have disproportionately affected minority populations in North Austin. We have no east-west connectivity on the north side.

IV. Board Committee Updates:

1. Finance, Audit and Administration Committee; and

Chair Mitchell provided his report. The committee met and had two Action Items which are on the agenda today. There were also presentations related to the budget and internal audit.

2. CAMPO update

There was not a CAMPO meeting this month so no report was given.

V. Consent Items
1. Approval of Minutes for June 18, 2018 Public Hearing and June 25, 2018 Board Meeting.

2. Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Agreement (ILA) with Austin Community College for student and employee transit passes for a period of one year from September 1, 2018, to August 31, 2019, that establishes a flat-fee for paratransit, rail and fixed-route bus services of $429,000 for the term of the agreement and includes an option to extend the ILA for four additional years.

Chair Cooper made remarks on the importance of this agreement and thanking ACC's Dr. Rhodes and his staff in helping to craft it.

VI. Action Items:

1. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an Interlocal Agreement with the City of Round Rock for the in-kind exchange of life expired Capital Metro owned vehicles for a comparable value in training for heavy vehicle rescue.

Vice President of Bus Operations Dottie Watkins presented this item. Capital Metro typically auctions vehicles when they are retired from service, but from time to time there is a request that may be of better use to the Agency for these retired vehicles. This agreement would grant 3 non-running vehicles to the Round Rock Fire Department for their International Rescue Academy, who would use them in training exercises. In exchange Capital Metro would receive 7 slots for our security personnel and supervisors to attend the Academy.

2. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an Interlocal Agreement (ILA) with Capital Area Rural Transportation System (CARTS) to provide space at Plaza Saltillo for an interim bus transfer hub.

Executive Vice President of Planning and Development Todd Hemingson presented this item. This agreement would grant space in the existing building at Plaza Saltillo for CARTS to sell tickets, provide information, and facilitate transfers of customers. Some minor building modifications will be made.

Board member Renteria asked about the specific location of the ticket booth and waiting room, and about overall plans for upgrading this site. Todd commented that there is some funding in the proposed budget to begin that process.
3. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an Interlocal Agreement (ILA) with Travis County for a Green Line Financing Analysis and implementation of the Travis County Transit Development Plan in an amount not to exceed $87,242 in FTA Section 5307 funds and $21,810 in local funds from Travis County.

Executive Vice President of Planning and Development Todd Hemingson presented this item. Capital Metro's service expansion program has been in place since 2014, and a portion of our Federal Transit Administration funding is made available to Travis County for service within the county but not in the Capital Metro service area. That effort has been initiated, and this agreement covers a remaining balance within the current fiscal year for two items: a Green Line Financing Analysis, which is a component of Project Connect, and some capital costs related to implementation of the Travis County Transit Development Plan. Todd expects to be back in the coming months with a similar request for FY2019 FTA funds.

Board member Kitchen requested a copy of the Travis County TDP be provided to the board. She also requested clarification of the funding for the Manor on-demand project that Todd mentioned in his presentation.

Board member Travillion commented on the importance of this project in addressing service gaps.

Board member Kitchen asked if the plan could be presented to the board, and Chair Cooper added that it might be useful to see an overview of all of these types of plans.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Sabino Renteria, Board Member
SECONDER: Delia Garza, Board Member
AYES: Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT: Word, Jonse

4. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with Restroom Facilities Ltd. for the construction and installation of a pre-fabricated operator restroom at the Westgate Transit Center for a total not to exceed amount of $172,160.

Project Manager Roger Lewis presented this item. This pre-fabricated restroom would serve bus operators with two accessible, gender-neutral bathrooms at the under-construction Westgate Transit Center.

Board member Kitchen asked if we are planning to provide drinking fountains at this facility. Roger indicated that they are not in the current scope. Board member Kitchen asked if staff could follow up with her on that.

Board member Travillion asked if it was going to be our practice going forward to provide facilities like this. President Clarke responded that we already have some facilities that are like this, and this will also be a part of the larger discussion on real estate that we have with the board in September.
5. Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an Interlocal Agreement with the University of Texas at Austin for shuttle services and rides on Capital Metro services for an estimated revenue of $19,400,000 for a period of three years starting September 1, 2018.

Vice President of Bus Operations Dottie Watkins presented this item. This agreement would continue a partnership we have had with the University since 1989.

Currently Capital Metro has two agreements of this type with UT -- one agreement covers the UT Shuttle and rides on our regular services for UT students, and the other provides for faculty and staff rides. The latter expires at the end of August, and this ILA would consolidate the two agreements into one. This agreement would also change the arrangement for UT Shuttle service from a cost-per-hour charged to the University to a flat fee. It would also change how student, faculty and staff rides get charged from a per-swipe arrangement to a flat fee based on current ridership with moderate ridership increases built in. Both these changes will simplify administration of the agreement for both parties. The third major change in the agreement would change payment for advertising on the UT Shuttle from a revenue share to the greater of a flat 35% of revenue or $100,000.

Board member Travillion asked about tracking usage by UT customers, and asked if he could see some of the data.

Board member Mitchell asked about ridership. Dottie replied that she hopes UT ridership on MetroRapid and frequent services will grow.

Chair Cooper commented that UT has been a great partner, and that the densification of West Campus has led to some decreases in ridership but is an overall positive for land use.

RESULT: ADOPTED [5 TO 0]
MOVER: Ann Kitchen, Board Member
SECONDER: Delia Garza, Board Member
AYES: Mitchell, Cooper, Garza, Kitchen, Travillion
ABSENT: Word, Jonse
AWAY: Renteria

6. Approval of a resolution authorizing the President & CEO, or his designee, to approve the August 2018 Service Changes described in the attached document beginning Sunday, August 19, 2018.

Executive Vice President of Planning and Development Todd Hemingson presented this item.

These are all minor changes apart from Route 350. These changes are primarily school services that were suspended during the summer which are being restored, and other minor schedule and frequency adjustments.

The only significant change is to Route 350, which has been on a temporary detour for the last few weeks which is now being formalized. Instead of entering the Crestview development the route will continue up North Lamar to a terminus at the North Lamar Transit Center. Todd also mentioned that a new Route 493 senior route will be starting connecting the RBJ Center with the H-E-B on East 7th. This will be a one day a week service and funded by an FTA grant.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Sabino Renteria, Board Member
SECONDER: Ann Kitchen, Board Member
AYES: Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT: Word, Jonse
Board member Garza asked for follow up from staff on changes to the Del Valle feeder route, which will no longer serve the ACC campus.

Board member Kitchen asked how the next service change in January will relate to the Cap Remap changes from June. Todd relayed that we normally like to wait and gather data for six months to a year after route changes, but that we will know more when the impacts of student ridership are felt in the coming weeks and we will assess looking for major issues that might get adjusted in January. In early 2019 we will be in a much better place to discuss the full impact of Cap Remap. Board member Kitchen asked when the board will see a compilation of the public comments received from Cap Remap. Board member Travillion also asked if the board could see more empirical data about the change.

Board member Renteria thanked staff for identifying the funding for the new senior route to the RBJ Center.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Delia Garza, Board Member
SECONDER: Ann Kitchen, Board Member
AYES: Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT: Word, Jonse

7. Approval of a resolution authorizing the President & CEO, or his designee, to approve a contract with Ernst & Young, LLP for Enterprise Project Portfolio Management Integration and Implementation Services in the amount of $1,495,311.

Manager of Performance and Strategic Initiatives Pat Vidaurri presented this item.

This contract would provide assistance and expertise to Capital Metro in integrating processes and software to manage our capital projects. In addition, it would provide assistance in creating analytics that would allow for monitoring and reporting on these projects. Once complete the integration will also allow for better financial control for large projects.

Board member Travillion asked if this system would allow for better integration with county and city GIS systems. Pat replied that it was not in the current scope, but it's certainly something that could be looked into for the future.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeffrey Travillion, Board Member
SECONDER: Sabino Renteria, Board Member
AYES: Mitchell, Cooper, Garza, Kitchen, Renteria, Travillion
ABSENT: Word, Jonse

VII. Presentations:

1. Capital Metro Fleet Plan

Vice President of Bus Operations Dottie Watkins presented this item.

This presentation focused on all Capital Metro rubber-tired vehicles. It included a summary of the types and numbers of vehicles we deploy, an overview of State of Good Repair and the fleet replacement process, a peek into what types of vehicles are being considered for the future, and how fleet planning impacts facility planning. She covered the steps that Capital Metro has taken and is taking to prepare our infrastructure and fleet for electrification. Two pilots of electric buses from two different manufacturers will begin shortly.
Board member Travillion asked if there was a resource for transit agencies showing which agencies are using electric vehicles, how many they have, when did they start using them, lessons learned, etc.

Board member Kitchen asked about the timing of the in-service date for electric buses. Dottie replied that they will be in service in 2022, mostly as a result of the required infrastructure improvements that will need to be made. We have also been watching the development of the technology behind electric buses to ensure that when we do purchase buses that they have a range that will suit our needs over their projected 12-year lifespan. Lastly we have be programming the additional money necessary to build the infrastructure and purchase the buses into our future years’ financial plans. Board member Kitchen asked if there was a document or memo explaining how we got to this Phase I plan, and whether there was going to be a board conversation to get more information and discuss the implementation of our short- and long-term plans for electrification. President Clarke responded that this first presentation was a baseline, and that further and more strategic discussions will occur.

2. Update on Autonomous Vehicle Pilot
This item was pulled by staff.

3. FY2019 Capital Metro Budget Proposal
Budget Director Kevin Conlan presented this summary of the Proposed FY2019 Operating and Capital Budget, along with an update to the 5-year Capital Improvement Plan. Kevin reviewed the budget calendar to date and provided an overview of assumptions made when putting the budget together.

Chair Cooper asked for clarification on some of the fixed-route service levels before highlighting that we are putting about 9% more vehicle hours out on the street.

VIII. Reports:

1. President & CEO Update
President & CEO Randy Clarke presented his report:

- An introduction of two new staff members -- Brian Carter, our new Vice President of Communications and Marketing; and Gardner Tabon, new Vice President for Risk, Safety and Accessibility. He spoke of his decision to group these three areas together in a senior management position.
- Capital Metro has received our final FTA Triennial Review, with only three minor findings which have already been remediated. Randy thanked staff for their cooperation and hard work on the review.
- The Art Box program. New art has been created by local artists and now adorns some of the Austin Energy utility boxes along the MetroRapid lines.
- Jordan Golembeski from our Marketing Department has been awarded an APTA scholarship for marketing design.
- Highlights from a calendar of upcoming events of interest.

IX. Items for Future Discussion:

X. Adjournment

ADA Compliance
Reasonable modifications and equal access to communications are provided upon request. Please call (512)389-7458 or email gina.estrada@capmetro.org if you need more information.

BOARD OF DIRECTORS: Wade Cooper, Chair; Delia Garza, Vice Chair; Juli Word, Board Secretary; Terry Mitchell, Pio Renteria, Jeffrey Travillion, Ann Kitchen and Rita Jonse. Board Liaison: Gina Estrada (512)389-7458, email gina.estrada@capmetro.org if you need more information.
The Board of Directors may go into closed session under the Texas Open Meetings Act. In accordance with Texas Government Code, Section 551.071, consultation with attorney for any legal issues, under Section 551.072 for real property issues; under Section 551.074 for personnel matters, or under Section 551.076, for deliberation regarding the deployment or implementation of security personnel or devices; arising regarding any item listed on this agenda.
Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Agreement (ILA) with Travis County for employee transit passes for a period of one year from October 1, 2018, to September 30, 2019, for an amount of $87,000, and which includes an option to extend the ILA for three additional one-year terms.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Agreement (ILA) with Travis County for employee transit passes for a period of one year from October 1, 2018, to September 30, 2019, for an amount of $87,000, and which includes an option to extend the ILA for three additional one-year terms.

FISCAL IMPACT:
This action is revenue-generating.

STRATEGIC PLAN:
Strategic Goal Alignment:
3. Community

Strategic Objectives:
3.4 Support plans and programs designed to build ridership and increase market share of alternate transit use.

EXPLANATION OF STRATEGIC ALIGNMENT:
An ILA with Travis County will maintain a strong partnership that supports Capital Metro’s mission and vision. The ILA has the potential to increase ridership on Capital Metro services and increase revenue.

BUSINESS CASE:
An expiring ILA has helped establish a strong partnership with Travis County that supports Capital Metro's strategic objectives. The proposed ILA will maintain this relationship. The expiring ILA has been well utilized by Travis County employees, and the proposed ILA will encourage Travis County employees to continue to make use of our services.

COMMITTEE RECOMMENDATION:
This agenda item was presented and is recommended for approval by the Finance, Audit and Administration Committee on August 13, 2018.

EXECUTIVE SUMMARY:
As part of Capital Metro’s desire to build strong community partnerships that further Capital Metro’s mission and vision and as part of Capital Metro’s and Travis County’s continued joint effort to promote sustainability through transportation alternatives, this agreement is an Interlocal Agreement (ILA) with Travis County for employee transit passes for a period of one year from October 1, 2018, to September 30, 2019, for an amount of $87,000, and which includes an option to extend the ILA for three additional one-year terms.
DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Marketing/Communications
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-824)

Travis County Interlocal Agreement

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to build strong community partnerships that further Capital Metro’s mission and vision; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to build ridership and increase market share of alternate transit use.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to execute an Interlocal Agreement (ILA) with Travis County for employee transit passes for a period of one year from October 1, 2018, to September 30, 2019, for an amount of $87,000, and which includes an option to extend the ILA for three additional one-year terms.

________________________
Date: _____________________

Secretary of the Board
Juli Word
INTERLOCAL AGREEMENT
BETWEEN
TRAVIS COUNTY AND
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
FOR EMPLOYEE TRANSIT SERVICES

This Interlocal Agreement ("Agreement") is entered into by and between Travis County, Texas ("Travis County"), a political subdivision of the State of Texas, and Capital Metropolitan Transportation Authority ("Capital Metro"), a transportation authority and political subdivision organized under Chapter 451 of the Texas Transportation Code. Capital Metro and Travis County are referred to in this Agreement collectively referred the “Parties” and individually as a “Party”.

I. Recitals
1. The Parties recognize the importance of a regional mobility system and desire to encourage employees of Travis County to access public transportation.
2. This Agreement is effective upon execution by both Parties and is effective until the funding for this Agreement is depleted or is otherwise terminated in accordance with this Agreement.
3. This Agreement is authorized and governed by the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.
4. The Parties now desire to enter into a mutually beneficially agreement that meets the transportation mobility needs of both Parties.

In consideration of mutual covenants and agreements contained herein, the Parties agree to the terms and conditions below as evidenced by the signatures of their respective authorized representatives.

II. Scope
1. Transit Services. The purpose of this Agreement is to provide access to Capital Metro’s paratransit services ("MetroAccess Services"), bus, rail, and RideShare services (collectively, “Services”) to Travis County employees who possess a valid and current Travis County employee photo identification and are eligible to use the Services ("Eligible County Employees").

2. MetroAccess. Capital Metro will provide paratransit services to Eligible County Employees who have been certified for MetroAccess Service via Capital Metro’s certification process. MetroAccess-certified Eligible County Employees must follow Capital Metro’s certification and reservations processes in order to make use of Capital Metro’s paratransit services. Travis County will provide Capital Metro a list of MetroAccess-certified Eligible County Employees at least ten (10) business days before the beginning of a new service month. Capital Metro will then issue Travis County a MetroAccess monthly pass for each of these Eligible County Employees at least five (5) business days before the beginning of that new service month. Travis County will be responsible for distribution of these monthly passes to its MetroAccess-certified Eligible County Employees. Each MetroAccess-certified Eligible County Employee must display a valid MetroAccess monthly pass to the MetroAccess operator prior to boarding a MetroAccess vehicle. In this Agreement, “service month” means a calendar month during
which a MetroAccess-certified Eligible County Employee desires to receive paratransit services from Capital Metro.

3. **Bus and Rail Services.** Capital Metro agrees to provide bus and rail services to any Eligible County Employee, at no charge to the Eligible County Employee, provided each such employee presents a valid Capital Metro pass and Travis County Employee photo identification upon boarding the Capital Metro vehicle.

4. **Coordination.** Capital Metro and Travis County understand the need for coordination and prior approval of the respective governing bodies regarding services, activities, and initiatives; including services, activities and initiatives that involve additional funds. The Parties agree to work together in good faith to coordinate any approvals necessary to obtain services, activities and initiatives that further the goals of this Agreement.

   (a) Capital Metro and Travis County staff will outline the various roles and responsibilities needed to promote and increase Travis County employee ridership.

   (b) Travis County will promote transit use to its employees with the assistance of the Capital Metro Communications and Marketing staff. The number of passes Travis County will require will be determined no later than six (6) weeks before the desired delivery date. Capital Metro will deliver the annual transit passes to the Travis County Human Resources Management Department. Travis County will be responsible for distributing the passes to Eligible County Employees.

5. **Holidays.** The following holidays are observed by Capital Metro and may alter the level of services:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date Observed</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>January 1</td>
</tr>
<tr>
<td>Martin Luther King, Jr.’s Birthday</td>
<td>Third Monday in January</td>
</tr>
<tr>
<td>President’s Day</td>
<td>Third Monday in February</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Last Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4</td>
</tr>
<tr>
<td>Labor Day</td>
<td>First Monday in September</td>
</tr>
<tr>
<td>Veteran’s Day</td>
<td>November 11</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>Fourth Thursday in November</td>
</tr>
<tr>
<td>Friday after Thanksgiving</td>
<td>Friday after Thanksgiving</td>
</tr>
<tr>
<td>Christmas Eve</td>
<td>December 24</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25</td>
</tr>
</tbody>
</table>

6. **Monitoring and Reporting.**

   (a) **Ridership Reports.** Capital Metro will provide ridership reports to Travis County by day 10 of each month. Ridership reports will include the number of unique Travis County employee riders, the number of rides taken for each level/tier of service/per day and for the total month, the total dollar amount per level/tier of service, and the total dollar amount due.

   (b) **MetroAccess (Paratransit) Reconciliation.** From the listing of MetroAccess monthly passes issued to Travis County for its MetroAccess-certified employees, Capital Metro will monitor, compile, and analyze Eligible County Employees’ use of MetroAccess services and provide a monthly ridership report to Travis County. This information will
be reported to Travis County. Capital Metro and Travis County will review the ridership services and eligibility for MetroAccess Services each month to reconcile the services. Capital Metro will submit invoices to Travis County for these services based upon the reconciliation.

(c) **Bus and Rail Reconciliation.** Capital Metro will use the magnetic cards at the bus and rail fare boxes to monitor, compile and analyze bus and rail ridership data. Capital Metro and Travis County will review ridership services and employees’ eligibility each month to reconcile the services. Capital Metro will submit invoices to Travis County for these services based upon the reconciliation.

### III. Term and Termination

1. **Term.** The initial term of this Agreement shall commence on October 1, 2018 and end on September 30, 2019 (the “Initial Term”). After the Initial Term, this Agreement may be renewed for three (3) additional 12-month optional renewals. All optional renewals and extensions are subject to the review and approval of the Capital Metro Board of Directors and the Travis County Commissioners Court. Any changes to the price per ride or payment terms will be negotiated in good faith between the Parties at least ninety (90) calendar days prior to the expiration of the then-current term.

2. **Termination.** Either Party may exercise the right to terminate this Agreement, in whole or part, without cause, upon sixty (60) calendar days prior written notice. Upon receipt of the termination notice Capital Metro will cease all work on the 60th day (“Early Termination”) following the date of the termination notice. Travis County will pay Capital Metro for all Services performed and obligations incurred prior to the Early Termination.

### IV. Compensation and Payment

1. **Contract Amount.** For the Initial Term and each renewal term (unless the Parties have negotiated different prices or payment terms for that renewal term), Travis County will pay to Capital Metro an amount not to exceed $87,000 for that term for Eligible County Employees’ use of the Services, at the rates set forth in Table 1 and Paragraphs 1.1, 1.2, 1.3, and 1.4 below. Capital Metro will invoice Travis County on a monthly basis for the Services.

   1.1 During the term of this Agreement, Travis County will pay Capital Metro for bus and rail services on a per ride basis, at the rates set forth in Table 1 or the then-current, per-ride rates for each class of service. Travis County will pay Capital Metro for MetroAccess Services for MetroAccess-certified Eligible County Employees at the monthly rate set forth in Table 1.

Table 1. Prices for services from October 1, 2018 through September 30, 2019 and for each renewal term unless the Parties negotiate different prices or payment terms for that renewal term.

<table>
<thead>
<tr>
<th>Service</th>
<th>Promotional Fare Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local</td>
<td>$0.88 per ride</td>
</tr>
<tr>
<td>Commuter</td>
<td>$2.45 per ride</td>
</tr>
</tbody>
</table>
MetroAccess  
(Paratransit)  
$46.50 month

1.2 Travis County will pay for the production costs of the transit passes. In addition, if the production costs of the transit passes increase during the term of this Agreement, Travis County agrees to reimburse Capital Metro for the actual additional production costs charged to Capital Metro.

2. **Invoices.** Based upon reconciled ridership services and employee eligibility, Capital Metro will submit an itemized invoice and ridership data reports to Travis County on a monthly basis. Invoices and ridership data may be mailed or sent electronically to:

Syndia Crosbie  
Travis County Transportation and Natural Resources Department  
P.O. Box 1748  
Austin, Texas 78767  
Syndia.Crosbie@traviscountytx.gov

3. **Prompt Pay.** Travis County will pay all invoices on a monthly basis in accordance with Texas Prompt Payment Act, Chapter 2251, and Texas Government Code.

4. **Non-appropriations.** This Agreement is dependent upon the availability of Travis County funding. Travis County's payment obligations are payable only from funds appropriated and available for the Agreement. Travis County will provide Capital Metro written notice if it fails to appropriate the funds to pay the amounts due under this Agreement. Travis County will also notify Capital Metro as soon as practicable if there is a reduction of the appropriated funds necessary for Travis County to perform under this Agreement, or there are insufficient funds available for Travis County to pay its obligations under this Agreement.

V. **General Terms and Conditions**

1. **Right to Audit.**

1.1 Travis County agrees to allow authorized Capital Metro representatives access to all records related to this Agreement. In addition, Travis County agrees to only distribute transit passes and MetroAccess tickets to Eligible County Employees. Travis County will take adequate measures to prevent the transference of passes and tickets to individuals who are not Eligible County Employees.

1.2 Capital Metro agrees to allow authorized representatives of Travis County or other authorized representatives of Travis County, access to, and the right to audit, examine, or reproduce, any Capital Metro records related to the performance of this Agreement. Capital Metro agrees to refund to Travis County any overpayments disclosed by a Travis County audit.

2. **Taxpayer Identification.** Capital Metro shall provide Travis County with an Internal Revenue Form W-9, Request for Taxpayer Identification Number and Certification, that is completed in compliance with the Internal Code and its rules and regulations before any funds are payable.

3. “**Business Day.**” In this Agreement, “business day” means any weekday that is not a holiday designated by the Travis County Commissioners Court.
4. **Entire Agreement.** This Agreement contains the complete and entire Agreement between the Parties respecting the matters addressed herein, and supersedes all prior negotiations, agreements, representations, and understanding, if any, between the Parties regarding Capital Metro’s provision of transit services to Eligible County Employees. This Agreement may not be modified, discharged, or changed in any respect whatsoever except by written instrument duly executed by an authorized representative of the Parties. No official, representative, agent, or employee of Travis County, Texas has any authority to modify this Agreement, except pursuant to such express authority as may be granted by the Commissioners Court of Travis County, Texas. The recitals set forth above and the attached exhibits are incorporated herein.

5. **Texas Public Information Act.** It will be the responsibility of each Party to comply with the provisions of Chapter 552, Texas Government Code, (Texas Public Information Act) and the Attorney General Opinions issued under that statute. Neither Party is authorized to receive requests or take any other action under the Texas Public Information Act on behalf of the other Party. Responses to requests for confidential information shall be handled in accordance with the provisions of the Texas Public Information Act. The provisions of this paragraph survive the termination or expiration of this Agreement.

6. **Fiscal Records.** The Parties will maintain and retain supporting fiscal documents adequate to ensure that claims for Agreement funds are in accordance with applicable state of Texas requirements. These supporting fiscal documents will be maintained and retained for a period of three (3) years from the later of: (a) termination of this Agreement, (b) submission of the final invoices, or (c) until resolution of all billing questions.

7. **Applicable Law.** This Agreement will be governed by and construed in accordance with the laws and constitution of the State of Texas.

8. **Venue.** Venue for any action arising under this Agreement will be in Travis County, Texas.

9. **Successors and Assigns.** This Agreement may not be assigned, in whole or in part, by either Party without the prior written consent of the other party. Any attempt to assign this Agreement, without the consent of the non-assigning Party, will be void. This Agreement will be binding upon and inure to the benefit of the Parties and their successors and assigns (if any).

10. **Independent Contractor.** This Agreement will not be construed as creating an employer-employee relationship, a partnership, or a joint venture between the Parties.

11. **Disputes.** The Parties will make every possible attempt to resolve, in an amicable manner, all disputes between the parties concerning the interpretation of this Agreement. Travis County will submit written notice of any claim of breach of contract under this Agreement to the Capital Metro Board of Directors, who will examine Travis County’s claim and any counterclaim and negotiate with Travis County in an effort to resolve the claim. In the event this negotiation is unsuccessful, then the parties will take the dispute to mediation.

12. **INDEMNIFICATION.** THE PARTIES AGREE THAT EACH GOVERNMENTAL ENTITY IS RESPONSIBLE FOR ITS OWN PROPORTIONATE SHARE OF ANY LIABILITY FOR THE NEGLIGENT ACTS OR OMISSIONS OF ITS EMPLOYEES, AGENTS, CONTRACTORS, OR SUBCONTRACTORS ARISING OUT OF, CONNECTED WITH, OR AS A CONSEQUENCE OF ITS PERFORMANCE UNDER THIS AGREEMENT. NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR ANY INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES (INCLUDING BUT NOT LIMITED TO LOSS OF BUSINESS, REVENUE, PROFITS, OR OTHER ECONOMIC ADVANTAGE), HOWEVER IT ARISES, WHETHER IN AN ACTION OF CONTRACT, NEGLIGENCE, TORT, OR OTHER
13. **Force Majeure.** Except as otherwise provided, neither Party is liable to the other for any delay in, or failure of performance, of a requirement contained in this Agreement caused by force majeure. The existence of such causes of delay or failure shall extend the period of performance until after the causes of delay or failure have been removed, provided the non-performing party exercises all reasonable due diligence to perform. Force majeure is defined as acts of God, war, strike, fires, explosions, or other causes that are beyond the control of either Party and that by exercise or due foresight, such Party could not reasonably have been expected to avoid, and which, by the exercise of all reasonable due diligence, such party is unable to overcome. Each Party must inform the other in writing with proof of receipt within three (3) business days of the existence of such force majeure.

14. **Severance.** Should any one or more provisions of this Agreement be deemed invalid, illegal, or unenforceable for any reason, such invalidity, illegality or unenforceability shall not affect any other provision held to be void, voidable, or for any reason whatsoever of no force and effect, such provision will be construed as severable from the remainder of this Agreement and will not affect the validity of all other provisions of this Agreement, which will remain of full force and effect.

15. **Headings.** The headings contained in this Agreement are for reference purposes only and do not in any way affect the meaning or interpretation of this Agreement.

16. **Notices.** Any notice required or permitted to be delivered under this Agreement will be deemed delivered when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to Travis County or Capital Metro, at the addresses set forth below. Notice given in any other manner will be deemed effective only if and when received by the Party to be notified. Either Party may change its address for notice by written notice to the other Party.

14.1 **Designation of Key Personnel for Notice**

**Travis County:**
- Adele Noel
  - Travis County
  - Transportation and Natural Resources Department
  - P.O. Box 1748
  - Austin, Texas 78767

- David Escamilla (or his successor)
  - Travis County Attorney
  - P.O. Box 1748
  - Austin, Texas 78767

**AND TO:**
- Bonnie S. Floyd, MBA, CPPO, CPPB (or her successor)
  - Travis County Purchasing Agent
  - P.O. Box 1748
  - Austin, Texas 78767

**Capital Metro:**
- Kerri L. Butcher, Chief Counsel
  - Capital Metropolitan Authority
  - 2910 E. 5th Street
  - Austin, Texas 78702
17. **Government Entities.** The Parties to this Agreement are governmental entities within the State of Texas, and nothing in this Agreement waives or relinquishes the right of the Parties to claim any exemptions, privileges and immunities as may be provided by law.

18. **Certifications.** The Undersigned Parties do hereby certify that: (a) the services specified above are necessary and essential and are properly within the statutory functions and programs of the affected governmental entities; (b) the proposed arrangements serve the interest of efficient and economical administration of Capital Metro and Travis County; (c) the services contracted for are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under Agreement given to the lowest responsible bidder nor is this Agreement prohibited by Texas Government Code, Section 771.003(b); and (d) this Agreement neither requires nor permits either Party to exceed its duties and responsibilities or the limitations of its appropriated funds.

**IN WITNESS WHEREOF,** the Parties have caused this Agreement to be executed by their undersigned, duly authorized representatives to be effective as of the date of the last Party to sign.

**Capital Metropolitan Transportation Authority**

By: ____________________________
Randy Clarke
President/CEO

Date: ____________________________

Approved as to form:
By: ____________________________
Legal

**Travis County, Texas**

By: ____________________________
Sarah Eckhardt
Travis County Judge

Date: ____________________________

Approved as to form:
By: ____________________________
Travis County Attorney
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a Memorandum of Understanding with the City of Round Rock authorizing Round Rock to be a direct recipient of a portion of Capital Metro’s FY2019 and FY2020 Federal Section 5307 Program funds.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a Memorandum of Understanding with the City of Round Rock authorizing Round Rock to be a direct recipient of a portion of Capital Metro's FY2019 and FY2020 Federal Section 5307 Program funds.

FISCAL IMPACT:
This action has no fiscal impact.

STRATEGIC PLAN:
Strategic Goal Alignment:
2. Ridership

Strategic Objectives:
2.3 Pursue service expansion opportunities

EXPLANATION OF STRATEGIC ALIGNMENT:
Capital Metro is coordinating with non-members in the Austin urbanized area to meet transit needs in their communities and build a regional system. These efforts will result in a more robust transit network that can eventually be brought together through regional planning efforts.

BUSINESS CASE:
As the designated grant recipient, Capital Metro must concur with the use of federal funds allocated for the Austin urbanized area, which extends beyond the service area. Capital Metro’s goal is to work with these local communities to meet their transit needs now and in the future. By receiving a formulated portion of 5307 funding, the City of Round Rock will be able to continue their on-demand and fixed route service and plan for future transit needs.

COMMITTEE RECOMMENDATION:
This agenda item was presented and is recommended for approval by the Finance, Audit and Administration Committee on August 13, 2018.

EXECUTIVE SUMMARY:
As the public transit provider of the Austin urbanized area, Capital Metro is the designated recipient of federal Section 5307 Program funds for the urbanized area. Per Federal Transit Administration (FTA) guidelines, Section 5307 funds can be used for transit capital and operating assistance in urbanized areas and for transportation

Attachment: Resolution-AI-2018-778  (4176 : MOU with the City of Round Rock for Federal 5307 Funds)
planning. In the past, Capital Metro provided Round Rock a portion of 5307 funds that were apportioned to the agency by the FTA as part of a pass-through arrangement outlined in an interlocal agreement (ILA). In FY2011, the ILA that authorized this arrangement was not renewed and Round Rock elected to become a direct recipient of FTA funds, coordinating directly with the FTA to submit independent grant applications. In FY2013, an agreement was signed for FY2013 and FY2014 Section 5307 funds to be directly distributed to Round Rock. This agreement has been renewed on a biennial basis since that time. Capital Metro is not required to provide technical support or assistance beyond any that may be required by the FTA when a designated recipient authorizes another public entity to be a direct recipient.

Round Rock is permitted to apply for a share of Capital Metro’s FY2019 and FY2020 Section 5307 funds based upon the distribution formula that will be published in the federal register for the FTA FY2019 and FY2020 Section 5307 apportionments.

The distribution of any 5307 funds to Round Rock will be contingent upon the apportionment and distribution of 5307 funds to Capital Metro. If the FTA does not apportion or distribute 5307 funds to Capital Metro, Round Rock would not be eligible to receive 5307 funds as a direct recipient. If the FTA reduces the amount of 5307 funds available to Capital Metro, Round Rock’s share of 5307 funding would be based upon the reduced amount.

These terms are included in the attached MOU between Capital Metro and Round Rock. The MOU expires on September 30, 2020, and applies only to Section 5307 funds appropriated in FY2019 and FY2020.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Finance
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-778)
Round Rock MOU

WHEREAS, Capital Metro is the Designated Recipient of Section 5307 Program funds apportioned by the Federal Transit Administration for the Austin urbanized area; and

WHEREAS, the City of Round Rock has requested a portion of Capital Metro’s Section 5307 funds in order to support the planning, capital development and operation of transit services for the Round Rock community, including demand response bus service, express bus service and reverse commute bus service.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute a Memorandum of Understanding with the City of Round Rock that authorizes Round Rock to continue to be a direct recipient of a portion of Capital Metro’s FY2019 and FY2020 Federal Section 5307 Program funds.

________________________
Date: ____________________

Secretary of the Board
Juli Word
Memorandum of Understanding between the
Capital Metropolitan Transportation Authority and the City of Round Rock
Regarding the Provision of Federal Transit Administration
Section 5307 Program Funds

This Memorandum of Understanding (“MOU”) regarding the provision of Federal Transit Administration Section 5307 Program Funds is executed by and between the City of Round Rock (“City”) a local government public entity and the Capital Metropolitan Transportation Authority (“Capital Metro”) a transportation authority and political subdivision organized under Chapter 451 of the Texas Transportation Code, collectively referred to as “the Parties.” Accordingly, the Parties set forth their intent and understandings as follows:

I. PURPOSE

Capital Metro is the designated recipient of Section 5307 Program funding apportioned by the Federal Transit Administration (“FTA”) for the Austin urbanized area (“Designated Recipient”). This MOU outlines the Parties’ mutual intent and understanding with respect to Capital Metro’s authorization of City as a direct recipient of FTA Section 5307 Program funds. City and Capital Metro agree to work cooperatively and in good faith in the manner set forth herein.

II. KEY TERMS

A. The Parties Mutually Agree:

1. To comply with the requirements of the Urbanized Area Formula Funding Program (49 U.S.C. 5307).

2. Since City is not a member city of the Capital Metro transit system, City would like to become a direct recipient of a share of the Section 5307 Program funding apportioned to Austin urbanized area (“FTA Section 5307 Program Funds”).

3. During the term of this MOU, City is authorized to apply for a share of Section 5307 Program Funds apportioned and distributed to Capital Metro, as Designated Recipient for the Austin urbanized area, based upon the distribution formula established by the FTA for Section 5307 Apportionment Formula Distribution of Available Funds during FTA fiscal years 2019 (October 1, 2018 – September 30, 2019) and 2020 (October 1, 2019 – September 20, 2020) (each a “FTA Fiscal Year”).

4. The distribution of any amounts payable to City as a Direct Recipient is contingent upon the successful apportionment and distribution of Section 5307 funds to Capital Metro as the Designated Recipient for the Austin urbanized area for FTA Fiscal Years 2019 and 2020. If the FTA does not apportion or distribute Section 5307 Program Funds to Capital Metro as the Designated Recipient, City will not be eligible to receive Section 5307 Program Funds as a Direct Recipient. If the FTA reduces the amount of Section 5307 Program Funds available to Capital Metro as the Designated Recipient, City’s share of funding will be based
upon the reduced amount. Capital Metro will not be liable to City for any damages, which are caused or associated with any FTA changes to the amounts apportioned or distributed to the Austin urbanized area under the Section 5307.

5. Capital Metro is not obligated to provide any technical assistance or technical support to City beyond the requirements of FTA Circular FTA C 9030.1E.

6. City’s designation as a Direct Recipient requires the approval by the Capital Metro Board of Directors, and the Round Rock City Council.

7. Capital Metro will not provide technical support or assistance beyond any that may be required by the FTA when a Designated Recipient authorizes another public entity to be a Direct Recipient.

B. Capital Metro’s Responsibility:

1. Capital Metro will remain the Designated Recipient of Section 5307 Program Funds apportioned by the FTA for the Austin urbanized area;

2. Capital Metro authorizes City to be a direct recipient (“Direct Recipient”) of a share of the Section 5307 Program Funds apportioned to the Austin urbanized area based on the distribution formula established by the FTA for Section 5307 Apportionment Formula Distribution of Available Funds during FTA Fiscal Years 2019 and 2020; and

3. Capital Metro’s authorizes this designation once to include all grant applications for FTA Section 5307 Program Funds submitted by City to FTA during the term of this MOU.

C. Round Rock Responsibility:

1. City will remain an eligible FTA grantee for the provision of transit services and construction of transit facilities;

2. As a Direct Recipient, City will use FTA Section 5307 Program Funds to support the planning, capital development and operation of transit services for the Round Rock community;

3. City shall comply with all provisions of FTA Circular FTA C 9030.1E, Urbanized Area Formula Program: Program Guidance and Application Instructions, Chapter 11, Section 8, Applicants Other than Designated Recipients, including but not limited to providing its local share of matching; and

4. City shall comply with all applicable requirements set forth in state or federal law, regulations, policies, and administrative practices.

III. TERM OF MOU

This MOU will be executed and effective as of the date of the last Party to sign (the “Execution Date”) and expire on the last day of the FTA Fiscal Year 2020. The Parties may mutually agree, in writing, to extend the term of this MOU. This MOU may be terminated or modified by thirty (30) day advanced written notice of by either Party.
the event that either Party shall be in default of its material obligations under this Agreement and shall fail to remedy such default within thirty (30) days after receipt of written notice thereof, this MOU may be terminated at the option of the Party not in default upon expiration of the thirty (30) day period. This writing constitutes the entire MOA between Capital Metro and City. No other terms and conditions are applicable, unless amended and agreed to by both Parties.

IV. INCORPORATION OF DOCUMENTS

This MOU incorporates by reference the following attachments:

A. Attachment A, City of Round Rock 5307 FY2016-FY2018 Allocations.
B. Attachment B, Resolution of the Capital Metro Board of Directors approving this MOU.
C. Attachment C, Resolution of the Round Rock City Council approving this MOU.

V. SIGNATORY

This MOU is hereby accepted and agreed to by the following individuals or officers who are duly authorized to bind the Parties as set forth above:

Capital Metropolitan Transportation Authority

By: __________________________________________
Randy Clarke
President/CEO
Date: ____________________________

City of Round Rock

By: __________________________________________
Name: _______________________________________
Title: _______________________________________
Date: ____________________________

Approved as to form:

________________________________________
CMTA Legal Department
Attachment A
City of Round Rock 5307 Allocations

<table>
<thead>
<tr>
<th>Year</th>
<th>FY2016</th>
<th>FY2017</th>
<th>FY2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>5307</td>
<td>550,288</td>
<td>635,037</td>
<td>647,054</td>
</tr>
</tbody>
</table>
Attachment B
Capital Metro Board of Directors Resolution No. 2018-778
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with AgH2O Holdings, LLC for construction of a new bus farebox probe station and two vestibules for the exterior elevator at the North Operations Facility in an amount not to exceed $202,834.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute a contract with AgH2O Holdings, LLC for construction of a new bus farebox probe station and two vestibules for the exterior elevator at the North Operations Facility in an amount not to exceed $202,834.

FISCAL IMPACT:
Funding for this action is available in the FY2018 Capital Budget.

STRATEGIC PLAN:
5. Finance
Strategic Objectives:
5.3 Continue commitment to State of Good Repair (SOGR) and transit asset management

EXPLANATION OF STRATEGIC ALIGNMENT:
Maintaining transit infrastructure in a state of good repair is critical to the agency’s ability to maintain efficient operations. The North Operations Facility exterior elevator and bus farebox probe station are important elements of the agency’s transit assets

BUSINESS CASE:
The construction of the elevator enclosure and expansion of the bus probe shack at the North Operations Facility will reduce long term maintenance costs and improve operational efficiency. The funding for this construction project is included in the FY 2018 capital budget. Enclosing the exterior elevator at North Operations will protect it from environmental elements that hinder its operation. Enlarging the capacity for bus farebox probing will increase the efficiency of operations by allowing cash and data to be collected from buses more efficiently.

COMMITTEE RECOMMENDATION:
This agenda item was presented and is recommended for approval by the Operations, Planning and Safety Committee on August 13, 2018.

EXECUTIVE SUMMARY:
After frequent service outages, an evaluation of the North Operations exterior elevator concluded that malfunction of the unit and ongoing repairs were caused by rainwater infiltration. The evaluation recommended building an enclosure around the elevator doors to prevent rain water from entering the shaft. Upon completion, the unit’s hydraulic system can be repaired to improve long term performance.
Due to the increased level of transit service that is provided from the North Operations facility base, it has been determined that a bus farebox probe unit with a greater capacity is needed in order to collect cash and data from buses in a more efficient manner. This project will include the installation of the larger probe unit.

SBE PARTICIPATION:
SBE participation is encouraged.

PROCUREMENT:
On 6/27/18 an Invitation for Bids was issued and formally advertised. By the closing date of 7/30/18 six bids were received from the following bidders:

<table>
<thead>
<tr>
<th>No</th>
<th>Bidder</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>AgH2O Holdings LLC</td>
<td>$202,834</td>
</tr>
<tr>
<td>2</td>
<td>Piatra Inc.</td>
<td>$254,390</td>
</tr>
<tr>
<td>3</td>
<td>Farnum Construction</td>
<td>$264,353</td>
</tr>
<tr>
<td>4</td>
<td>Novium Group</td>
<td>$288,000</td>
</tr>
<tr>
<td>5</td>
<td>Spaw Glass</td>
<td>$304,823</td>
</tr>
<tr>
<td>6</td>
<td>STR Constructors Ltd</td>
<td>$416,907</td>
</tr>
</tbody>
</table>

AgH2O Holdings LLC was the lowest responsive, responsible bidder and submitted all the required documents with their bid, which was received prior to the established date and time for the receipt of bids. Customer references were checked and revealed a positive performance record. A financial analysis was conducted revealing no financial concerns reflecting that the firm has the adequate financial resources and capacity to conduct the work. AgH2O Holdings LLC is not debarred on the Federal or State Debarred vendor lists. The price was determined to be fair and reasonable based on adequate competition. The contract is a fixed, lump sum contract. The period of performance is 56 calendar days from notice to proceed.

RESPONSIBLE DEPARTMENT: Capital Projects
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-733)
Elevator Enclosure and Probe Station

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to maintain transit infrastructure in a state of good repair for efficient operations; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to construct an elevator enclosure and new bus farebox probe station at the North Operations Facility.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute a contract with AgH2O Holdings, LLC for the construction of a new bus farebox probe station and two vestibules for the exterior elevator at North Operations in an amount not to exceed $202,834.

________________________  
Date: _____________________

Secretary of the Board
Juli Word
Elevator Enclosure and Probe Station
Current Images
Current & Conditions

• Elevator
  - Water is getting into the hydraulic system.

• Probe Station
  - We need to add an additional vault.
  - The attendant has no protection from the elements and there is no place to safely stand to wait for buses to come in.
Probing Station Function

• Each Bus is probed upon entry into the yard
  – A wand is used to collect digital data
  – The money box is taken from the bus and the contents are deposited into the vault
Approval of a resolution authorizing the President & CEO, or his designee, to execute a contract with INFOR for implementation of an Enterprise Asset Management System in an amount not to exceed $4,840,141.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to execute a contract with INFOR for implementation of an Enterprise Asset Management System in an amount not to exceed $4,840,141.

FISCAL IMPACT:
Funding for this action is available in the FY2018 Capital Budget. Option years will be programmed in subsequent budgets and are contingent upon budget approval.

STRATEGIC PLAN:
5. Exhibit good stewardship of public funds

STRATEGIC OBJECTIVES:
5.3 Continue commitment to State of Good Repair (SOGR) and transit asset management

EXPLANATION OF STRATEGIC ALIGNMENT:
This project is designed to implement a new Enterprise Asset Management system to manage all our transit assets, our operational fleet and supporting facilities, allowing for state of good repair maintenance activities to be scheduled and completed on a regular schedule based on equipment manufacturers’ recommendations and improve our transit asset availability and reliability.

BUSINESS CASE:
Capital Metro implemented the existing asset management system – SPEAR, in 2007 to deploy, operate, maintain, upgrade, and dispose of all capital assets and operating inventory for bus, paratransit, commuter and freight rail, non-revenue fleet, and facilities. SPEAR is at the end of its lifecycle, and the vendor has stopped further enhancements and development. A new asset management system is needed to replace the obsolete SPEAR application to cost-effectively manage Capital Metro’s assets, inventory and work-order processes with greater efficiency and improve State of Good Repair on all our assets and comply with related federal regulations.

COMMITTEE RECOMMENDATION:
This agenda item was presented and is recommended for approval by the Operations, Planning and Safety Committee on August 13, 2018.
EXECUTIVE SUMMARY:
Capital Metro implemented the current legacy asset management and work order system – SPEAR, in 2007. The software has since been sold by the original vendor Hansen, to a new vendor INFOR. INFOR is not upgrading SPEAR anymore as it is at the end of its lifecycle. This poses a risk to Capital Metro as it prevents receiving new functionality and upgrades preventing Capital Metro from keeping up with industry best practices, improving efficiency in our processes, better managing the State of Good Repair of our assets and reporting on assets.

This procurement will provide Capital Metro with an improved enterprise asset management, inventory and work order management system for all our transit assets and inventory covering our bus and paratransit fleet, commuter and freight rail, non-revenue fleet, industrial equipment and facilities and improve the State of Good Repair on all our assets.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: On September 1, 2017, a Request for Proposals was issued and formally advertised. By the closing date of October 26, 2017, three (3) proposals were received. The evaluation team used the following factors in the evaluation of proposals:

1. Solution conformance to meet CMTA's needs.
2. Offeror's demonstrated, relevant work experience and capabilities.
3. Methodology and quality of the work plan proposed.
4. Offeror's expertise and solution's conformance to FTA and FRA requirements.
5. Solution's holistic customer orientation.

The proposal from INFOR was determined to be the best value to the Authority, price and other factors considered. The contract is a fixed price contract. The term of the Contract is a two (2) year base with five renewable option periods of one (1) year each, for pricing offered as follows.

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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Total Pricing Base Period (Years 1-2)</td>
<td>$2,321,179</td>
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<tr>
<td>Total Pricing Option Periods 1-5 (Years 3-7)</td>
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<tr>
<td>Total Pricing Optional Items – Integration Services</td>
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<tr>
<td>10% Contingency</td>
<td>$440,013</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$4,840,141</strong></td>
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</tbody>
</table>

RESPONSIBLE DEPARTMENT: Information Technology
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-764)
Enterprise Asset Management Resolution

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to manage Capital Metro’s assets, inventory and work-order processes for bus, paratransit, commuter and freight rail, non-revenue fleet, equipment and facilities with greater efficiency; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to maintain all assets in a State of Good Repair.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to approve a contract with INFOR for implementation of an Enterprise Asset Management System in an amount not to exceed $4,840,141.

________________________
Date: ____________________

Secretary of the Board
Juli Word
Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Contract with the Texas Department of Information Resources (DIR) relating to the use of the DIR Shared Services Master Service Agreements.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to execute an Interlocal Contract with the Texas Department of Information Resources (DIR) relating to the use of the DIR Shared Services Master Service Agreements.

FISCAL IMPACT:
This action has no fiscal impact.

STRATEGIC PLAN:
Strategic Goal Alignment:
1. Customer

Strategic Objectives:
1.2 Improve system reliability and convenience,
1.4 Deliver a customer-friendly experience through our people and systems,
2.2 Lead public transportation and development,
3.2 Build Strong Community Partnerships that further Capital Metro’s mission and vision.

EXPLANATION OF STRATEGIC ALIGNMENT:
The Texas Department of Information Resources (DIR) Open Data Portal allows Capital Metro to publish data generated by our transit systems that includes data for trips, schedules and vehicle positions. This helps promote transparency, contribute to the community and encourage partners seeking to build transit apps that serve our customers.

BUSINESS CASE:
Capital Metropolitan Transportation Authority has been publishing data on the data.texas.gov open data portal since mid-2015. Data.texas.gov hosts our data without any costs to Capital Metro. Due to a recent change, the management of the open data portal is being transitioned to the Texas Department of Information Resources (DIR). Capital Metropolitan Transportation Authority needs to sign an Interlocal Contract with DIR to continue using the data.texas.gov site for publishing our data.

COMMITTEE RECOMMENDATION:
This agenda item was presented and is recommended for approval by the Operations, Planning and Safety Committee on August 13, 2018.
EXECUTIVE SUMMARY:
Capital Metro provides transit data, including real-time vehicle location data feeds of our bus and rail services, on the State of Texas Open Data Portal to promote transparency and encourage developer participation to create innovative apps that will help Central Texans use our services efficiently. This data is provided by Capital Metro and is available for everyone to use, explore, and share. The Portal has tools to easily search, filter, map, and visualize specific data sets for research, collaboration, and innovation.

Data.texas.gov hosts our data without any costs to Capital Metro. Due to a recent State of Texas change, the management of the open data portal is being transitioned to the Texas Department of Information Resources (DIR). Capital Metropolitan Transportation Authority needs to sign an Interlocal Contract with DIR to continue using the data.texas.gov site for publishing our data.

This Interlocal Contract and the related terms and conditions have been reviewed and approved by Capital Metro’s legal department.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Information Technology
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-860)

Interlocal Contract with the Texas Department of Information Resources (DIR)
relating to the use of the DIR Shared Services Master Service Agreements

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to promote open data to increase transparency and openness of our services to our customers and partners; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to continue hosting Capital Metropolitan Transportation Authority data on texas.data.gov open data portal managed by the Texas Department of Information Resources (DIR).

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to approve an Interlocal Contract with the Texas Department of Information Resources (DIR) relating to the use of the DIR Shared Services Master Service Agreements.

________________________  Date: ____________________
Secretary of the Board
Juli Word
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an agreement for Services with Transco Livery Services, Inc. for special event services to the 2018 Austin City Limits (ACL) Music Festival in an amount not to exceed $275,000.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute an agreement for Services with Transco Livery Services, Inc. for special event services to the 2018 Austin City Limits (ACL) Music Festival in an amount not to exceed $275,000.

FISCAL IMPACT:
The funding is included in the proposed FY19 Operating budget and will be fully reimbursed by Transco Livery Services, Inc.

STRATEGIC PLAN:
Strategic Goal Alignment:
1. Customer
3. Community

Strategic Objectives:
1.4 Deliver a customer-friendly experience through our people and systems,
3.1 Educate and inform stakeholders and the community about Capital Metro’s vision and mission and the value public transit brings to a community.

EXPLANATION OF STRATEGIC ALIGNMENT:
Large events provide a unique opportunity to demonstrate the role public transportation can play in supporting a dynamic community. Event service provides an opportunity to provide a customer-friendly experience to people who might not otherwise elect to use public transportation.

BUSINESS CASE:
Capital Metro typically supports event transportation needs only in situations where the level of service required cannot feasibly be provided by charter companies. In such cases, Capital Metro recovers all expenses and charges the fully-allocated rate per vehicle hour for bus service.

COMMITTEE RECOMMENDATION:
This agenda item was presented and is recommended for approval by the Operations, Planning and Safety Committee on August 13, 2018.

EXECUTIVE SUMMARY:
Capital Metro has participated in special event service to the Austin City Limits Music Festival (ACL) since it began in 2002. Capital Metro will enter into a service agreement with Transco Livery Services, Inc. (TLS). The organizers of the ACL festival contract with TLS to manage various parking and transportation needs associated with the
The Federal Transit Administration (FTA) regulations 49 CFR Part 604 limits recipients of federal transit funding from providing charter services. These regulations are in place to prevent federally funded entities from unfairly competing with private/for-profit charter companies for service. Accordingly, the FTA requires that Capital Metro demonstrate that no charter service providers are interested in running a specific event service. Because of this requirement, Capital Metro typically supports event transportation needs only in situations where the quantity of service required cannot feasibly be provided by charter companies. In such cases, Capital Metro recoups all expenses and charges the fully-allocated rate per vehicle hour for bus service.

The charter service notice for 2018 ACL service was sent to all registered charter service providers on July 21, 2017. No registered providers indicated an interest in providing the service.

Under this agreement, Capital Metro will provide the following services:

- Friday, October 05, 2017 - Up to 40 buses for an estimated 200 vehicle hours.
- Saturday, October 06, 2017 - Up to 60 buses for an estimated 720 vehicle hours.
- Sunday, October 07, 2017 - Up to 40 buses for an estimated 200 vehicle hours.
- Friday, October 12, 2017 - Up to 40 buses for an estimated 200 vehicle hours.
- Saturday, October 13, 2017 - Up to 60 buses for an estimated 720 vehicle hours.
- Sunday, October 14, 2017 - Up to 40 buses for an estimated 200 vehicle hours.

Capital Metro will be paid $116 per vehicle hour for each hour of service provided. This rate is based on the fully allocated cost of bus service in Capital Metro’s cost allocation model. This rate covers the cost of the vehicle, operator and limited Capital Metro and contracted service provider operations staff. Any additional items provided by Capital Metro (food, ice, water, light towers, etc.) will be reimbursed by TLS in addition to the per vehicle hour rate for service.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Bus and Paratransit Services
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-803)
Agreement for Services for ACL Music Festival

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to support a dynamic community and promote the use of public transportation; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to provide event service in support of the Austin City Limits Music Festival.

NOW, THEREFORE, BE IT RESOLVED that the Capital Metropolitan Transportation Authority Board of Directors authorizes the President & CEO, or his designee, to finalize and execute an Agreement for Services with Transco Livery Services, Inc. for special event services to the 2018 Austin City Limits (ACL) Music Festival in an amount not to exceed $275,000.

_________________________________________  ____________________________
Secretary of the Board  Date: ________________________
Juli Word
Approval of a resolution authorizing the President & CEO, or his designee, to negotiate and execute a three-year Interlocal Agreement (ILA) with Travis County to implement the Travis County Transit Development Plan in an amount not to exceed $221,422 in FTA Section 5307 funds and $332,133 in local funds from Travis County per year.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to negotiate and execute a three-year Interlocal Agreement (ILA) with Travis County to implement the Travis County Transit Development Plan in an amount not to exceed $221,422 in FTA Section 5307 funds and $332,133 in local funds from Travis County per year.

FISCAL IMPACT:
Refer to executive summary for clarification.

STRATEGIC PLAN:
Strategic Goal Alignment:
2. Ridership

Strategic Objectives:
2.2 Lead public transportation and development

EXPLANATION OF STRATEGIC ALIGNMENT:
This project will help Capital Metro to lead public transportation and development by sharing FTA funds with Travis County for the implementation of the Travis County Transit Development Plan that will expand transit service into the urbanized unincorporated areas of the county.

BUSINESS CASE:
Travis County is participating in the Capital Metro Service expansion Program, which provides Travis county with up to $221,422 per year in FTA Section 5307 funds for transit projects. This ILA defines the parameters for the use of the federal funds.

COMMITTEE RECOMMENDATION:
This agenda item was presented to the Operations, Planning and Safety Committee on August 13, 2018.

EXECUTIVE SUMMARY:
Travis County is participating in the Capital Metro Service Expansion Program. This program provides a portion of FTA Section 5307 funding to areas that are urbanized, but are outside the Capital Metro service area. Based on the unincorporated urbanized area population, Travis County has $221,422 in federal transit funding available per year to apply to transit planning or service related costs through this program.

In order to access the federal funds, Travis County completed a Transit Development Plan, or TDP, per the guidelines of the Service Expansion Policy. The TDP was adopted by Travis County Commissioners Court on July 10, 2018.
The plan recommends continued funding of the urbanized unincorporated portions of the Northeast Feeder Routes, or Routes 233 and 237. The plan also recommends the following new projects:

- FY 2019 - Manor Area on Demand Pilot
- FY 2019 - Hornsby Bend/Austin’s Colony on Demand Pilot
- FY 2020 - Del Valle Route Extension
- FY 2021 - Priority Route Extension

This ILA outlines the terms of the agreement between Capital Metro and Travis County for implementation of the Travis County TDP. The agreement will expire on September 30, 2021.

Travis County Commissioners Court will consider approval of this ILA on August 28, 2018.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Planning and Development
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-817)
Travis County ILA for FY19-21 Service

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to lead public transportation and development and to grow the service and customer base for transit; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to partner with local jurisdictions in order to provide transit services outside the Capital Metro service area.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Board of Directors that the President & CEO, or his designee, is authorized to negotiate and execute a three-year interlocal agreement (ILA) with Travis County to implement the Travis County Transit Development Plan in an amount not to exceed $221,422 in FTA Section 5307 funds and $332,133 in local funds from Travis County per year.

________________________
Date: _____________________

Secretary of the Board
Juli Word
Travis County FY19 – FY21 Service ILA

Board of Directors Meeting
August 27, 2018
Service Expansion Policy - Background

• The Service Expansion Policy was adopted by the Capital Metro Board in 2014

• The policy provides a process for jurisdictions in the urbanized area, but outside the Capital Metro service area, to access FTA funds for transit projects
Why Service Expansion?

- Provides Capital Metro with a mechanism to provide service in the region and to be a regional leader
- 2010 Census added jurisdictions to the UZA that previously qualified for rural transportation (CARTS)
- Sales tax in these jurisdictions is capped
- Jurisdictions pay full cost of service with FTA and local funds – No sales tax dollars are used
Transit Development Plan (TDP)

• A TDP is the first step in Service Expansion Program participation

• TDPs identify need, analyze service options and financing, and provide recommendations for service

• An adopted TDP is required for use of FTA Section 5307 funds for transit projects outside the service area

• Use of the funds also requires an ILA between Capital Metro and the jurisdiction
## Jurisdictions in the Service Expansion Program

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Adoption Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Round Rock</td>
<td>November 2015</td>
</tr>
<tr>
<td>Hutto</td>
<td>February 2016</td>
</tr>
<tr>
<td>Buda</td>
<td>May 2016</td>
</tr>
<tr>
<td>Georgetown</td>
<td>September 2016</td>
</tr>
<tr>
<td>Travis County</td>
<td>July 2018</td>
</tr>
<tr>
<td>Pflugerville</td>
<td>August 2018</td>
</tr>
</tbody>
</table>
Travis County TDP - Background

• The Service Expansion program allocates FTA funding up to $221,422/year to Travis County for transit projects

• On July 10th, Travis County Commissioners Court approved a three-year Transit Development Plan for the use these funds

• Approval of this ILA will reserve FTA funds for FY19, 20 & 21 to implement transit projects in unincorporated, urbanized Travis County
## ILA Budget

### Northeast Feeder Routes and TDP Implementation

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Project Cost Estimate</th>
<th>FTA Section 5307 Funds</th>
<th>Travis County Match Funds</th>
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</thead>
<tbody>
<tr>
<td>2019</td>
<td>$ 553,555</td>
<td>$ 221,422</td>
<td>$ 332,133</td>
</tr>
<tr>
<td>2020</td>
<td></td>
<td></td>
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<tr>
<td>2021</td>
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</tbody>
</table>
Travis County FY19 – FY21 Service ILA

Board of Directors Meeting
August 27, 2018
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute Amendment Two to the Interlocal Agreement (ILA) for Regional Mobility and Transportation Projects with the City of Austin to reduce the total reimbursement by Capital Metropolitan Transportation Authority to the City of Austin by $6,000,000 and to redirect those funds for the development of Project Connect.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to finalize and execute Amendment Two to the Interlocal Agreement (ILA) for Regional Mobility and Transportation Projects with the City of Austin to reduce the total reimbursement by Capital Metropolitan Transportation Authority to the City of Austin by $6,000,000 and to redirect those funds for the development of Project Connect.

FISCAL IMPACT:
This action has a positive fiscal impact.

STRATEGIC PLAN:
Strategic Goal Alignment:
1. Customer
2. Ridership
3. Community
5. Finance

Strategic Objectives:
2.3 Pursue service expansion opportunities,
3.2 Build Strong Community Partnerships that further Capital Metro’s mission and vision.

EXPLANATION OF STRATEGIC ALIGNMENT: This ILA supports Project Connect and high-capacity transit development, both priority efforts for the agency.

BUSINESS CASE: To continue the development of Project Connect, funding is needed to advance preliminary engineering and environmental analysis under the National Environmental Policy Act (NEPA). Through this amendment to the ILA, an additional $6 million will become available to support project development for Project Connect.

COMMITTEE RECOMMENDATION:
This item was presented and is recommended for approval by the Board of Directors on August 27, 2018.

EXECUTIVE SUMMARY: Capital Metro has a long-standing agreement with the City of Austin commonly referred as the quarter-cent agreement. Under this amendment to the ILA, $6,000,000 is to be redirected for use for environmental analysis and preliminary engineering for Project Connect. Capital Metro and the City of Austin have been coordinating efforts to align Project Connect with several city initiatives, including the
Austin Strategic Mobility Plan and Bond Corridor programs. Building on this partnership, negotiations with the City of Austin resulted in an amendment to the existing ILA to reduce the balance of the total reimbursement amount by $6,000,000. This funding instead will be retained by Capital Metro and applied to the Project Connect effort. Amendment Two is attached for reference.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Planning and Development
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-862)
Amendment Two to the ILA with the City of Austin for Regional Mobility and Transportation Projects 8.3.18

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management have identified Project Connect as a priority effort for the agency and the community; and

WHEREAS, the Austin City Council approved a resolution authorizing Amendment Two to the Interlocal Agreement for Regional Mobility and Transportation Projects at their August 9, 2018 meeting to reduce the Total Funding Amount by $6,000,000 and to redirect those funds for the development of Project Connect;

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to finalize and execute Amendment Two to the Interlocal Agreement for Regional Mobility and Transportation Projects with the City of Austin to reduce the total reimbursement by Capital Metropolitan Transportation Authority to the City of Austin by $6,000,000 and to redirect those funds for the development of Project Connect.

Date: _______________________

Secretary of the Board
Julie Word
Approval of a resolution authorizing the President & CEO, or his designee, to approve the August 2018 Service Changes beginning Sunday, August 19, 2018.
SUBJECT:
Approval of a resolution authorizing the President & CEO, or his designee, to approve the August 2018 Service Changes beginning Sunday, August 19, 2018.

FISCAL IMPACT:
Funding for this action is available in the FY2018 Operating Budget.

STRATEGIC PLAN:
Strategic Goal Alignment:
1. Customer

Strategic Objectives:
1.2 Improve system reliability and convenience
1.3 Ensure an attractive and accessible transit environment

EXPLANATION OF STRATEGIC ALIGNMENT:
Service Changes are in accordance with Capital Metro’s Service Standards. These changes are designed to meet Goals 1-4 in Capital Metro’s Strategic Plan:
1). Deliver the best possible customer experience,
2). Demonstrate Regional Leadership,
3). Demonstrate the value of public transportation in a dynamic community,
4). Continue to improve organizational practices and develop staff.

BUSINESS CASE:
These changes are intended to improve the overall customer experience of recent changes as a part of CapRemap through the minor modification of select. In addition, select services are suspended during the summer (end of school year) but will be reinstated in August to coincide with the start of the fall semester of area public and higher learning institutions. Finally, a minor route modification has been made to Route 350 to reinstate its connection to North Lamar Transit Center and direct access to other routes in the system.

COMMITTEE RECOMMENDATION:
This agenda item will be presented to the full Board on August 27, 2018.

EXECUTIVE SUMMARY:
Staff presented these proposed changes to the board prior to the June 18th Public Hearing and based on feedback from the public input process, they recommended the following for final approval at the July board meeting.

• CapRemap (Minor Schedule Adjustments) – To improve the revised network performance, select routes may receive minor adjustments to their schedules in order to improve on-time performance. No major routing adjustments are anticipated except for Route 350 Airport which recently reintroduced connectivity at North Lamar Transit Center.
• School Related Changes – Normal reinstatement of fall service levels for UT Shuttle, E-Bus, and select trips on mainline routes (from summer suspension). In addition, to match service levels with demand, several UT Shuttles have received minor schedule adjustments.

These changes are intended to improve the overall customer experience and are in accordance with the FY 2018 budget. These changes will have no impact on MetroAccess services.

Although the board approved August 2018 Service Changes at the July board meeting, staff became aware that an equity analysis was necessary for the new route (Route 493 Eastview is a single service route, operated one-day a week and serves seniors and key activity centers, such as grocery stores). The analysis has been completed and found no disparate or disproportionate impact on low-income or minority populations.

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Planning and Development
RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

RESOLUTION (ID # AI-2018-863)
August 2018 Service Changes Resolution

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management endeavor to support the recent changes of CapRemap which were designed to provide cost-effective fixed-route transit services that respond to and build ridership demand while minimizing impacts on current riders; and; and

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to consider citizen comments and staff recommendations received during several public meetings and at the June 18, 2018 Public Hearing; and; and

WHEREAS, an equity analysis, required under the Federal Transit Administration’s (FTA) Title VI found no disparate impact (minority) or disproportionate burden (low-income) on affected populations.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or his designee, is authorized to implement August 2018 Service Changes described in the attached document beginning Sunday, August 19, 2018.

________________________
Date: August 27, 2018

Secretary of the Board
Juli Word
Title VI Service Equity Analysis

August 2018 Service Changes

Capital Metropolitan Transportation Authority
Austin, Texas

August 2018
Executive Summary

The Capital Metropolitan Transportation Authority (Capital Metro) continues to evaluate closely all services throughout the system to ensure maximum efficiency of resources and the riders served. As part of normal practice, Capital Metro is proposing several minor adjustments for implementation in August 2018. However, a new Route 493 is also included in the proposal which falls under the definition of a "major service change" and triggers a Title VI Equity Analysis.

Capital Metro is cognizant of Title VI of the Civil Rights Act of 1964, Section 601 that states:

“No persons in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

Capital Metro’s responsibility is to guarantee that all transit service, and access to its facilities, are equitably distributed and provided without regard to race, color, or national origin. Capital Metro’s goal is to also ensure equal opportunities to all individuals to participate in all local, sub regional and regional transit planning and decision-making processes.

Overall the proposed service changes will have a positive impact within the system because of the level of investment proposed to increase capacity through additional trips on existing services. Capital Metro believes that these proposals do not violate federal mandates. According to the Federal Department of Transportation’s Circular 4702.1 B,

“[Agencies] shall evaluate significant system-wide service and fare changes and proposed improvements at the planning and programming stages to determine whether these changes have a discriminatory impact.”

The August 2018 service changes are in accordance with Capital Metro’s Service Standards and represent an incremental step in refining Connections 2025 (CapRemap). Connections 2025 was a plan developed with significant input from the community, riders and members of the Board of Directors for Capital Metro to ensure maximum efficiency of the service provided to the public (in accordance with adopted Capital Metro Service Standards).

The proposed changes are added resource investments designed to increase ridership for the system. The general themes of the proposed changes are as follows:

- **Connections 2025 (Minor Schedule Adjustments)** – To improve the revised network performance, select routes will receive minor adjustments to their schedules in order to improve on-time performance. No major routing adjustments are anticipated except for Route 350 Airport which recently reintroduced connectivity at North Lamar Transit Center.

- **School Related Changes** – Normal reinstatement of fall service levels for UT Shuttle, E-Bus, and select trips on mainline routes (from summer suspension). In addition, to match service levels with demand, several UT Shuttle have received minor schedule adjustments.

- **Senior Route** – Introduction of grant funded senior route in East Austin. Table 1 below provides additional information.

### Table 1 – Additional Details for August 2018 Service Changes

#### Minor Schedule Adjustments

<table>
<thead>
<tr>
<th>Concept</th>
<th>Service Levels</th>
<th>MetroAccess</th>
</tr>
</thead>
<tbody>
<tr>
<td>Select Routes</td>
<td>Improve Service Delivery and or Operation</td>
<td>TBD</td>
</tr>
</tbody>
</table>

#### School Related Changes

<table>
<thead>
<tr>
<th>Concept</th>
<th>Service Levels</th>
<th>MetroAccess</th>
</tr>
</thead>
<tbody>
<tr>
<td>EBus – 410, 411 and 412</td>
<td>Reinstated to Fall Service Levels</td>
<td>Thursday / Friday / Saturday</td>
</tr>
<tr>
<td>Mainline Routes 4, 7, 17, 333</td>
<td>Select Trips Reinstated for Fall for school related access</td>
<td>Weekday</td>
</tr>
<tr>
<td>All UT Shuttles</td>
<td>Service reinstated to Regular Service Levels</td>
<td>Weekday / Sunday</td>
</tr>
</tbody>
</table>

#### Senior Route

<table>
<thead>
<tr>
<th>Concept</th>
<th>Service Levels</th>
<th>MetroAccess</th>
</tr>
</thead>
<tbody>
<tr>
<td>Route 493</td>
<td>New Service in East Austin connecting senior living centers with major activity centers.</td>
<td>Mondays</td>
</tr>
</tbody>
</table>
These changes are intended to improve the overall customer experience and are in accordance with the FY 2019 budget and Connections 2025 (CapRemap).

The following evaluation focuses on changes where services will be modified and whether impacts may occur as follows:

- Assesses the effects of the proposed changes on minority and low-income populations.
- Assesses the alternatives available for people affected by these changes.
- Determines which, if any of the proposals would have a disproportionately high effect on minority and low-income riders.
- Describes the actions Capital Metro will take to minimize, mitigate or offset any adverse effect of these changes on minority and low-income riders.
Methodology

Definition of Minority Populations

Minority populations were considered according to the FTA circular guidelines and follow Capital Metro’s approved 2015 Title VI reporting methodology. Groups represented by this definition include:

- Black or African American
- American Indian and Alaska Native
- Asian
- Native Hawaiian and Other Pacific Islander
- Some other race
- Two or more Races
- Hispanic or Latino (of any race)

Definition of Low-Income Populations

Low-income persons were considered according to the FTA circular guidelines but are refined to reflect Capital Metro’s most recent reporting to the FTA. Thus, we have identified household incomes less than $29,999* as low-income. The threshold for this is set at 18% which is the reported percentage of Low-Income households for Travis County (of which over 95% of Capital Metro’s Service Area encompasses).

According to the Federal Transit Administration, low income is defined as, a person whose median household income is at or below the Department of Health and Human Services’ poverty guidelines. Capital Metro’s Planning has referenced poverty as 125% of the federal definition of poverty for a family of four. The poverty level for a family of four is $21,200 and if a 125% measure is applied, it would equate to a threshold of $26,500. However because Census Information is collected and reported in $10,000 increments, low income households are referenced when reporting less than $29,999.

Definition of Major Service Change

Currently, Capital Metro will consider any service changes that qualify for a public hearing as “major” and in need of analysis under Title VI. Service changes that require a public hearing are currently defined as:

- The establishment of new bus routes
- A substantial geographical alteration on a given route of more than 25% of its route miles
- The elimination of any bus service
- A major modification which causes a 25% or greater reduction in the number of daily service hours provided
Identification of Impacted Census Tracts

Capital Metro used census data at the tract level to determine potential Title VI impacts. Tracts impacted by the changes have been identified and population demographics within these tracts have been quantified by route change. Census tracts have been identified as follows:

For All Route Changes (Section 1A of FTA Circular 4702.1B Chapter V, Requirement 4) and constituting more than 25% of a particular route receiving a change to its schedule or route alignment:

- Tracts impacted by a routing change were included in the analysis; only tracts where the change occurs are accounted for in the analysis.
- If a significant headway change (more than 25%) is occurring, all tracts traversed by the impacted segments of the route are assessed.
- Where an entire service is being discontinued, all tracts traversed by the route are assessed (note: for August 2018, no services are proposed for elimination or replacement)

Determination of Route-Level Impacts

This report combines information from Census Tract to evaluate impacts on routes to receive major service changes.

To determine disproportionate impacts to population within the Capital Metro service area, minority and low-income populations are quantified by route for all impacted census tracts. For this analysis, Capital Metro used 2010 Census for Minority identification and 2010 Census for Income. To calculate each, we used the following:

Minority Impacts: Minority Population* / Total Population = % Minority Population

Minority Population were identified as: Black or African American + American Indian and Alaska Native + Asian + Native Hawaiian and Other Pacific Islander + Some other race + Two or more Races + Hispanic or Latino (of any race)

Low-Income Impacts: Population with Household Income less than $29,999 / Total Population of all Household Income levels = % Low-Income Population

According to the Federal Transit Administration, low income is defined as, a person whose median household income is at or below the Department of Health and Human Services’ poverty guidelines. Capital Metro’s Planning has referenced poverty as 125% of the federal definition of poverty for a family of four. The poverty level for a family of four is $21,200 and if a 125% measure, as noted above is applied, it would equate to a threshold of $26,500. However, because information from the survey is collected in $10,000 increments, low income would be referenced mostly as individuals who make less than $29,999. Capital Metro’s Survey does not have information to pinpoint the threshold of $26,500. Source: (http://www.usa.com/TX453001849-population-and-races.html - Based on ACS 2010-2014 data for each tract).
The quantified population percentages were then compared to the Capital Metro service area threshold designations for each category and which have been previously reported to the FTA as part of recent Title VI assessments:

<table>
<thead>
<tr>
<th>Category</th>
<th>Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minority Population</td>
<td>33%</td>
</tr>
<tr>
<td>Low-Income</td>
<td>$29,999 (18%)</td>
</tr>
</tbody>
</table>

When the percentages for impacted minority and low-income populations were higher than the threshold, impacts were considered disproportionate. Capital Metro then has identified the actions and/or alternatives to minimize, mitigate or offset any adverse effect of these changes on minority and low income riders

* Maps depicting changes to routes in this section are provided.

**Minority Route**

A route that has at least 1/3 of its total revenue mileage in Census Tract(s) with a percentage of minority population that exceeds the average percentage of minority population in Capital Metro’s service area.

**Adverse Effect Thresholds**

An adverse effect occurs when minority or low-income population affected by a major service change with greater or less than 2% of the average of minority (33%) or low-income population (18%) thresholds of Capital Metro’s service area. Elimination of a route will generally have a greater adverse impact than a change in headways.

**Disparate Impact**

Adverse effects on minority population that is considered to be significantly disproportionate.

**Disproportionate Burden**

Adverse effects on low-income population that is considered to be significantly disproportionate.
August 2018 Service Changes
**Route 493 Eastview Senior Route**

**Service Change** – Introduction of new Senior route operating on Mondays.

**Background** – Capital Metro received a Section 5310 Grant in 2016 to evaluate and implement Senior type routes with the goal of connecting senior living centers and major activity centers. The route was designed with the help of data provided by the Travis County Health and Human Services. Additional data used in the design of the service was provided by Capital Metro’s Office of Mobility Management and MetroAccess. The new service has received letters of support from several area agencies that support seniors including Area Agency on Aging. Table 2 below shows demographic characteristics of the area to be served according to the 2010 US Census (Minority Population) and 2010-2014 American Community Survey (Income).

**Table 2 - Demographic characteristics of the service area of Route 493**

<table>
<thead>
<tr>
<th>Route</th>
<th>Change Type</th>
<th>Total Population (Persons-Census) / (Households-ACS)</th>
<th>Total Persons and Percent Minority (Census)</th>
<th>Total Households and Percent Low Income (ACS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>493 Eastview</td>
<td>New Senior Route (Mondays Only)</td>
<td>29,750 / 12,324</td>
<td>22,237 / 71%</td>
<td>4,233 / 34%</td>
</tr>
</tbody>
</table>

The following points are based on Table 2 above and Table 3 on page 10:

- This analysis finds no disparate impact on minorities or the classes protected by Title VI because this new service would serve predominantly minority population. All census tracts are minority tracts and the overall minority population is 71%, well above 33% threshold.
- This analysis also finds no disproportionate burden on low-income riders since this service would serve predominantly low-income population. All except one tract is below the poverty level and the overall low-income population is 34%.
- This service will be concentrated in an area where a significant portion of Minority and Low-Income populations will receive a direct benefit.
- The grant funds received from CAMPO are limited to this particular type of service.
- There is no additional mitigation required for minority or low-income riders at this point.
Table 3 - Demographic characteristics by Tracts of the service area of Route 493

Minority Profile

<table>
<thead>
<tr>
<th>Tract Served</th>
<th>Total Persons</th>
<th>Minority Persons</th>
<th>Minority (Percent)</th>
<th>Threshold (Minority)</th>
<th>Minority Tract</th>
<th>Available Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.01</td>
<td>1,498</td>
<td>1,249</td>
<td>83.4%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>8.02</td>
<td>3,067</td>
<td>2,532</td>
<td>82.6%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>9.01</td>
<td>2,027</td>
<td>1,399</td>
<td>69.0%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>9.02</td>
<td>5,413</td>
<td>4,405</td>
<td>81.4%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>10</td>
<td>3,656</td>
<td>2,564</td>
<td>70.1%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>11</td>
<td>5,512</td>
<td>1,641</td>
<td>29.8%</td>
<td>33%</td>
<td>No</td>
<td>New Service</td>
</tr>
<tr>
<td>21.09</td>
<td>3,830</td>
<td>3,218</td>
<td>84.0%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>21.11</td>
<td>4,747</td>
<td>4,229</td>
<td>89.1%</td>
<td>33%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
</tbody>
</table>

Poverty Level Profile

<table>
<thead>
<tr>
<th>Tract Served</th>
<th>Total Households</th>
<th>Households Below Poverty Level</th>
<th>Poverty Level (Percent)</th>
<th>Threshold (Poverty)</th>
<th>Poverty Tract</th>
<th>Available Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.01</td>
<td>618</td>
<td>218</td>
<td>35%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>8.02</td>
<td>1,223</td>
<td>642</td>
<td>52%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>9.01</td>
<td>820</td>
<td>359</td>
<td>44%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>9.02</td>
<td>1,866</td>
<td>736</td>
<td>39%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>10</td>
<td>1,536</td>
<td>646</td>
<td>42%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>11</td>
<td>2,952</td>
<td>442</td>
<td>15%</td>
<td>18%</td>
<td>No</td>
<td>New Service</td>
</tr>
<tr>
<td>21.09</td>
<td>1,600</td>
<td>456</td>
<td>29%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
<tr>
<td>21.11</td>
<td>1,709</td>
<td>734</td>
<td>43%</td>
<td>18%</td>
<td>Yes</td>
<td>New Service</td>
</tr>
</tbody>
</table>

Minor Changes which do not meet the threshold requirement to warrant an Equity Analysis

- **Minor Schedule Adjustments** - In an effort to continue improving overall system performance, select routes will receive minor adjustments to their schedules. Minor modifications will be made to services in order to improve on-time performance and are the result of public and staff feedback received during the course of outreach. Final changes will be listed in final public documents.

- **School Related Changes** – Normal reinstatement of fall service levels for UT Shuttle, E-Bus, and select trips on mainline routes (from summer suspension). In addition, to match service levels with demand, several UT Shuttle have received minor schedule adjustments.
Conclusion

The analysis presented herein outlines the factors that staff evaluated for this new Route 493 to determine whether a disproportionate impact would occur on Minority or Low-Income groups. When staff did find that a change would impact one of these groups, available alternatives (including alternate trips and services) were identified that could provide comparable service. This additional route is designed to improve operating efficiency as well as provide services to minority and low-income population.

Service investments coincide with the use of grant appropriations specifically designated with new Route 493 service. New Route 493 service is designed to improve connectivity (specifically for seniors) in a particular portion of the community. Recently, for June 2018, an expansion of frequent route services was implemented for a large portion of the community served.

Tables and maps provided before detailed information on population characteristics of the service area of Routes 493. This analysis confirms that there will be no disparate impact on minority or the classes protected by Title VI. Additionally, no disproportionate burden exists on low-income riders since these new services provide more benefits to low-income riders. There is no additional mitigation required for minority or low-income riders at this point.
TITLE: Capital Metro Technology Update
CapMetro Mobile App: Next Major Release

- **Fall, 2018:**
  - **Major New Release**
    - *Improved Interface / Less Clicks*
    - *Apple / Android Wallet Pay*
    - *3rd Party Multi-Modal Partners*
    - *Bike, Car, Ride, Scooter Share*
    - *Payment & Pass Integration for Selected Initial Partners*
      - *Single Payment / Combined Ticketing*
CapMetro Mobile App
Multi-Modal

- First/Last Mile
- Integrated Real-Time Capital Metro & 3rd Parties
- Combined Trip Planning
- Combined Ticketing
Fare Collection Systems

- Board session coming in October
  - New Ticket Vending Machines
  - Back-Office Customer Account Based System
    - Common Enterprise Back-Office System for all customer fare collection systems
  - Mobile App
    - Aggregator of Transit / 3rd Party Transportation Options
Intelligent Transportation Systems

- Operations Control Center
- Expanded Video Capability
- New Dispatch Software
Corporate Systems

- Data Warehouse
  - Performance Dashboard
  - Analytics
- Enterprise Asset Management System
- Financial Systems Refresh
Onward

• **Keeping Eye On Investment/Use of Technology**
  – Improve Customer Service
  – Increase Ridership
    • Speed / Convenience / Cost
  – Maintain / Increase Competitive Advantage
    • TNC’s – Collaborators / Competitors
  – Maintain System Standards for effectiveness and efficiency

• **Capital Metro ➡ Technology Company**
Thank You
TITLE: Capital Metro Diversity and Workforce Report
Capital Metro Diversity Program Elements

• Equal Employment Opportunity Program
  – Workforce Diversity of Capital Metro and Service Providers
  – Equal opportunity and non-discrimination in all employment practices

• Disadvantage Business Enterprise (DBE) and Small Business Enterprise (SBE) Program
  – DBE and SBE participation in procurement of goods and services
EEO Program Highlights
Workforce Diversity in Strategic Plan

Current Human Capital Goal:

• Recruit, attract, retain, develop, motivate and reward a diverse, high performing and top quality work force
EEO Officer Responsibilities

- Implement/monitor EEO Plan and Affirmative Action Program
- Responsible for EEO investigations
- Accountable for compliance
- Identify potential problem areas for investigation
- Establish workforce diversity goals
Review of Employment Data

- Report to the CEO periodically progress on goals
- Review EEO reports quarterly with senior management compared to goals
- Review new hires, promotions, transfers, terminations for compliance
Federal Transit Administration Triennial Review

- Triennial EEO Review – No discrepancies and reviewer quote “You all rocked and your responsiveness was refreshing”
Workforce Diversity Overview

- Capital Metro and Service Providers are more diverse than current workforce availability in all minority groups
- Capital Metro female representation is similar to current workforce availability
- Service Provider workforce female representation under current workforce availability
Capital Metro
Affirmative Action Plan Goals

• Goals were set in 4-year plan in 2015
• Updating for 2019 based on current availability
• Meeting current plan goals in all categories with exception of:
  – Females in Professionals job category
Recruiting Sources

- Sources specific to job skills
- Texas Workforce Commission
- Conference of Minority Transportation Officials
- Women in Transportation
- Women’s Business Council
- Greater Austin Black Chamber of Commerce
- Greater Austin Asian Chamber of Commerce
- Hispanic Chamber of Commerce
Questions
Disadvantaged Business Enterprise (DBE)
Small Business Enterprise (SBE)
Participation
Capital Metro DBE Goal

A DBE Goal is established to encourage participation by minority businesses in contract opportunities.

• The Triennial DBE goal of Capital Metro for FY2017-19 on newly awarded contracts is **17.19%**

• Past DBE achievement for FTA reporting periods
  For Oct 2017-Mar 2018 - **24.87%**
  For Apr 2017-Sep 2017 - **3.91%** (Positive Train Control)
  For Oct 2016-Mar 2017 - **18.79%**
Capital Metro SBE Achievement

A SBE Goal is established to encourage participation by small businesses with revenues within established size standards in contract opportunities.

• SBE commitments on newly awarded contracts
  For Oct2016 – Mar 2018
  41.93%
DBE and SBE Outreach

Community Outreach

• Capital Metro semi-annual small business networking events
• Central Texas Small Business Partnership SMBR (City of Austin), AISD, ACC, Travis County
• Events with Minority Chambers of Commerce
Questions
Capital Metro Workforce Diversity Report (Attachment)
August 2018

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports
Overall Diversity Report
CMTA, Service Providers and Austin

Gender

- Male: 68%
- Female: 50%

Race & Ethnicity

- White: 66%
- African American: 4%
- Hispanic: 24%
- Two or More: 2%
- Asian Pacific: 3%
- American Indian: 0%
- Native Hawaiian: 0%
- Native Hawaiian: 0%
- Two or More: 2%

# of CMTA Employees: 308
# of Service Provider Employees: 1,515
Total Workforce: 1,823

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports
Officials and Administrators

President, EVP, VP, Directors, Managers and Supervisors

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports

- Male: 53% Capital Metro, 63% Service Provider, 80% Austin (Available)
- Female: 47% Capital Metro, 20% Service Provider, 37% Austin (Available)

- White: 63% Capital Metro, 39% Service Provider, 74% Austin (Available)
- African American: 6% Capital Metro, 18% Service Provider, 27% Austin (Available)
- Hispanic: 18% Capital Metro, 18% Service Provider, 31% Austin (Available)
- Asian Pacific Islander: 3% Capital Metro, 3% Service Provider, 0% Austin (Available)
- Native Hawaiian: 0% Capital Metro, 0% Service Provider, 0% Austin (Available)
- American Indian: 0% Capital Metro, 0% Service Provider, 6% Austin (Available)
- Two or More: 4% Capital Metro, 2% Service Provider, 0% Austin (Available)

# of CMTA Employees-68
# of Service Provider Employees-49
Professionals/Paraprofessional

Accountants, IT Administrators, Business Systems Analyst, Communication Specialist, Contract Administrators, Coordinators, Data Analyst, HR Generalists, Planners, Buyers, Community Engagement Specialist, Legal Coordinators, QA Specialist, Inventory Specialists, and other similar jobs.

<table>
<thead>
<tr>
<th></th>
<th>Capital Metro</th>
<th>Service Provider</th>
<th>Austin (Available)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>61%</td>
<td>54%</td>
<td>46%</td>
</tr>
<tr>
<td>Female</td>
<td>39%</td>
<td>24%</td>
<td></td>
</tr>
</tbody>
</table>

Two or More: 6%
Native Hawaiian: 0%
American Indian: 0%
Asian Pacific Islander: 0%
Hispanic: 29%
African American: 29%
White: 70%

# of CMTA Employees: 133
# of Service Provider Employees: 17

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports.
Technicians

Web Developer, Equipment Engineer, Network Administrator I, Maintenance Technicians, System Support Specialist, Mobile Technology Technicians, and other similar jobs.

86% 79%
14% 21%
26% 21%

Capital Metro: Male 86%, Female 79%
Service Provider: Male 14%, Female 26%

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports
Administrative Support
Accounts Payable/Receivable Specialist, Customer Service Reps, Administrative Assistants, Fare Inspectors, Support Specialist, and other similar jobs.

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports

CapMetro.org | Workforce Diversity Report
Service Maintenance
Facility Installers, Mechanics, Service Island, Building Maintenance

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports

8.2.b Packet Pg. 127
Attachment: Workforce Demographic Data Report Aug Board (4189 : Capital Metro Diversity and
Operatives
Bus Operators, Sedan Drivers, Van Drivers, and other similar jobs.

Austin Survey data from 2012 – 2016 U.S. Census Bureau using Census Population Survey Tool for Austin-Central Texas Area, CMTA data as of 6/30/2018, and Service Provider Data based on 2017 EEO1 reports

Service Provider  Austin (Available)

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Service Provider</th>
<th>Austin (Available)</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>25%</td>
<td>29%</td>
</tr>
<tr>
<td>Asian Pacific Islander</td>
<td>2%</td>
<td>0%</td>
</tr>
<tr>
<td>Native Hawaiian</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>American Indian</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Two or More</td>
<td>1%</td>
<td>0%</td>
</tr>
<tr>
<td>White</td>
<td>52%</td>
<td>35%</td>
</tr>
</tbody>
</table>

# of CMTA Employees: 0
# of Service Provider Employees: 1,131
Protective Service Workers
Temporary Part-time Security Officers (APD)

Male | Female
---|---
92% | 90%
8% | 10%

United States

Two or More | Capital Metro | Austin APD*
---|---|---
0% | 0% | 2%
Native Hawaiian | 0% | 0%
American Indian | 0% | 0%
Asian Pacific Islander | 2% | 0%
Hispanic | 20% | 25%
African American | 18% | 8%
White | 55% | 68%

*City of Austin APD Workforce as of June 2018

# of CMTA Employees: 158
To: Board of Directors
From: Diponker Mukherjee, Office of Diversity
Date: July 23, 2018
Subject: Summary Information on Capital Metro’s DBE/SBE Programs

Background

The Disadvantaged Business Enterprise (DBE) Program is a federally required program under 49 CFR part 26 for recipients of federal funds with $250,000 or more in contracting opportunities (excluding bus/vehicle purchases). Capital Metro has crafted its DBE Program as required by the Federal Transit Administration (FTA). A Small Business Program (SBE) element is also included in the DBE Program.

Capital Metro’s DBE Program delineates our process of overall goal setting and good faith efforts. Our role is to monitor and assist with contract compliance on various items, such as prompt payment, goal attainment, and payment discrepancies. Staff is involved in the procurement process from beginning to end, starting with the setting of DBE goals for federally funded procurements and SBE goals for locally funded procurements. It also includes evaluation of the submitted procurements for DBE/SBE compliance and monitoring of the contracts once they have been awarded.

Annual DBE Goal Setting Process

The DBE rule requires us to set the overall triennial DBE goals and submit the Goal Methodology to the FTA every three years for approval. Capital Metro uses a two-step method to calculate and adjust the goal figures. First, we identify the future projects using federal funds and work areas, and their relevant North American Industrial Classification System (NAICS) codes. The NAICS is the standard used by federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

The goal is set based upon Ready, Willing, and Able (RWA) DBE firms, relative to all businesses that are RWA to participate on federally assisted contracts. We find a base figure for the relative availability of DBEs and adjust it using a weighted method to calculate the overall goal. The overall goal is also split by Race Conscious (RC) and Race Neutral (RN) means based on the past attainment of program goals.
RC is a contract goal where we set a goal on each contract for the prime to meet. We assign a RN goal to a project mostly when there is a low availability of DBEs. RN includes any time a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE contract goal.

The current DBE goal for Capital Metro is for FY2017-19. The next triennial DBE goal is scheduled to be established and submitted to the FTA by August 1, 2019. Capital Metro is also required to submit semi-annual DBE reports of progress toward achieving the goal to the FTA by June 1 and December 1.

The overall DBE goal of Capital Metro for FY2017-19 was 17.19%, of which 7.83% should be achieved through Race Conscious and 9.36% through Race Neutral means. The latest semi-annual DBE report covering the period from October 1, 2017 through March 31, 2018 shows a total DBE achievement of 24.9% for newly awarded contracts, of which 10.48% is through Race Conscious and 14.39% is through Race Neutral means.
SBE Goal Setting

Capital Metro defines a small business as any business whose annual gross income averaged over the past three (3) years does not exceed the Small Business Administration’s (SBA) size standards as set forth in 13 CFR, Part 121. A size standard is the largest that a firm can be and still qualify as a small business.

So far, the FTA hasn’t established any such reporting requirements for SBE goal achievement or a triennial SBE goal-setting methodology. However, we have run a report for SBE commitments in Capital Metro projects during that period (10-01-17 to 03-31-18), and it shows 27.39% of locally funded project dollars went to SBEs.

DBE/SBE Goal-setting Process for Individual Projects

Once the Office of Diversity receives a project from the Procurement Department, we separate those projects by the funding sources: federal and local. Federally funded projects are assigned a potential DBE goal and locally funded projects a potential SBE goal.

We identify all work areas from the scope of work, find corresponding North American Industrial Classification System (NAICS) codes, get the latest census of all firms and all certified DBEs/SBEs by each NAICS codes, and calculate the goal which is a ratio between available DBE/SBE firms and all firms.

Only a Disadvantaged Business Enterprise (DBE) firm will be counted toward DBE credit for any project with a DBE goal. However, all DBE firms as well as any Small Business that is certified as a Small Business Enterprise (SBE), Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and Historically Underutilized Business (HUB) meeting the SBA size requirement will be accepted as meeting Capital Metro’s SBE requirements.

We are required to meet the maximum feasible portion of our overall goal by using race-neutral means of facilitating race-neutral DBE participation. The following are a few ways that we can receive RN credit:

1. When we seek a DBE participation with Race Neutral means on any federally funded procurements, the solicitation will be publicized stating “Race Neutral” under the DBE Component.
2. Any overage from a Race Conscious goal would also be captured on a Race Neutral Basis.

3. Capital Metro previously applied a Small Business Enterprise (SBE) goal on a few federally funded projects. Its effectiveness was positive as we received DBE participation through race neutral means.

The Office of Diversity staff participate in pre-bid, pre-proposal, and pre-construction conferences to outline and review requirements and responsibilities of contractors involved in specific project. We act as a convenient resource to find certified small businesses and provide guidance on DBE/SBE requirements. Once bids or proposals are received, we provide a memo to Procurement that includes responsiveness to DBE/SBE goals related to all bidders or proposers. Once a project is awarded, we monitor the contract for DBE/SBE compliance until close-out.

Outreach Measures

We conduct outreach to DBEs and Small Businesses in various ways. We have joined a local group called the Central Texas Small Business Partnership (CTSBP) with other local government agencies to reach out to more local businesses efficiently. We also do Small Business outreach with minority chambers of commerce. There are events almost every month.

We coordinate two large DBE and Small Business networking sessions annually. The Office of Diversity of Capital Metro coordinates these events. More than 100 small businesses participate at each of these events. Capital Metro service contractors as well as prime and subcontractors, and government agencies were among the participants. We provide information on upcoming procurements, educate attendees on how to do business with Capital Metro, and facilitate networking between prime contractors and subcontractors.

We are currently organizing a special DBE/SBE networking event on August 9th for some upcoming large projects: Downtown Transit Station Construction and Fixed Route Service.
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1. General Information

Applicability:
Capital Metro is a recipient of U.S. Department of Transportation (DOT) funds and has a Disadvantaged Business Enterprise (DBE) Program that meets the requirements of the Federal Transit Administration (FTA) for federally funded projects under 49 CFR Part 26.

Definitions of Terms
The terms used in this program have the meanings defined in 49 CFR 26.5.
PURPOSE

Capital Metro has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. Capital Metro has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, Capital Metro has signed an assurance that it will comply with 49 CFR Part 26 including new provisions as approved in the final rule change approved by Congress in January of 2011. Federal regulations require that Capital Metro have an approved DBE policy in this form under Sections 49 CFR Part 26.1 and Part 26.23.

POLICY STATEMENT

It is the policy of Capital Metro to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy—

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To assist the development of firms that can compete successfully in the marketplace outside the DBE Program; and
7. To have a Small Business provision for DOT-assisted contracts without regard to DBE certification.

Diponker Mukherjee of the Office of Diversity is designated as the DBE Liaison Officer for Capital Metro. In that capacity, Mr. Mukherjee is responsible for overseeing all aspects of the DBE program and is responsible for implementing the program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by Capital Metro in its financial assistance agreements with the Department of Transportation.

Signature: [Signature]
Date: 03/22/18
3. **Nondiscrimination. (26.7)**

Capital Metro will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin.

In administering its DBE program, Capital Metro will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

4. **DBE Program Updates (26.21)**

Capital Metro will continue to carry out this program until all funds from DOT financial assistance have been expended. Capital Metro will provide to DOT updates representing significant changes in the program.

5. **Quotas (26.43)**

Capital Metro does not use quotas in any way in the administration of this DBE program.

6. **DBE Liaison Officer (26.25)**

Capital Metro has designated the following individual as our DBE Liaison Officer: **Diponker Mukherjee, 2910 E. 5th Street, Austin, Texas 78702; (512) 369-6255; Diponker.Mukherjee@capmetro.org.** In that capacity, Mr. Mukherjee is responsible for overseeing all aspects of the DBE program and ensuring that Capital Metro complies with all provisions of 49 CFR Part 26. He has direct, independent access to the Chief Executive Officer concerning DBE program matters. Capital Metro’s DBE staff includes two positions: DBE Liaison Officer (DBELO), who is responsible for implementing all aspects of the DBE program and a Diversity Specialist, who assists in coordinating outreach in the business community, and monitoring compliance through B2Gnow vendor payment software. An organization chart displaying the DBELO’s position in the organization is found in **Attachment 1** to this program.

The DBELO is responsible for developing and monitoring the DBE program, in coordination with other appropriate officials. Duties and responsibilities include the following:

i. Analyzes Capital Metro’s progress toward goal attainment and identifies ways to improve progress;

ii. Advises the Chief Executive Officer and Capital Metro Board of Directors on
DBE matters and achievement;

iii. Develops outreach programs and maintains public relations with businesses and other agencies to increase participation with DBE businesses.

iv. Affects and monitors compliance throughout the contracting process through presentations at pre-proposal and pre-bid conferences, advising on evaluation/review panels, reviewing and approving contract language and monitoring contracts for compliance.

v. Tracks actual payments to DBE vendors and reports to the FTA and the President/CEO.

vi. Maintains and utilizes working relationships with DBE Program counterparts in an effort to remain current on techniques and to share resources.

vii. Monitors changes to the DBE regulations by Internet research and interaction with Federal Transit Administration and DBE Program counterparts.

viii. Maintains DBE records and ensures compliance with established policies and procedures.

ix. Performs database management activities including the entering, retrieving, and manipulating of DBE record information; prepares reports as requested.

x. Tracking actual payments to DBE vendors.

xi. Compiles materials or other information needed for vendors and assists with pre-proposal and pre-bid conferences as directed.

xii. Preparations of reports to the FTA and the President/CEO.

The duties and responsibilities of the Diversity Specialist:

a. Prepares materials to inform the public: special reports, newsletter, and other publications.

b. Establish goals, monitor contracts, and ensure compliance with all aspects of the DBE program.

c. Ensure that applicable federal laws that pertain to DBE are adhered to.

d. Communicate with prime and subcontractors to ensure contractor is DBE certified and the certification is valid.

e. Engage in monitoring activities to ensure DBE compliance.

f. Initiates community outreach programs through Capital Metro sponsored workshops, meeting presentations and participation in various events and meetings that enhance DBE utilization and that increase Capital Metro DBE visibility and commitment at various events.

Capital Metro has signed the following assurance, applicable to all DOT-assisted contracts and their administration:

“Recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all the necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The recipient’s DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to Recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).”

Additionally, Capital Metro will ensure that the following language is included in financial assistance agreements with sub recipients and require the prime contractor to impose the same requirement on each subcontract the prime contractor signs with a subcontractor.

“The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of the contract. The contractor shall carry out the applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure to carry out these requirements is a material breach of this contract, which may result in the termination of the contract or such other remedy as recipient deems appropriate, which may include, but is not limited to: (1) withholding monthly (or periodic) payments; (2) assessing sanctions; (3) liquidated damages; and/or (4) disqualifying the contractor from future bidding as non-responsible.”

8. **DBE Financial Institutions (26.27)**

It is the policy of Capital Metro to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions. Capital Metro has researched and collected information on the availability of DBE owned financial institutions in our area at [http://www.federalreserve.gov/releases/mob/](http://www.federalreserve.gov/releases/mob/). The list will be available at the Office
Diversity and Capital Metro will also re-evaluate the availability of DBE financial institutions every year.

9. **Directory (26.31) and Bidder's List (26.11)**

Capital Metro uses a directory identifying all firms eligible to participate as DBEs from the Texas Unified Certification website directory. The directory lists the firm's name, address, phone number, date of most recent certification, and the type of work the firm has been certified to perform as a DBE. The Directory is updated frequently. Capital Metro makes the link to the Directory available to all interested parties electronically and in hard copy upon request. The link to the Directory may be found in **Attachment 2** to this program document.

Capital Metro uses Onvia DemandStar as well as the information captured on the Schedule C Form, and bid tabs on all submitted solicitation proposals to generate the Bidders List. Capital Metro provides all vendors wishing to do business with Capital Metro a free subscription of Onvia DemandStar to be added to our list of vendors. The information collected by Capital Metro meets the requirements as outlined in part 26.11 (c) 2; a) The name of the firm; b) the firm’s address c) firm’s status as a DBE/Non-DBE; d) age of the firm; and (e) annual gross receipts of the firm. A current copy of our bidders list may be received upon request.

10. **Overconcentration (26.33)**

Capital Metro has not identified that overconcentration exists in the types of work that DBEs perform.

11. **Prompt Payment Mechanisms (26.29)**

Prompt Payment (26.29(a)):

Capital Metro will include the following clause in each DOT-assisted prime contract and it will apply to payments made to both DBE and non-DBE subcontractors:

Subcontractor and Supplier Payments: In accordance with Texas Government Code, Title 10 Chapter 2251 Sec. 2251.022, the Contractor shall provide payment to each Subcontractor and Supplier within ten (10) calendar days after receiving payment from Capital Metro for amounts previously invoiced for work performed or materials furnished under the Contract. Subcontract payment provisions shall require payments to subcontractors within ten (10) calendar days after the prime Contractor received payment from Capital Metro. Interest on late payments is subject to the provisions of Texas Government Code, Title 10, Chapter 2251, regarding payments to subcontractors. Under Sec. 2251.023, subcontractors are also required to make payments to their subcontractors no later than the 10th day after the date the subcontractor receives payment from Contractor. Failure to pay
subcontractors within 10 days and/or failure to submit appropriate certification of subcontractor payment will be considered in the review of the Contractor's performance of the contract and may result in the withholding of payment to the Contractor.

Retainage (26.29(b)): The Contractor agrees further to return retainage payments to each subcontractor within 10 days after the subcontractor's work is satisfactorily completed.

Monitoring and Enforcement: 26.29 (d) Capital Metro has also established the following additional mechanisms to ensure prompt payment and will include it in all contractual agreements.

Billing Disputes: If a payment dispute arises between the Contractor and any Subcontractor or Supplier related to this Contract, the Contractor shall provide a written response to the Subcontractor or Supplier, with a copy to the Contracting Officer, specifically addressing any disputed amounts. The Contractor should resolve all disputed invoices at the earliest time to avoid a delay in the submission of required subcontractor/supplier payment certifications that could delay payment to the Contractor. In the event that the Contractor cannot resolve a subcontractor or supplier disputed invoice, the Contractor shall bring the matter to the attention of the Contracting Officer at the time of submitting the Contractor's invoice for payment. The Contracting Officer will investigate the situation and make a determination whether the Contractor's invoice should be processed for payment without the required subcontractor or supplier certification. The Contracting Officer will not mediate the dispute between the Contractor and any subcontractor or supplier in the resolution of disputed invoices. At no time will the Contractor invoice Capital Metro for amounts in dispute without prior notification to the Contracting Officer.

Subcontractors: The Contractor shall not, without the written consent of Capital Metro, terminate a subcontractor, or replace a subcontractor previously listed or permit such subcontract to be assigned or transferred, or allow that portion of the work to be performed by anyone other than the listed subcontractor, except the Contractor may perform a previously subcontracted portion of the work itself with qualified personnel upon written approval from Capital Metro. After award, the Contractor shall not enter into a subcontract for work to be performed without prior notification to Capital Metro. At no time will the Contractor invoice Capital Metro for amounts pertaining to subcontractors terminated or substituted without prior approval.
12. Monitoring and Enforcement Mechanisms (26.37)

Capital Metro will bring to the attention of the Department of Transportation any false, fraudulent, or dishonest conduct in connection with the program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in 26.109. Capital Metro also will consider similar action under our own legal authorities, including responsibility determinations in future contracts.

Capital Metro has put in place various monitoring and enforcement mechanisms to ensure that work committed to DBE’s at contract award or subsequently (e.g., as a result of modification to the contract) is actually performed by the DBEs to which work was committed. Capital Metro uses a third-party vendor payment verification system to ensure that DBEs are receiving their payments for work in accordance with the prompt payment rules. The DBEs must log into the system, and verify the prime contractors reported payment to the DBE. We will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract award. DBE’s have the ability to report any issue directly with the DBE staff who monitor the system.

We will also provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. In addition to the payment verification system, Capital Metro DBE staff, conducts periodic site visits to ensure that the DBE is carrying out its responsibilities by actually performing, managing, and supervising the work involved; and it furnishes the supervision, labor, and equipment necessary to perform its work. Capital Metro DBE staff tracks these visit’s using a form that is signed by the DBE contractor’s representative on site, and kept with the contract file.

Attachment 3 lists the regulations, provisions, and contract remedies available to us in the events of non-compliance with the DBE regulation by a participant in our procurement activities.


Capital Metro has taken active, effective steps to ensure small business participation as part of Capital Metro’s procurement process. Capital Metro has incorporated the following non-discriminatory elements to its DBE program, in order to facilitate competition on DOT-assisted public works projects by small business concerns (both DBEs and non- DBE small businesses).

Capital Metro’s small business participation program uses the following elements:
(1) Establishing a race-neutral small business set-aside for prime contracts above $25,000 and under $50,000.

(2) On prime contracts over $50,000 not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved. A Small Business Goal will be assigned. The SBE program procedures are designed to operate as an amendment to Capital Metro’s current overall DBE program. An implementation schedule is incorporated as part of the plan to ensure that our program is fully operational within nine months after final approval is given by the FTA.

The intent of Capital Metro’s SBE program is to provide full and fair opportunities for equal participation by small businesses at Capital Metro. Therefore, the program is broad in order to create opportunities, require competitiveness and assist SBEs in overcoming potential barriers to participating in contracting opportunities.

Outreach and technical assistance are key to enhancing opportunities for small businesses. To that end, Capital Metro will also focus efforts on outreach and technical assistance.

In determining whether a firm is eligible to compete as a small business, Capital Metro defines small business as any business whose annual gross income averaged over the past three (3) years does not exceed the Small Business Administration’s (SBA) size standards as set forth in 13 CFR, part 121. A size standard is the largest that a firm can be and still qualify as a small business.

**Objectives:**

1. To ensure opportunities for small businesses to participate in all phases of Capital Metro’s contracting activities;

2. To encourage small businesses to seek work as a prime or sub-contractor when qualified and work is available;

3. To ensure nondiscriminatory practices in the utilization of small businesses for Capital Metro contracts;

4. To formalize existing practices and implement new procedures to more effectively assist small business participation.
Implementation:

1. Establishing a race-neutral small business set-aside for prime contracts above $25,000 and under $50,000.

2. On prime contracts over $50,000 not having DBE contract goals, requiring the prime contractor to provide subcontracting opportunities of a size that small businesses, including DBEs, can reasonably perform, rather than self-performing all the work involved. A Small Business Goal will be assigned.

The small business must meet competition requirements to be considered for contract award. Capital Metro’s Procurement Department has implemented strategies to reduce the complexity and potential scope of large multiple-award contracts to a level that helps small businesses participate as prime contractors.

As part of this approach, Capital Metro has taken steps to preserve small business opportunities to increase competiveness and to prevent contract bundling. To that end, the Procurement Department encourages communication between contract administrators, project managers, and agency staff responsible for monitoring the use of small businesses to identify work that small businesses can perform.

Capital Metro carefully reviews all scopes of work to determine if there are sections where there are definitely separable elements that can be unbundled.

3. The Procurement Department will continue to closely review proposed changes to existing contracts to ensure that small businesses are given the opportunity to bid on any new work that is out of the scope of the existing contract;

4. The DBE staff collaborates with the City of Austin’s Small & Minority Business Resources Department as well as the Texas Department of Transportation’s Disadvantaged Business Enterprise and Small Business Enterprise Section to pool resources and create an ongoing joint program that will provide technical assistance and other services for small businesses;

5. The DBE staff will provide assistance in overcoming limitations such as inability to obtain bonding or financing, by such means as providing services to help small businesses obtain bonding and financing through the US Department of Transportation Office of Small and Disadvantaged Business Utilization’s Financial Assistance Division Short-Term Lending Program and Bonding Assistance Program and;

6. Generate awareness of Capital Metro’s procurement opportunities to small businesses by utilizing our vendor database system DemandStar to post
notices, broader advertisement circulation to small business associations and leverage existing partnerships to encourage small business participation on Capital Metro projects. Additionally, the Procurement Department has recently started using the State of Texas’ Electronic State Business Daily vendor files to identify new potential small business enterprises;

7. Capital Metro currently has a Micro and Small Purchasing program to continue to encourage small business participation in the bidding process.

Outreach and Technical Assistance:

Relationship building is a key element in this program and business outreach and technical assistance help to foster this process. Business development outreach efforts include attending and co-sponsoring focused events to reach other potential small businesses desiring to participate on Capital Metro’s projects.

The DBE staff will work closely with small business associations and advocacy groups to ensure that procurement opportunities are known to SBEs.

Outreach efforts will include advertising in print and electronic media regarding upcoming small business events, forums and special events. Capital Metro’s Business Center web site will also be used for outreach. Upcoming events will be posted on the web for easy access.

The DBE staff will work closely with small businesses to provide technical assistance including hands on assistance, referral to chambers, trade associations, economic development groups and other small business advocacy agencies, training.

Responsible Capital Metro staff will provide information on contractual requirements and projected procurement opportunities.

Information on the SBE program will be disseminated through written materials, seminars, workshops, and specialized assistance to individual firms.

The DBE staff plans to utilize available resources such as working with other entities to develop a small business development guide to include information on procedures outlining specific steps on how to bid such as; prerequisites for bidding on contracts; information on how plans and specifications can be obtained; Names of persons to contact concerning questions on bid documents; names of procurement officers and office hours; types of supplies and services purchased; and explanations of standard contract implementation procedures and requirements, concerning such matters as timely performance of work, contract changes, and payment schedules.
**Accountability:**

The effectiveness of the SBE program will be measured by a review of data indicating prime and subcontract awards to small businesses. FTA currently does not require the submission of project goals for the SBE program. However, the DBE team plans to use the data Capital Metro track to set a baseline after the program has been implemented for one year in order to determine an accurate goal setting methodology for this program.

Upon request, DBE staff will be prepared to submit progress assessment reports to the Board of Directors that may include:

1. The number of contracts awarded to small businesses;
2. A description of the general categories of contracts awarded to small businesses;
3. The dollar value of contracts awarded to small businesses;
4. The dollar value and number of contracts awarded to small businesses as prime contractors.

**14. Overall Goals (26.45)**

**Amount of Goal**

Capital Metro will calculate its triennial overall DBE goal and publish it to show what percentage of the Federal financial assistance in DOT-assisted contracts Capital Metro will expend, exclusive of FTA funds to be used for the purchase of transit vehicles.

Capital Metro will meet its overall goal through race-neutral participation and race-conscious measures. In addition, Capital Metro will meet the annual goal by setting project goals for procurements $50,000 or larger and assigning Small Business requirements through the Small Business Enterprise provisions to obtain Race-Neutral participation.

**Methodology**

The following is a summary of the method to be used to calculate this goal:

1. Total dollars per major NAICS Code area budgeted will be identified for future three years;
2. Base Figures for each major NAICS Code area will be identified by dividing the number of DBEs by the total number of firms in order to obtain the relative availability of DBEs per NAICS Code area;
3. By multiplying the relative availability of DBEs by the total dollars budgeted for each corresponding NAICS Code area, an estimated dollar amount for DBE participation in each area will be obtained.
4. The sum of the estimated dollar amount will be calculated and it will be divided by the total dollars budgeted for award in three future years to derive an estimated overall goal.

5. This overall goal will then be adjusted taking into account the median of the previous five-year DBE participation and the base figure. Then, this goal will be adjusted taking into account the past Race Neutral participation and changes with regard to what work can be counted towards a DBE goal, the nature of the projects Capital Metro expects to award, and the relative availability of firms in those NAICS code areas.

Process

Before establishing the overall goal Capital Metro will consult with area business and community organizations to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and Capital Metro's efforts to establish a level playing field for the participation of DBEs.

Additionally, Capital Metro will publish a notice of the proposed overall goal, informing the public that the proposed goal and its rationale are available for inspection during normal business hours at our principal office for 30 days following the date of the notice, and informing the public that Capital Metro and DOT will accept comments on the goals for 45 days from the date of the notice. This notice shall be posted in various newspaper that may include the following publications: The Austin American Statesman, The Villager, El Mundo, and Arriba. Normally, Capital Metro will issue this notice by June 1 of each year. The notice will include addresses to which comments may be sent and addresses (including office addresses and websites) where the proposal may be reviewed.

Our overall goal submission to FTA will include a summary of information and comments received during this public participation process and our responses.

Capital Metro will begin using our overall goal on October 1 of each year, unless Capital Metro has received other instructions from FTA.

Breakout of Estimated Race-Neutral and Race-Conscious Participation

Capital Metro will meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. Capital Metro uses the following race-neutral means to increase DBE participation:

- Setting Small Business Goals and having a Small Business set-aside for small contracts as outlined in the Small Business provision (§26.39)
▪ Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
▪ Carrying out information and communications programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs and other small businesses on recipient mailing lists for bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; providing information in languages other than English, where appropriate);
▪ Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
▪ Ensuring distribution of TUCP DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors;

If it appears that participation through "race neutral" means is exceeding or not meeting this level, Capital Metro will adjust the estimated breakout of race-neutral and race-conscious participation as needed to reflect actual DBE participation (see 26.51(f)) and track and report race-neutral and race-conscious participation separately. For reporting purposes, race-neutral DBE participation includes, but is not necessarily limited to, the following: DBE participation through a prime contract a DBE obtains through customary competitive procurement procedures; DBE participation through a subcontract on a prime contract that does not carry a DBE goal; DBE participation in a prime contract which exceeds a contract goal; and DBE participation through a subcontract from a prime contractor that did not consider a firm’s DBE status in making the award.

Consultative Process (26.45(g))

Capital Metro conducts a consultative process the Greater Austin Black Chamber of Commerce, Greater Austin Hispanic Chamber of Commerce, Austin Gay and Lesbian Chamber of Commerce, Greater Austin Asian Chamber of Commerce, Women’s Business Council-Southwest, Network of Asian American Organizations, and other entities. Each organization will host a “three-year DBE goal round table discussion” with the Office of Diversity Staff. At each event a presentation will be shown to attendees on how the DBE goal methodology is established. Following the DBE goal
methodology presentation there may be a discussion about the proposed goal, the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and about what efforts Capital Metro can take to create a level playing field for the participation of DBEs.

**Transit Vehicle Manufacturers (26.49)**

Capital Metro will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements and to certify that it has complied with the requirements of this section. Alternatively, Capital Metro may, at its discretion and with FTA approval, establish project-specific goals for DBE participation in the procurement of transit vehicles in lieu of the TVM in complying with this element of the program.

**15. Contract Goals (26.51)**

Capital Metro will use contract goals to meet any portion of the overall goal Capital Metro does not project being able to meet using race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of our overall goal that is not projected to be met through the use of race-neutral means.

Capital Metro will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities. Capital Metro need not establish a contract goal on every such contract, and the size of contract goals will be adapted to the circumstances of each such contract (e.g., type and location of work, availability of DBEs to perform the particular type of work). Capital Metro will express its contract goals as a percentage of the total amount of a DOT-assisted contract.

Capital Metro treats bidder/offeror compliance with good faith efforts requirements as a matter of responsiveness.

Each solicitation for which a contract goal has been established will require the bidders/offerors to submit, by the time/date the bid or proposal is due, the following forms:

1. “Schedule C” form (See Attachment 5), reflecting:
   - The names and addresses of DBE firms that will participate in the contract;
   - A description of the work that each DBE will perform;
   - The dollar amount of the participation of each DBE firm participating;
   - Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal; and

2. Intent(s) to Perform as a DBE Subcontractor (See Attachment 6) serving as a
   - Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractor’s commitment.

If the contract goal is not met, evidence of good faith efforts must be submitted by the bidder/offeror by the time/date the bid or proposal is due. The following section outlines what a demonstration of good faith efforts consists of.

If the bidder/offeror does not submit this information by the time/date the bid or proposal is due, Capital Metro has grounds to deem the bidder/offeror non-responsive to the DBE requirements of the particular solicitation. The decision to deem the bidder/offeror non-responsive for failure to submit this information by the time/date the bid or proposal is due is administratively appealable to the Capital Metro Appeals Officer. (See Administrative Reconsideration section below)

Demonstration of Good Faith Efforts

The obligation of the bidder/offeror is to make good faith efforts. The bidder/offeror can demonstrate that it has done so either by meeting the contract goal or documenting good faith efforts.

The following personnel are part of the three-person Good Faith Efforts Determination Committee and are responsible for determining whether a bidder/offeror who has not met the contract goal has documented sufficient good faith efforts to be regarded as responsive: Senior Vice President/Chief of Staff, DBE Liaison Officer, and DBE Specialist.
Capital Metro will ensure that all information is complete and accurate and adequately documents the bidder/offoror's good faith efforts before it commits to the performance of the contract by the bidder/offoror.

**Administrative Reconsideration: (26.53(d))**

Within 5 days of being informed by Capital Metro that it is not responsive because the bidder/offoror has not documented sufficient good faith efforts, Capital Metro will notify the bidder/offoror in writing. The bidder/offoror may appeal the decision within five (5) business days of the date of the notice of the decision by filing a written appeal for reconsideration to the following reconsideration official: Capital Metro’s Chief Counsel, 2910 E. Fifth Street, Austin, TX 78702. As part of this reconsideration, the bidder/offoror will have the opportunity to provide written documentation or argument concerning the issue of whether the bidder/offoror met the goal or made adequate good faith efforts to do so. The reconsideration will be made by a reconsideration official that will not have played any role in the original determination that the bidder/offoror failed to meet the goal or make adequate good faith efforts to do so.

The bidder/offoror will have the opportunity to meet in person with the reconsideration official to discuss the issue of whether the bidder/offoror met the goal or made adequate good faith efforts to do so. Capital Metro will send the bidder/offoror a written decision on reconsideration, explaining the basis for finding that the bidder/offoror did or did not meet the goal or make adequate good faith efforts to do so. The result of the reconsideration process is final and not administratively appealable to the Department of Transportation.

**Good Faith Efforts When a DBE is terminated on a Contract with Contract Goals (26.53(f))**

Capital Metro will require the prime contractor to notify the Office of Diversity immediately of the DBE’s inability or unwillingness to perform and provide reasonable documentation.

Capital Metro requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without Capital Metro’s prior written consent. Prior written consent will only be provided where there is a “good cause” termination of the DBE subcontractor as established by Section 26.53(f)(3). Capital Metro will require a prime contractor to make good faith efforts to replace a DBE subcontractor.

Before transmitting to Capital Metro its request to terminate, the prime contractor must give notice in writing to the DBE subcontractor of its intent to do so. A copy of this
notice must be provided to Capital Metro prior to consideration of the request to terminate. The DBE subcontractor shall have five (5) days to respond and advise Capital Metro of why it objects to the proposed termination (except the five (5) period may be reduced if the matter is one of public necessity (e.g. safety).

In those instances, where “good cause” exists to terminate a DBE’s contract, Capital Metro will require the prime contractor to make good faith efforts to replace a DBE subcontractor that is terminated or otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal.

In this event, Capital Metro will require the prime contractor to obtain its prior approval of the substitute DBE and to provide copies of new or amended subcontracts, or documentation of good faith efforts. If the contractor fails or refuses to comply in the time specified, Capital Metro’s contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the contractor still fails to comply, the Contracting Officer may issue a termination for default proceeding.

Any DBE that has been approved by Capital Metro to be replaced has the right to appeal the decision directly to the DBELO if the DBE disagrees with the decision. Appeals must be submitted to the DBELO in writing or by email within five (5) business days of being notified. If the DBELO concurs with the Prime Contractor, the DBE may use the “Administrative Reconsideration” process noted in this section and submit an appeal of the decision to the Agency’s reconsideration official.

17. Counting DBE Participation (26.55)

Capital Metro will count DBE participation toward overall and contract goals as provided in 49 CFR 26.55. For example:

- When a DBE participates in a contract, only the value of the work actually performed by the DBE will count toward the goal (whether a prime or a subcontractor).

- When a DBE performs as a participant in a joint venture, Capital Metro will count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the DBE performs with its own forces toward DBE goals.

- Capital Metro will count expenditures to a DBE contractor toward DBE goals only if the DBE is performing a commercially useful function on that contract.

- If a firm is not currently certified as a DBE in accordance with the standards of this part at the time of the execution of the contract, Capital Metro will not count
the firm’s participation toward any DBE goals, except as provided for in 49 CFR Part 26 Section 26.87(i)).

- Capital Metro will not count the participation of a DBE subcontractor toward the prime contractor’s DBE achievements or overall goal until the amount being counted toward the goal has been paid to the DBE.

18. Certification (26.61 - 26.91)

Under the Texas Unified Certification Program, Capital Metro is not a certifying agency but is a participant.

Unified Certification Program

Capital Metro participated with fellow DOT recipients in Texas to organize and develop aUnified Certification Program and is a participant of the Texas Unified Certification Program. Capital Metro is a program participant. The City of Austin is the current certifying agency for our region and Capital Metro are working closely with their certification department.

19. Information Collection and Reporting (26.109)

Bidders List

Capital Metro will create a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow use of the bidders list approach to calculating overall goals. The bidders list will include the name, address, DBE/non-DBE status, age, and annual gross receipts of firms.

Capital Metro will collect this information in the following way:

- Through a tracking software system, (https://capmetro.diversitycompliance.com/), this system tracks pertinent information to the maintenance of the DBE program such as;
  - Vendors;
  - Contracts;
  - Payments to DBE Firms;
  - DBE firm certification information;
  - And other relevant information needed to abide by USDOT’s regulations.

- Use the information obtained from the Schedule C form submitted with every proposal.
- Monitoring Payments to DBEs

Prime contractors will be required to maintain records and documents of payments to DBEs for three years following the performance of the contract. These records will be made available for inspection upon request by any authorized representative of Capital Metro or DOT. This reporting requirement also extends to any certified DBE subcontractor.

A running tally of actual payments to DBE firms for work committed to them at the time of contract award will be kept.

Interim audits of contract payments to DBEs will be conducted. The audit will review payments to DBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the schedule of DBE participation.

Reporting to DOT

DBE participation will be reported to DOT on a semi-annual basis. These reports will reflect payments actually made to DBEs on DOT assisted contracts.

Confidentiality

Capital Metro will safeguard from disclosure to third party’s information that may reasonably be regarded as confidential business information, consistent with Federal, state, and local law.
Attachments

1. Organizational Chart
2. Copy of DBE Directory
3. Monitoring and Enforcement Mechanisms
4. Confidentiality
5. Schedule C DBE Subcontractor Form
6. Intent to Perform as a DBE Subcontractor
Attachment 1: Organizational Chart

Capital Metro
Diversity and Compliance
Dept. 119

Reports to:
PRESIDENT/CEO
Randy Clark

Reports to:
EVP, Chief of Staff, Chief Counsel and External Affairs
Kerri Butcher

Program Manager-
Compliance / DBELO
Diponker Mukherjee
Attachment 2: Copy of DBE Directory

Live Link to TxDOT UCP Directory:
https://txdot.txdotcms.com/FrontEnd/VendorSearchPublic.asp?TN=txdot&XID=8786
Attachment 3: Monitoring and Enforcement Mechanisms/Legal Remedies

In accordance with 49 CFR Part 26 Section 26.107, firms participating in Capital Metro's DBE program face the following enforcement action:

- The Department may initiate suspension or debarment proceedings against a firm under 49 CFR part 29 if it does not meet the eligibility criteria of subpart D of Part 26 and attempts to participate in a DOT-assisted program as a DBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty.

- If a firm that, in order to meet DBE contract goals or other DBE program requirements, uses or attempts to use, on the basis of false, fraudulent or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, another firm that does not meet the eligibility criteria of subpart D of this part, the Department may initiate suspension or debarment proceedings against you under 49 CFR part 29.

- In a suspension or debarment proceeding brought under the previous paragraphs, FTA may consider the fact that a purported DBE has been certified by a recipient. Such certification does not preclude the Department from determining that the purported DBE, or another firm that has used or attempted to use it to meet DBE goals, should be suspended or debarred.

- The Department may take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, against any participant in the DBE program whose conduct is subject to such action under 49 CFR part 31.

- The Department may refer to the Department of Justice, for prosecution under 18 U.S.C. 1001 or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of a DBE in any DOT-assisted program or otherwise violates applicable Federal statutes.

Regarding the prompt payment of subcontractors, articulated in Section 11 of this program,

"Failure to pay subcontractors within 10 days and/or failure to submit appropriate certification of subcontractor payment will be considered in the review of the Contractor’s performance of the contract and may result in the withholding of payment to the Contractor.”
Regarding good faith efforts when a DBE is replaced on a contract, articulated in Section 15 of this program,

“If the Offeror [contractor] fails or refuses to comply in the time specified, our contracting office will issue an order stopping all or part of payment/work until satisfactory action has been taken. If the Offeror [contractor] still fails to comply, the Authority may issue a termination for default proceeding.”

Regarding compliance with the DBE requirements of a solicitation containing a DBE goal articulated in Section 15 of this program,

If the bidder/offeror does not submit this information by the time/date the bid or proposal is due, Capital Metro has grounds to deem the bidder/offeror non-responsive to the DBE requirements of the particular solicitation. The decision to deem the bidder/offeror non-responsive for failure to submit this information by the time/date the bid or proposal is due is not administratively appealable. Vendors should follow the regular protest procedures available through the Contracts and Procurement Policy and Procedures Manual.
Attachment 4: Confidentiality

Federal Law: 49 CFR Part 26 Section 26.67 paragraph (a) (2) (iv) prohibits disclosure of an individual’s personal net worth statement or any documents pertaining to it to any third party without the written consent of the submitter. The only exception to this rule is that such information must be submitted to DOT in any certification appeal proceeding under 49 CFR Part 26 Section 26.89 or to any other State to which the individuals’ firm has applied for certification under 49 CFR Part 26 Section $26.85.

State Law: Section 552.128 (a) of the Texas Public Information Act states, "Information submitted by a potential vendor or contractor to a governmental body in connection with an application for certification as a historically underutilized or disadvantaged business under a local, state, or federal certification program is excepted from [required public disclosure], except as provided by this section."
**Attachment 5: Schedule C CAPITAL METRO**

**Schedule C of Subcontractors to be utilized by DBE Subcontractors of the Prime Offeror**

Instructions: The DBE first Tier Subcontractor shall complete this form by listing 1) Names of all proposed DBE subcontractors to be used by the DBE at any tier, 2) Contact information, 3) Description of work to be performed/product to be provided, 4) Status as a DBE or non-DBE, 5) Ethnic Code of firm 6) Age of the firm, 7) Annual gross receipts of the firm, 8) % or $ amount of the Subcontract to be contracted out. Those subcontractors which are listed on this form as DBEs must have current certification as a DBE with a participating TUCP certifying agency (see Exhibit D paragraph 6). The DBE certification must be complete by the time the proposals are submitted. Additionally, those subcontractors which are listed on this form as DBEs must complete an Intent to Perform as a DBE Subcontractor agreeing to the information listed here. **Note: All subcontractors utilized by a DBE Subcontractor must be DBE certified by a TUCP Agency.**

| Name of Prime Contractor (Offeror): | Ethnic Code:  
A) African-American Male  
B) African American Female  
C) Asian-Indian Male  
D) Asian-Indian Female  
E) Asian-Pacific Male  
G) Asian-Pacific Female  
H) Hispanic Male  
I) Hispanic Female  
J) Native American Male  
K) Native American Female  
L) White Female  
M) Other |
<table>
<thead>
<tr>
<th></th>
<th></th>
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<tbody>
<tr>
<td>Project Name:</td>
<td></td>
</tr>
<tr>
<td>IFB/RFP Number:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1) Name of Subcontractor</th>
<th>2) Address, Telephone # of DBE Firm (Including name of contact person)</th>
<th>3) Description of Work, Services Provided. Where applicable, specify &quot;supply&quot; or &quot;install&quot; or both.</th>
<th>4) DBE or non-DBE</th>
<th>5) Ethnic Code</th>
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</table>

This schedule must be completed as instructed above and include every subcontractor the first-tier subcontractor proposed to use on this project. The undersigned will enter into a formal agreement with DBE contractors for work listed in this schedule upon execution of a contract with the prime contractor. The contractor agrees to the terms of this schedule by signing below and submitting the Intent to Perform as completed by the DBE subcontractors.

Signature of Authorized Representative of Offeror  
Date of Signed
Attachment 6: Intent to Perform as a DBE Subcontractor

CAPITAL METRO
Intent to Perform as a Subcontractor
IFB/RFP/SOQ # ________________

1. TO: (name of Offeror/Prime Contractor) ____________________________
2. The undersigned is either currently certified under the Texas Unified Certification Program (TUCP) as a DBE or will be at the time this solicitation is due.
3. The undersigned is prepared to perform the following described work with their own workforce and/or supply the material listed in connection with the above project (where applicable specify "supply" or "install" or both) ____________________________

and at the following price $______________ and/or ___% of the total contract amount (should be the same $ or % found on Schedule C Subcontractor Participation).

With respect to the proposed subcontract described above, the undersigned DBE anticipates that _____% of the dollar value of this subcontract will be sublet and/or awarded to other contractors. Any and all subcontractors that a DBE subcontractor uses must be listed in Schedule C and must also be DBE certified. (The DBE subcontractor should complete this section only if the DBE is subcontracting any portion of its subcontract.)

__________________________________________  ____________________________________________  ____________________________  ____________________________
(Name of DBE Firm)  (Signature of Authorized Representative)  (Phone Number)  (Date Signed)

__________________________________________  ____________________________________________  ____________________________  ____________________________
(Name of Offeror/Prime Contractor)  (Signature of Authorized Representative)  (Phone Number)  (Date Signed)
TITLE: President & CEO Update
Ridership
Third Quarter FY2018

Strategic Planning & Development

Board of Directors Meeting
August 27, 2018
Strategic Planning and Development
3rd Quarter FY 2018

• Quarter Three Ridership
  – Highlights
  – Summary by Mode
  – Business Partnerships
  – System-wide View
Ridership Quarterly Summary

- System ridership down 0.3% Q3 2018 compared to Q3 2017
  - April 2018
    - Typical April
  - May 2018
    - Typical May
  - June 2018
    - Cap Remap began
    - Free Fares
    - Student K-12 free (pilot) – 77,000 rides
    - Rail Family Fun Saturday June 9th (free week) – 2,900 rides
  - Fuel prices up 18.8% from Q3 2017
    - Fuel prices still remain roughly a seventy cents lower than 2013-2014 levels
## Ridership By Mode – Q3 2018

### Q3 2018 Ridership Data

<table>
<thead>
<tr>
<th>Category</th>
<th>Q3 2017</th>
<th>Q3 2018</th>
<th>Q3 17 to Q3 18</th>
<th>YTD 2017</th>
<th>YTD 2018</th>
<th>YTD Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total MetroBus</td>
<td>5,279,504</td>
<td>4,996,092</td>
<td>-5.4%</td>
<td>16,209,842</td>
<td>14,886,497</td>
<td>-8.2%</td>
</tr>
<tr>
<td>Total MetroExpress</td>
<td>132,038</td>
<td>163,988</td>
<td>24.2%</td>
<td>399,714</td>
<td>440,051</td>
<td>10.1%</td>
</tr>
<tr>
<td>Total Special Events/Charter</td>
<td>6,322</td>
<td>7,139</td>
<td>12.9%</td>
<td>150,275</td>
<td>134,181</td>
<td>-10.7%</td>
</tr>
<tr>
<td>Total MetroAccess</td>
<td>171,824</td>
<td>173,900</td>
<td>1.2%</td>
<td>503,435</td>
<td>501,146</td>
<td>-0.5%</td>
</tr>
<tr>
<td>Total Innovation Mobility¹</td>
<td>410</td>
<td>6,121</td>
<td>1392.9%</td>
<td>410</td>
<td>19,418</td>
<td>n/a</td>
</tr>
<tr>
<td>Total UT Shuttle</td>
<td>480,833</td>
<td>445,367</td>
<td>-7.4%</td>
<td>2,035,686</td>
<td>1,923,301</td>
<td>-5.5%</td>
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<tr>
<td>Total RideShare</td>
<td>120,427</td>
<td>131,578</td>
<td>9.3%</td>
<td>344,306</td>
<td>375,217</td>
<td>9.0%</td>
</tr>
<tr>
<td>Total MetroRail</td>
<td>195,052</td>
<td>196,864</td>
<td>0.9%</td>
<td>634,664</td>
<td>612,825</td>
<td>-3.4%</td>
</tr>
<tr>
<td>Total MetroRapid</td>
<td>876,114</td>
<td>1,120,663</td>
<td>27.9%</td>
<td>2,461,797</td>
<td>3,282,648</td>
<td>33.3%</td>
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<tr>
<td>Total System</td>
<td>7,262,525</td>
<td>7,241,712</td>
<td>-0.3%</td>
<td>22,740,129</td>
<td>22,175,284</td>
<td>-2.5%</td>
</tr>
</tbody>
</table>

¹ Formerly counted under MetroAccess

¹ Innovation Mobility VIA Pickup started last month of third quarter 2017
Ridership By Mode – Q3 2018
MetroBus (Fixed Route only)

- MetroBus down 5.4% from Q3 2017
- Improvement from down 10.3% in Q2
- Riders moving to MetroRapid with enhanced frequency

Does not include MetroExpress or MetroRapid service
Ridership By Mode – Q3 2018
MetroExpress Service

- MetroExpress up 24.2% from Q3 2017
- Changes to MetroExpress services started in January 2018
- Mopac Express Lanes positive effect

Express Ridership - Quarterly

<table>
<thead>
<tr>
<th></th>
<th>Q1</th>
<th>Q2</th>
<th>Q3</th>
<th>Q4</th>
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<tbody>
<tr>
<td>FY2016</td>
<td>134,689</td>
<td>139,041</td>
<td>133,154</td>
<td>134,586</td>
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<tr>
<td>FY2017</td>
<td>128,894</td>
<td>138,783</td>
<td>132,038</td>
<td>127,637</td>
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<tr>
<td>FY2018</td>
<td>128,799</td>
<td>147,264</td>
<td>163,988</td>
<td></td>
</tr>
</tbody>
</table>
Ridership By Mode – Q3 2018
MetroRapid

- MetroRapid up 27.9% from Q3 2017
- Enhanced frequency and Cap Remap positive affect
Ridership By Mode – Q3 2018
MetroBus, MetroExpress, MetroRapid

• MetroBus, MetroExpress, MetroRapid combined down 0.1% from Q3 2017
• Improvement from down 5.1% in Q2
• MetroRail up 0.9% from Q3 2017
• Recovered from operational challenges in Q2 with new rail schedule March 19, 2018
• Construction projects along line through end of 2018
Ridership By Mode – Q3 2018
UT Shuttle

- UT Shuttle down 7.4% from Q3 2017
- There were 5 fewer full service weekdays Q3 2018 compared to Q3 2017
- Route 653 eliminated June 2018
• MetroAccess up 1.2% from Q3 2017
• MetroAccess continues making efforts to manage ridership on this high cost service through eligibility evaluations, travel training, and pathway assessment
Ridership By Mode – Q3 2018
RideShare

- Rideshare ridership up 9.3% from Q3 FY2017
- Success continues with RideShare program
Ridership By Mode – Q3 2018

Productivity – Riders per Hour

6.5% additional system service hours Q3 without substantially higher ridership reduces hourly productivity
System Ridership – Q3 2018
Compared to Budget

- Actual ridership is 5.9% below Q3 budgeted ridership
- Best quarter in FY2017
Business Partnerships – Q3 2018
Austin Community College

- Q3 boardings down 18.8%
Business Partnerships – Q3 2018
City of Austin

- Q3 boardings down 7.8%
Business Partnerships – Q3 2018
Travis County

- Q3 boardings up 4.8%
Round Rock Update

- Service approaching the one year mark
- Ridership starting to level off
Georgetown Update

- Service realignment approaching one year mark
- Strong ridership
- Operated by CARTS
System Summary – Q3 2018

• System ridership down 0.3% from Q3 2017
• Improvement from being down 5% in Q2
Financial Report – Fiscal Year 2018

Year to Date June 30, 2018
Major Highlights

Revenue

• FY2018 sales tax revenue budgeted at 2.5% growth over FY2017
• Sales tax remittances received YTD June 2018 are 5.0% higher than YTD June 2017
• Capital contributions and grants are below budget due to timing of processing eligible paid expenses

Operating Expenses

• $171.6 million expended to date, or 68.6% of full year budget
• Year to date diesel cost of $2.00 per gallon is in-line with budgeted rate of $2.00 per gallon

Capital Projects

• FY2018 capital project budget of $151.5 million
• $52.0 million expended to date, or 34.3% of full year budget
  – Positive Train Control
  – Bus Replacements – 17 Transit Buses
• $23.4 million outstanding commitments have been issued, or 15.5% of full year budget
  – Positive Train Control, TIGER Grant Project, MetroRapid and Intelligent Transportation System
## Revenue

<table>
<thead>
<tr>
<th>Category</th>
<th>FY17 Jun YTD Actual</th>
<th>FY18 Jun YTD Actual</th>
<th>FY18 Full Year Budget</th>
<th>% of Budget</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>Sales Tax</td>
<td>$172.9</td>
<td>$179.6</td>
<td>$234.1</td>
<td>76.8%</td>
<td>Jun year-to-date positive variance of $4.6M</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Oct - Apr actual receipts; May - Jun accrued</td>
</tr>
<tr>
<td>Passenger Fares</td>
<td>12.9</td>
<td>11.9</td>
<td>19.0</td>
<td>62.3%</td>
<td>$1.6M estimated full-year negative fare variance</td>
</tr>
<tr>
<td>Third Party Fares</td>
<td>5.3</td>
<td>5.4</td>
<td>6.2</td>
<td>86.9%</td>
<td></td>
</tr>
<tr>
<td>Freight Railroad Revenue</td>
<td>3.4</td>
<td>4.1</td>
<td>4.1</td>
<td>100.9%</td>
<td>45G railroad tax credit - $570K positive variance</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>2.9</td>
<td>3.5</td>
<td>3.0</td>
<td>115.1%</td>
<td>$1.5M estimated full-year positive investment income variance</td>
</tr>
<tr>
<td>Operating Contributions and Grants</td>
<td>28.6</td>
<td>24.8</td>
<td>30.6</td>
<td>81.2%</td>
<td></td>
</tr>
<tr>
<td>Capital Contributions and Grants</td>
<td>18.3</td>
<td>9.3</td>
<td>38.5</td>
<td>24.3%</td>
<td>Timing of processing eligible paid expenses</td>
</tr>
</tbody>
</table>

Total: $244.3 $238.6 $335.4 71.1%
Actual Sales Tax Receipts

$'M

Total $221.3M $228.7M $180.8M
Sales Tax Trend

- 6 Month Annual Growth: 2.0%
- 6 Month Annual Growth: 3.5%
- 6 Month Annual Growth: 7.1%
Sales Tax Rolling Average Trend

Capital Metro Six Month Rolling Average Sales Tax Growth Trend

Monthly Sales Tax Receipts

Sales Tax Growth %
Job Growth Trend
## Operating Expense

<table>
<thead>
<tr>
<th>Category</th>
<th>FY17 Jun YTD (Actual)</th>
<th>FY18 Jun YTD (Actual)</th>
<th>FY18 Full Year Budget</th>
<th>% of Budget</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Benefits</td>
<td>$28.1</td>
<td>$30.4</td>
<td>$42.2</td>
<td>72.0%</td>
<td>$3M estimated negative variance for bargain pension adjustment</td>
</tr>
<tr>
<td>Professional Services</td>
<td>12.2</td>
<td>12.9</td>
<td>22.0</td>
<td>58.7%</td>
<td>Timing of spending on contracts</td>
</tr>
<tr>
<td>Materials and Supplies</td>
<td>0.6</td>
<td>1.1</td>
<td>1.4</td>
<td>77.5%</td>
<td></td>
</tr>
<tr>
<td>Fuel and Fluids</td>
<td>9.2</td>
<td>8.9</td>
<td>12.4</td>
<td>71.3%</td>
<td>$678K favorable volume variance - $2.00 per gallon actual cost</td>
</tr>
<tr>
<td>Utilities</td>
<td>1.9</td>
<td>1.9</td>
<td>3.2</td>
<td>59.1%</td>
<td></td>
</tr>
<tr>
<td>Insurance</td>
<td>0.4</td>
<td>0.3</td>
<td>1.0</td>
<td>28.7%</td>
<td>Timing of premium payments</td>
</tr>
<tr>
<td>Purchased Transportation</td>
<td>108.5</td>
<td>112.7</td>
<td>158.7</td>
<td>71.0%</td>
<td>$1.4M favorable for Rail DMU overhaul shift to FY19; $1.4M favorable due to lower Fixed Route hours</td>
</tr>
<tr>
<td>Lease/Rentals</td>
<td>1.2</td>
<td>1.2</td>
<td>2.0</td>
<td>60.7%</td>
<td></td>
</tr>
<tr>
<td>Other Expenses</td>
<td>1.8</td>
<td>2.2</td>
<td>7.0</td>
<td>31.4%</td>
<td>Timing of software contract expense and unspent contingency</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$163.9</strong></td>
<td><strong>$171.6</strong></td>
<td><strong>$250.0</strong></td>
<td><strong>68.6%</strong></td>
<td></td>
</tr>
</tbody>
</table>
Budget Transfers

Consistent with Capital Metro’s financial policies, there were two budget transfers to report for Quarter 3 for the period ending June 30, 2018 that cumulatively exceeded $150,000.

<table>
<thead>
<tr>
<th>Transfer #1</th>
<th>From:</th>
<th>To:</th>
<th>Amounts</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>April-18</td>
<td>RRC1516</td>
<td>West/East Haul Road Crossing Surface Rehabilitation</td>
<td>(535,000)</td>
<td>Rail capital projects completed or cancelled. Remaining balances moved to contingency.</td>
</tr>
<tr>
<td></td>
<td>RRF1602</td>
<td>Public Crossing State of Good Repair</td>
<td>(158,000)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RRC1606</td>
<td>Private Crossing Surface Program</td>
<td>(180,000)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RRC1609</td>
<td>High-wide and Flood Detectors</td>
<td>(300,000)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>RRC1802</td>
<td>Rail Infrastructure Emergency Location Identification Signs</td>
<td>(37,290)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FIN1802</td>
<td>Capital Contingency</td>
<td>1,210,290</td>
<td></td>
</tr>
<tr>
<td>June-18</td>
<td>RRC1509</td>
<td>Nearside Crossing Gate Downtime Reduction</td>
<td>(703,000)</td>
<td>Closing project and moving remaining balance to contingency.</td>
</tr>
<tr>
<td></td>
<td>FIN1802</td>
<td>Capital Contingency</td>
<td>703,000</td>
<td></td>
</tr>
</tbody>
</table>
Reserve, Allocated & Restricted Funds

Reserve Funds

- Statutory Operating Reserve, $38.3
- Self Insurance Reserve, $1.3
- Budget Reserve
- $51.9 Million

Allocated & Restricted Funds

- FY2018 Capital Budget Funds, $83.0
- Restricted for Rail Cars and Station Improvements, $18.4
- FY2019 Capital Budget Funds, $21.8
- Restricted for City of Austin Mobility Programs, $22.8
- $146.0 Million

Notes:

- Additional funding was allocated to the statutory operating and budget stabilization reserves based on the board approved funding formula. The statutory operating reserve equals 2 months of FY2017 operating expenses. Contributions to the budget stabilization reserve began in February 2016 with $7 million reserved in FY2016 and $3 million in FY2017. An additional contribution of $3 million is budgeted for FY2018 in quarterly installments of $750,000 offset by board approved spending of $2 million for Downtown Station Storm Water Improvements.

- Funds for capital investment are required to help address extensive capital needs. The capital budget for FY2018 is $152 million, with $69 million funded by FY2018 income and $83 million from reserves. Due to project delays $60 million of the FY2017 capital budget was carried forward to FY2018. These capital improvements are needed to get caught up with the state of good repair of the community’s transit infrastructure and to be in compliance with Federal regulations.

*Budget Stabilization reserve needs to grow to 1 month of operating expenses – Shortfall currently $6.8 million*
### Statement of Revenue, Expenses and Changes in Net Position

<table>
<thead>
<tr>
<th></th>
<th>FY17 Jun YTD Actual</th>
<th>FY18 Jun YTD Actual</th>
<th>FY18 Full Year Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passenger Fares</td>
<td>$12.9</td>
<td>$11.9</td>
<td>$19.0</td>
<td>62.3%</td>
</tr>
<tr>
<td>Third Party Fares</td>
<td>5.3</td>
<td>5.4</td>
<td>6.2</td>
<td>86.9%</td>
</tr>
<tr>
<td>Freight Railroad Revenue</td>
<td>3.4</td>
<td>4.1</td>
<td>4.1</td>
<td>100.9%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>1.8</td>
<td>1.9</td>
<td>2.2</td>
<td>88.1%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>23.4</td>
<td>23.3</td>
<td>31.5</td>
<td>73.9%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Operating Expenses</strong></th>
<th>FY17 Jun YTD Actual</th>
<th>FY18 Jun YTD Actual</th>
<th>FY18 Full Year Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Benefits</td>
<td>28.1</td>
<td>30.4</td>
<td>42.2</td>
<td>72.0%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>12.2</td>
<td>12.9</td>
<td>22.0</td>
<td>58.7%</td>
</tr>
<tr>
<td>Fuel and Fluids</td>
<td>9.2</td>
<td>8.9</td>
<td>12.4</td>
<td>71.3%</td>
</tr>
<tr>
<td>Utilities</td>
<td>1.9</td>
<td>1.9</td>
<td>3.2</td>
<td>59.1%</td>
</tr>
<tr>
<td>Purchased Transportation</td>
<td>108.5</td>
<td>112.7</td>
<td>158.7</td>
<td>71.0%</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>2.6</td>
<td>3.4</td>
<td>9.2</td>
<td>37.4%</td>
</tr>
<tr>
<td>Interest Expenses</td>
<td>.2</td>
<td>.1</td>
<td>.3</td>
<td>55.4%</td>
</tr>
<tr>
<td>Lease/Rental</td>
<td>1.2</td>
<td>1.2</td>
<td>2.0</td>
<td>60.7%</td>
</tr>
<tr>
<td>Depreciation &amp; Amortization</td>
<td>28.4</td>
<td>31.3</td>
<td>39.6</td>
<td>79.1%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>192.3</td>
<td>202.9</td>
<td>289.6</td>
<td>70.1%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Operating Income/Loss</strong></th>
<th>FY17 Jun YTD</th>
<th>FY18 Jun YTD</th>
<th>FY18 Full Year</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>(168.9)</td>
<td>(179.7)</td>
<td>(258.2)</td>
<td></td>
<td>69.6%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Non-Operating Revenue/(Expenses)</strong></th>
<th>FY17 Jun YTD</th>
<th>FY18 Jun YTD</th>
<th>FY18 Full Year</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax</td>
<td>172.9</td>
<td>179.6</td>
<td>234.1</td>
<td>76.8%</td>
</tr>
<tr>
<td>Investment Income</td>
<td>1.1</td>
<td>1.8</td>
<td>.9</td>
<td>209.3%</td>
</tr>
<tr>
<td>Operating Contributions and Grants</td>
<td>28.6</td>
<td>24.8</td>
<td>30.6</td>
<td>81.2%</td>
</tr>
<tr>
<td>Capital Contributions and Grants</td>
<td>18.3</td>
<td>9.3</td>
<td>38.5</td>
<td>24.3%</td>
</tr>
<tr>
<td>Mobility Interlocal Agreements</td>
<td>(3.2)</td>
<td>(3.9)</td>
<td>(12.4)</td>
<td>31.1%</td>
</tr>
<tr>
<td>Other</td>
<td>.1</td>
<td>(.2)</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Non-Operating Income/(Loss)</strong></td>
<td>217.8</td>
<td>211.6</td>
<td>291.6</td>
<td>72.6%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Change in Net Position</strong></th>
<th>FY17 YTD</th>
<th>FY18 YTD</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>$48.9</td>
<td>$31.9</td>
<td>$33.4</td>
<td>95.6%</td>
</tr>
</tbody>
</table>
## Budget Variances by Department

<table>
<thead>
<tr>
<th>Department</th>
<th>FY17 Jun YTD Actual</th>
<th>FY18 Jun YTD Actual</th>
<th>FY18 Full Year Budget</th>
<th>YTD % of Budget</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 - Non-Allocated Benefits</td>
<td>$7,220</td>
<td>$8,359</td>
<td>$11,796</td>
<td>70.9%</td>
<td></td>
</tr>
<tr>
<td>102 - Wellness Center</td>
<td>167</td>
<td>164</td>
<td>277</td>
<td>59.2%</td>
<td>Timing of professional services</td>
</tr>
<tr>
<td>103 - Child Care Center</td>
<td>615</td>
<td>675</td>
<td>862</td>
<td>78.3%</td>
<td></td>
</tr>
<tr>
<td>105 - Business Center</td>
<td>175</td>
<td>242</td>
<td>357</td>
<td>67.7%</td>
<td></td>
</tr>
<tr>
<td>110 - Executive Staff</td>
<td>519</td>
<td>394</td>
<td>852</td>
<td>46.2%</td>
<td>Vacancy savings</td>
</tr>
<tr>
<td>115 - Communications</td>
<td>540</td>
<td>404</td>
<td>598</td>
<td>67.5%</td>
<td></td>
</tr>
<tr>
<td>118 - Government Relations &amp; Compliance</td>
<td>627</td>
<td>593</td>
<td>1,220</td>
<td>48.6%</td>
<td>Timing of Transit Empowerment Fund</td>
</tr>
<tr>
<td>120 - Board Of Directors</td>
<td>194</td>
<td>181</td>
<td>314</td>
<td>57.7%</td>
<td></td>
</tr>
<tr>
<td>125 - Internal Audit</td>
<td>281</td>
<td>177</td>
<td>351</td>
<td>50.5%</td>
<td>Vacancy savings</td>
</tr>
<tr>
<td>130 - Strategic Oper Mgt. &amp; Administration</td>
<td>559</td>
<td>465</td>
<td>726</td>
<td>64.1%</td>
<td></td>
</tr>
<tr>
<td>141 - Security</td>
<td>3,046</td>
<td>3,567</td>
<td>4,362</td>
<td>81.8%</td>
<td></td>
</tr>
<tr>
<td>150 - Legal</td>
<td>859</td>
<td>566</td>
<td>953</td>
<td>59.4%</td>
<td>Timing of legal services</td>
</tr>
<tr>
<td>220 - Finance</td>
<td>2,497</td>
<td>2,627</td>
<td>6,388</td>
<td>41.1%</td>
<td>Unspent contingency</td>
</tr>
<tr>
<td>230 - Information Technology</td>
<td>5,955</td>
<td>6,817</td>
<td>10,413</td>
<td>65.5%</td>
<td></td>
</tr>
<tr>
<td>250 - Procurement</td>
<td>922</td>
<td>1,003</td>
<td>1,380</td>
<td>72.8%</td>
<td></td>
</tr>
<tr>
<td>275 - Rideshare</td>
<td>1,768</td>
<td>1,911</td>
<td>2,778</td>
<td>68.8%</td>
<td></td>
</tr>
<tr>
<td>320 - Planning</td>
<td>1,742</td>
<td>2,003</td>
<td>3,297</td>
<td>60.7%</td>
<td></td>
</tr>
<tr>
<td>330 - Marketing</td>
<td>1,822</td>
<td>2,282</td>
<td>3,488</td>
<td>65.4%</td>
<td></td>
</tr>
<tr>
<td>331 - Community Involvement</td>
<td>439</td>
<td>739</td>
<td>1,015</td>
<td>72.8%</td>
<td></td>
</tr>
<tr>
<td>332 - Customer Service</td>
<td>910</td>
<td>682</td>
<td>1,085</td>
<td>62.8%</td>
<td></td>
</tr>
<tr>
<td>340 - Human Resources</td>
<td>1,180</td>
<td>1,484</td>
<td>1,958</td>
<td>75.8%</td>
<td></td>
</tr>
<tr>
<td>420 - Risk Management And Safety</td>
<td>1,100</td>
<td>924</td>
<td>2,110</td>
<td>43.8%</td>
<td>Timing of casualty and liability expense</td>
</tr>
<tr>
<td>457 - Public Facilities</td>
<td>2,985</td>
<td>3,011</td>
<td>4,676</td>
<td>64.4%</td>
<td></td>
</tr>
<tr>
<td>530 - Capital Projects</td>
<td>921</td>
<td>1,106</td>
<td>1,831</td>
<td>60.4%</td>
<td></td>
</tr>
<tr>
<td>540 - Real Estate And Property Mgt.</td>
<td>1,202</td>
<td>1,387</td>
<td>1,959</td>
<td>70.8%</td>
<td></td>
</tr>
<tr>
<td>542 - Freight Rail Management</td>
<td>1,069</td>
<td>1,225</td>
<td>1,794</td>
<td>68.3%</td>
<td></td>
</tr>
<tr>
<td>544 - Commuter Rail Operations</td>
<td>12,491</td>
<td>12,117</td>
<td>17,866</td>
<td>67.4%</td>
<td></td>
</tr>
<tr>
<td>546 - Rail Compliance</td>
<td>0</td>
<td>179</td>
<td>322</td>
<td>55.6%</td>
<td>Vacancy savings</td>
</tr>
<tr>
<td>550 - Real Estate and Facility Planning</td>
<td>2,088</td>
<td>1,619</td>
<td>3,237</td>
<td>50.0%</td>
<td>Identified savings and timing of professional services</td>
</tr>
<tr>
<td>600 - Operations and Maintenance Oversight</td>
<td>2,371</td>
<td>2,083</td>
<td>3,871</td>
<td>53.8%</td>
<td>Identified savings and timing of professional services</td>
</tr>
<tr>
<td>610 - Bus Contract Operations</td>
<td>83,524</td>
<td>88,135</td>
<td>122,050</td>
<td>72.2%</td>
<td></td>
</tr>
<tr>
<td>620 - Paratransit Contract Operations</td>
<td>21,308</td>
<td>20,989</td>
<td>30,441</td>
<td>69.0%</td>
<td></td>
</tr>
<tr>
<td>630 - Paratransit Administration</td>
<td>210</td>
<td>235</td>
<td>359</td>
<td>65.6%</td>
<td></td>
</tr>
<tr>
<td>640 - Paratransit Reservation &amp; Control</td>
<td>1,229</td>
<td>1,358</td>
<td>1,834</td>
<td>74.1%</td>
<td></td>
</tr>
<tr>
<td>650 - Paratransit Eligibility</td>
<td>605</td>
<td>641</td>
<td>931</td>
<td>68.8%</td>
<td></td>
</tr>
<tr>
<td>920 - Central Corridor Development</td>
<td>737</td>
<td>1,263</td>
<td>2,079</td>
<td>60.7%</td>
<td>Timing of corridor analyses spending</td>
</tr>
</tbody>
</table>

**Total**                                           $163,875           $171,609             $249,952              68.6%
## Capital Projects Summary

<table>
<thead>
<tr>
<th>Project Category</th>
<th>Expended '000</th>
<th>Outstanding Commitments '000</th>
<th>Budget '000</th>
<th>Expended &amp; Committed as % of Budget</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commuter Rail</td>
<td>29,003</td>
<td>5,291</td>
<td>54,805</td>
<td>62.6%</td>
<td>Positive Train Control</td>
</tr>
<tr>
<td>Vehicles</td>
<td>8,537</td>
<td>714</td>
<td>15,121</td>
<td>61.2%</td>
<td>Bus Replacements - 17 Transit Buses</td>
</tr>
<tr>
<td>Information Technology</td>
<td>2,479</td>
<td>2,253</td>
<td>10,476</td>
<td>45.2%</td>
<td>Data Center Modernization; Intelligent Transportation Systems Project</td>
</tr>
<tr>
<td>Real Estate</td>
<td>1</td>
<td>-</td>
<td>2,000</td>
<td>0.0%</td>
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</tr>
<tr>
<td>Facilities</td>
<td>10,570</td>
<td>14,397</td>
<td>51,827</td>
<td>48.2%</td>
<td>TIGER Grant Project; New bus stops for Cap Remap</td>
</tr>
<tr>
<td>Freight Railroad</td>
<td>397</td>
<td>280</td>
<td>3,895</td>
<td>17.4%</td>
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<tr>
<td>Property and Asset Mgmt</td>
<td>773</td>
<td>386</td>
<td>2,472</td>
<td>46.9%</td>
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</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>4,662</td>
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<tr>
<td>Strategic Planning</td>
<td>-</td>
<td>-</td>
<td>5,200</td>
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<tr>
<td>Security</td>
<td>258</td>
<td>90</td>
<td>1,045</td>
<td>33.3%</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>52,017</strong></td>
<td><strong>23,411</strong></td>
<td><strong>151,503</strong></td>
<td><strong>49.8%</strong></td>
<td></td>
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</tbody>
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*Outstanding commitments are for the purchase orders that have been issued.*
Questions/Discussion
Operations Report
3rd Quarter

Capital Metro Board Meeting
August 27, 2018
Bus

RATPDEV

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Score</th>
<th>Weight</th>
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<tbody>
<tr>
<td>On Time Performance</td>
<td>8.62</td>
<td>20%</td>
</tr>
<tr>
<td>Vehicle Accidents</td>
<td>0</td>
<td>20%</td>
</tr>
<tr>
<td>Passenger Accidents</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Miles Between Roadcalls</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Complaints per 100000 Passengers</td>
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<td>20%</td>
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MV

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Score</th>
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<tbody>
<tr>
<td>On Time Performance</td>
<td>7.52</td>
<td>20%</td>
</tr>
<tr>
<td>Vehicle Accidents</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Passenger Accidents</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Miles Between Road Calls</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Customer Complaints</td>
<td>10</td>
<td>20%</td>
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BRT
FY 2018 Q3

Performance Score: -2.02

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<tr>
<td>Passenger Accidents</td>
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<td>20%</td>
</tr>
<tr>
<td>Miles Between Road Calls</td>
<td>0</td>
<td>20%</td>
</tr>
<tr>
<td>Customer Complaints</td>
<td>10</td>
<td>20%</td>
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</tbody>
</table>
Paratransit
FY 2018 Q3

MV

<table>
<thead>
<tr>
<th>Category</th>
<th>Score</th>
<th>Weight</th>
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</thead>
<tbody>
<tr>
<td>On Time Performance</td>
<td>5.37</td>
<td>20%</td>
</tr>
<tr>
<td>Vehicle Accidents</td>
<td>7.5</td>
<td>20%</td>
</tr>
<tr>
<td>Passenger Accidents</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Miles Between Roadcalls</td>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>Customer Complaints/10,000 Passengers</td>
<td>8.21</td>
<td>20%</td>
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Ride Right

<table>
<thead>
<tr>
<th>Category</th>
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<tbody>
<tr>
<td>On Time Performance</td>
<td>7.26</td>
<td>25%</td>
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<tr>
<td>Vehicle Accidents</td>
<td>7.5</td>
<td>25%</td>
</tr>
<tr>
<td>Passenger Accidents</td>
<td>10</td>
<td>25%</td>
</tr>
<tr>
<td>Complaints per 10,000 Passengers</td>
<td>0</td>
<td>25%</td>
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Rail
FY 2018 Q3

PERFORMANCE

8.11
SCORE

+3

<table>
<thead>
<tr>
<th>SCORE</th>
<th>WEIGHT</th>
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<tbody>
<tr>
<td>10</td>
<td>20%</td>
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<tr>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>10</td>
<td>20%</td>
</tr>
<tr>
<td>7.92</td>
<td>20%</td>
</tr>
<tr>
<td>2.62</td>
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On Time Performance
Vehicle Accidents
Passenger Accidents
Customer Complaints/20,000
Mean Distance Between Failures
Overall Performance
FY 2018 Q3

<table>
<thead>
<tr>
<th>PERFORMANCE</th>
<th>SCORE</th>
<th>WEIGHT</th>
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<tbody>
<tr>
<td>Bus</td>
<td>8.48</td>
<td>63.64%</td>
</tr>
<tr>
<td>BRT</td>
<td>5.72</td>
<td>11.11%</td>
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<td>Paratransit</td>
<td>7.2</td>
<td>24.24%</td>
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<tr>
<td>Rail</td>
<td>8.11</td>
<td>1.01%</td>
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**HISTORICAL PERFORMANCE**

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<thead>
<tr>
<th>PERIOD</th>
<th>SCORE</th>
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<tbody>
<tr>
<td>Oct 2017</td>
<td>6.17</td>
</tr>
<tr>
<td>Nov 2017</td>
<td>7.5</td>
</tr>
<tr>
<td>Dec 2017</td>
<td>7.73</td>
</tr>
<tr>
<td>Jan 2018</td>
<td>7.91</td>
</tr>
<tr>
<td>Feb 2018</td>
<td>8.29</td>
</tr>
<tr>
<td>Mar 2018</td>
<td>8.37</td>
</tr>
<tr>
<td>Apr 2018</td>
<td>7.92</td>
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<tr>
<td>May 2018</td>
<td>7.49</td>
</tr>
<tr>
<td>Jun 2018</td>
<td>6.41</td>
</tr>
<tr>
<td>Jul 2018</td>
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