



## Memphis Area Transit Authority

*MATA'S MISSION:* To provide a reliable, safe, accessible, clean and customer-friendly Public Transportation System that meets the needs of the community.

### Board of Commissioners

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Chairman – Sean Healy

Vice Chairman – Andre Gibson

Commissioners

Charles “Chooch” Pickard

John C. Vergos

Martin Lipinski

Roquita Coleman

Shelia Williams

Kristen Bland

Lauren Taylor

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Board of Commissioners Meeting  
Monday, July 28, 2014  
3:30 pm

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|------|--|----------------|
| I.   | CALL TO ORDER  | Andre Gibson   |
| II.  | BOARD ROLL CALL  | Linda Eskridge |
| III. | APPROVAL of June 23, 2014 Board Minutes<br>APPROVAL of July 15, 2014 Special Board Minutes   | Andre Gibson   |
| IV.  | ACTION ITEMS:  | Andre Gibson   |
| A.   | <u>FINANCE COMMITTEE</u>   |                |
|      | 1. Resolution to Authorize a Lease with<br>The Amalgamated Transit Union-<br>Local 713 for Office Space at the<br>Hudson Transit Center<br>- Res. No. 14-34            | Tom Fox        |
|      | 2. Resolution to Approve a Task Order<br>to Smith Seckman Reid, Inc. (SSR)<br>for Provision of Technical Assistance<br>Related to Trolley Vehicles<br>- Res. No. 14-35 | Tom Fox        |

3. **Resolution Authorizing the Filing of An Application with the Federal Transit Administration for Discretionary Funding Under the Section 5309 “Ladders of Opportunity” Program as Part of a Statewide Application**  
- Res. No. 14-36 Maury Miles
4. **Resolution Authorizing Insurance Coverage – Res. No. 14-37** Tom Fox
5. **Resolution to Award a Contract to Gillig to Purchase Spare Parts for Hybrid Electric Buses – Res. No. 14-38** Ashley Best

**B. SERVICE AND DEVELOPMENT**

1. **Resolution to Approve an Easement for Artistic Bus Shelter – Res. No. 14-39** Tom Fox
2. **Resolution to Adopt Customer Code of Conduct – Res. No. 14-40** Tom Fox
3. **Resolution to Approve Disposal of Surplus Vehicles – Res. No. 14-41** Maury Miles
4. **Resolution to Revise Contingency Fleet – Res. No. 14-42** Maury Miles

**V. REPORTS:**

- **FINANCIAL REPORT** Gilbert Noble
- **MARKETING REPORT** Alison Burton
- **PERFORMANCE MEASURES REPORT** Tom Fox
  - June, 2014

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- **INTERIM GENERAL MANAGER'S REPORT** Tom Fox
- **Midtown Alternative Analysis Briefing** John Lancaster

**VI. SPEAKERS**  
*(See sign-in cards for speakers)*

**VII. OLD/NEW BUSINESS** Andre Gibson

**MINUTES OF BOARD MEETING**  
**MEMPHIS AREA TRANSIT AUTHORITY**  
**June 23, 2014**

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**CALL TO ORDER:** A regular meeting of the MATA Board of Commissioners was called to order at 3:30 p.m. on Monday June 23, 2014 in the MATA Board Room at 1370 Levee Road by Chairman Sean Healy.

**BOARD ROLL CALL:**

**Present:** Chairman, Sean Healy  
Commissioners: Charles Pickard; Andre Gibson; Shelia Williams; Roquita Coleman; Martin Lipinski

**Absent:** John Vergos; Lauren Taylor; Kristen Bland

**Quorum:** Yes

**Staff:** Lawson Albritton; Darryl Covington; Judy Ellis; Linda Eskridge; Lavelle Fitch; Don Forsee; Tom Fox; LaBarbara Houston; Wendell Hussey; John Lancaster; Willie Lewis; Glen Lockhart; Shelia Maclin; Maury Miles; Gilbert Noble; Glenda Wade; Tommy Wallace

**Guests:** **MCIL/STAC Attendees:** Josue Rodriguez;  
**Memphis Bus Riders Union:** Bennett Foster; Ray McClanahan; Betty Robinson; James Robinson  
**Mid-South Peace and Justice/HOPE:** Jim V. Brown, III; Paul Garner; Brad Watkins  
**Others:** Kwasi Agyakwa, Memphis MPO; Betty Anderson, Travel Trainer; Bill Appling; Thomas Bolling, Ambassador Worldwide Protection; Don Carter, CDA/Maxsent; Lyndia Crawford, City of Memphis Law Division; Maria Fuhrmann, City of Memphis; Kim Heathcott, Clarion; Russell Jones; Johnnie Mosley, Citizens for Better Services; Nicholas Oyler, Memphis MPO; Tony Rice, AWPA; Russell Scholl, CDA/Maxsent; Henry Wilson, MATA Retiree

Chairman Healy took the opportunity to introduce two new Board Members that were not present at the last Board Meeting: Ms. Roquita Coleman, and Mr. Martin Lipinski. He welcomed them to the MATA Board and stated the he looked forward to their service to the Board.

**APPROVAL OF MINUTES:** Mr. Pickard moved for approval of the June 2, 2014 Board Minutes. Mr. Gibson seconded the motion and the minutes were unanimously approved.

**ACTION ITEMS:**

**A. FINANCE COMMITTEE**

**1. Resolution to Award a Contract to Panther Petroleum for Synthetic Transmission Fluid - Res. No. 14-30**

**Discussion:** Mr. Glen Lockhart, Maintenance Director and Ms. Shelia Maclin, Manager of Purchasing presented this resolution to the MATA Board. Mr. Lockhart stated all of the buses use synthetic transmission fluid. He checked the specs of the lower bidder and it is on the approved list for our solicitation. Shelia stated that purchasing solicited bids and the IFB was advertised on the MATA website. There was no DBE goal set. Staff recommends a two-year contract for 16,000 gallons of fluid, which is a savings from what was paid in the past two years. MATA was previously paying \$24.32 per gallon; however, under this contract MATA will pay \$23.49 per gallon. Staff recommends that this contract be awarded to Panther Petroleum. **Mr. Pickard moved that this resolution be moved to the floor for discussion. Dr. Lipinski seconded the motion. Resolution No. 14-30 was unanimously approved.**

**2. Resolution to Award a Contract to McPherson Companies for SAE 15W-40 Motor Oil - Res. No. 14-31**

**Discussion:** Mr. Glen Lockhart, Maintenance Director and Ms. Shelia Maclin, Manager of Purchasing presented this resolution to the MATA Board. Glen stated this procurement is for engine oil for MATA buses. Again, specs were checked and it meets the recommendations for Cummings engines. Ms. Maclin reported that no DBE goal was set. Staff recommends a one-year contract based on what we are currently paying for oil, which is \$6.99. The 10W Motor oil does not require Board approval because it is under \$50,000. **Mr. Pickard moved that this resolution be moved to the floor for discussion. Mr. Gibson seconded the motion. Resolution No. 14-31 was unanimously approved.**

Chairman Healy made a deviation on the agenda to allow the security vendors to address the Board, and answer any questions from the Board. Mr. Willie Lewis, Manager of Security, introduced representatives from Ambassador and representatives from CDA/MaxSent. Mr. Bolling with Ambassador Security Service addressed the Board regarding their background, and thanked the Board and MATA staff for the opportunity. Mr. Healy called for any questions or comments. He also stated that this is in response to the public comments from the June 2, 2014 Board Meeting.

**Mr. Bennett Foster, MBRU -** He stated that he has some concerns about the contracting process for the items that are voted on by the Board. He stated the Board should know and exercise all their options before a vote is taken. He feels that CDA is a good company, as he has inquired about them. He stated that he does have some questions about Ambassador, because of the issues with Protech.

He asked the Board to take under consideration that they have very little background knowledge of these companies, although as it stands there is not very much he can do right now.

Dr. Fox stated that at the last Board Meeting on June 2, 2014, it was stated that the Board wanted to see the draft contracts before they are executed, and the contracts would be emailed to the MATA Board Members. Chooch requested the contracts be sent to the MBRU, and Dr. Fox stated that we would send it to them; however, he wanted to share them with the MATA Board first. The effective date of the new contract is July 1, 2014. Chooch asked if there is anything in the contract in the event we are not satisfied with the service before the contract expires. Dr. Fox stated we have the right to terminate for cause or for convenience. Mr. Gibson asked if there is any penalty for terminating a contract. Dr. Fox stated that we would just pay them for their services through the termination date. There is a 30-day termination notice. It would also depend on whether the termination is for cause or for convenience. Chairman Healy thanked both companies for attending the Board Meeting and stated there is heightened sensitivity around how we provide security to employees, as well as our customers. It is extremely critical that the companies treat people with the level of respect they need to be treated with both from an appearance perspective and actions they take to remediate situations.

**B. SERVICE AND DEVELOPMENT**

**None**

**Discussion - MATApplus On-time Performance/Fare  
Charles Pickard**

Mr. Pickard passed on this discussion until all Board Members are present. This discussion came about due to complaints from riders of MATApplus regarding lateness of buses beyond the 30-minute time window. He stated that he was not yet ready to make a resolution, but wanted to hear from staff position on pros and cons for as it relates to the free ride proposal. Dr. Fox gave some numbers around the original proposal which was if the ride was more than 60-minutes late the ride would be free. It would be about 2,500 riders per year, which is about 1% of ridership, at \$3.50 per ride, would equate to \$8,800 in loss revenues. Dr. Fox stated the concern he would have is if this takes place with MATApplus, how it would be applied to other modes of transportation. Mr. Pearson stated that he would like to do a comparison with the STAC Committee on how this could be a ripple effect. Chairman Healy suggested that we utilize the STAC Committee, Board Members, and the MATA staff to have the appropriate groups represented for an informed discussion on this matter. Also possibly utilize our attorney to inform us on the ripple effects of how this would affect other modes of transportation should this action be taken. A recommendation should come out of the committee regarding a resolution.

Dr. Lipinski asked for a briefing on the current status and the operation of MATApplus. Mr. Pickard stated this would be a good item for discussion at the Retreat. Mr. Pickard also mentioned updating the new Board Committee assignments. Chairman Healy stated committee assignments should be an item for discussion at the Retreat as well. Chairman Healy also stated that the selection of the vice chairman of the Board does not have to be discussed at the Retreat. This can be voted on at the regular Board Meeting.

## **FINANCIAL REPORT**

**May 2014 (11 months of the fiscal year)**

**Gil Noble**

Mr. Noble gave a brief updated on the financial report from information included in the financial summary that each Board Member received. Our operational revenues are within \$100,000 of the budget, about \$48.7MM. Some of the line items are down and some are up; however the net is close to zero. Our expenses for the month were \$161,000 favorable from budget. That reduced the unfavorable year-to-date budget variance down to about \$400,000. The year-to-date expense does include the favorable impact of insurance recoveries we received \$1MM (\$600,000 & \$400,000) for two burned-out trolleys. These two amounts are included in the cash balance and might not have to be repaid to Federal Transit Authority (FTA). If it does not have to be repaid to FTA, that cash would be available to use for other purposes.

## **MARKETING REPORT**

**Niketa Reed**

### **MEDIA EVENTS**

- Trolley Suspension press conference - On Tuesday, June 10<sup>th</sup>, MATA held an outdoor press conference under the Central Station pavilion to address the immediate suspension of trolley services and replacement with hybrid buses for an estimated 3-6 months.

### **MOBILE APPLICATION DEVELOPMENT**

- Marketing and the IT departments are finalizing the contract with TransLoc, preparing transit system information, and drafting design notes for TransLoc to review for the discovery phase of the development process for a mobile app.

### **COMMUNICATION EFFORTS**

- Alternative trolley service information - Created and distributed bus shuttle maps and brochures, shuttle stop stickers for signs, updated website and social media.
- Continued work distributing service change information to the ridership.
- Continued work on signage at all three transit centers and accessibility on MATA website.

- Continued work on the hybrid electric bus campaign “GO GREEN, RIDE CLEAN”

Ms. Reed distributed a copy of the Alternative Trolley Service Brochures to the MATA Board.

### **PERFORMANCE MEASURES REPORT (May)**

Dr. Fox reported on May’s performance report. We monitor 20 performance measures each month, and this was a difficult month. We exceeded our performance measure on 6 of the 20. We were within 10% on 3 of the measures; and below our target on 11 measures. We had a bad month in the area of accidents, as we doubled in the target on all modes on both preventable and non-preventable. That was our biggest problem in May. Dr. Fox stated that we made a change to the way we measure on-time performance, those numbers have gone down. We went back to the way we previously measured performance about a year ago, which we feel is more consistent with industry standards. A bus that departs a time point within one minute early to five minutes late on fixed route and trolley, would constitute an on-time trip. On MATAplus the measure is 30 minutes for on-time. With the June sign-up now in place, we are checking on the pilot test of the re-coding of the new time points. Next month we should know for sure if that is our solution to that data problem. Chooch questioned the trolley accident data. The data is based on per 100,000 miles. He requested that we show trolley’s raw numbers of accidents as well as the rate. Dr. Fox stated that we would separate the numbers.

### **INTERIM GENERAL MANAGER’S REPORT**

Dr. Fox forwarded a copy of the general manager’s report to the Board prior to the Board Meeting. He addressed a few highpoints from the report.

#### **Customer Code of Conduct**

A first draft of the Customer Code of Conduct was sent out for external review to include, MCIL, MBRU, Betty Anderson, Johnnie Mosely, and STAC Committee. This included a list of things that would be a violation either at the facilities or on buses. Today, June 23, 2014 a second piece was sent out to that same group to include the process that we would use to expel or suspend a person, as well as the appeals process. Dr. Fox stated that staff would like to get the Code of Conduct finalized within a week or two. This is one of the documents that would be included in the security guard’s contract.



### **Budget**

The Memphis City Council did approve the MATA budget, and we received an additional \$2.3MM over last year, an 11% increase. This brings us to the point of having just a \$2MM gap to fill. In speaking with Mr. Noble, staff can bring a complete budget by the August Board Meeting. Dr. Fox stated that if the Board would like to have a finance committee meeting or a series of meetings before then, we are willing to meet as the details are developed. Chairman Healy stated that having a meeting prior to the August Board Meeting would perhaps be the better way. Andre Gibson is chairman of this committee, and will coordinate this with Board and staff.

### **Trolley Service**

We are running Hybrid Electric Buses and are in the process of securing specialized expertise to assist with the re-inspection of the trolleys, as well as updating our maintenance manuals. We have some candidates identified and plan to bring them in on a consultant basis, with the intent to get a certain number of the trolleys recertified as safe and back in service within three to six months.

### **Game Shuttles**

We have had meetings with all the venues and they are all considering their options. Staff is requesting another month to finalize this. Tom feels that some will be willing to pay the advertising cost to keep the services going. We do plan to have this resolved by July 28<sup>th</sup> Board Meeting.

### **Update on Complaints**

Dr. Fox addressed a question from last month's meeting regarding a breakdown of types of complaints. Dr. Fox distributed a copy of the way complaints are currently being categorized; however staff realizes there is a need to have more categories. The "Miscellaneous" category will be broken down in more detail by next month. Chooch also asked that we break up the categories of cleanliness to buses versus facilities.

Mr. Pearson stated in regards to the trolley we have currently gone through two trolleys assessing the actual needs of the trolleys and re-pricing the cost to do the refurbishing on them. Mr. Pearson anticipates have at least seven trolleys ready in about a six-month period.

### **Specialized Transportation Advisory Committee Presentation (STAC)**

#### **Josue Rodriguez**

This presentation was to update the Board on the background and purpose of the STAC Committee, as well as state some concerns from the committee.

Mr. Rodriguez stated it has been around since 1984, and their main purpose is to discuss, advise and make recommendations to MATA staff on transportation services needed to persons with disabilities. Mr. Josue stated his concern is the committee recommendations do not carry any weight as it can be chosen to be accepted or dismissed. He would also like to see more connection with the MATA staff as well as working with the Board. As chairman of the STAC committee, he would like to sit down and reevaluate some of the concerns. He wants to make the committee stronger and work more with MATA to see how we can assist in addressing a lot of the issues of riders/people with disabilities. He discussed some of the things the committee is currently doing, such as appreciation day for MATApplus, fixed route and trolley drivers, and the appeal process for MATApplus applications, but would like to see more collaboration with MATA. He wants to see the committee grow, but in doing outreach, he wants to assure that he has some support from MATA. He wants to go over the present bylaws for improvement and revisions with the MATA staff and the Board.

If some of these changes are not made, there is really no reason for recruitment from the community and different organizations. Mr. Russell Jones, Vice Chairman of the STAC Committee agreed with Mr. Rodriguez's remarks as well. As a former operator of both MATApplus and fixed route, Mr. Jones stated he has a lot of ideas that he feels could work well to alleviate some of the current problems with all modes of transportation. Ms. Anderson, Chairperson for the Memphis Transportation Advisory Committee, stated she feels that this committee works with MATA and feels they have done a good job of getting together and working out issues. It is an opportunity, and within their bylaws one of their goals is to improve the relations with MATA between seniors and people with disabilities and get the information out as much as possible. Josue said it was stated that we would have a MATA representative at every STAC meeting; however, that has not happened. Chooch stated that we did have a MATA representative at the last meeting. Mr. Pearson asked for a schedule of the meetings, and he would assure a representative from the MATA staff is present. He would like for the STAC Committee to be perceived as under the leadership of MATA, other than an outside organization. Ms. Coleman commented and offered her assistance to work with STAC. Chairman Healy stated that he feels the best way to handle these recommendations is to work with the ADA Committee to review all recommendations and bring forth in the form of a resolution. Chairman Healy stated, and speaking for the Board, they certainly appreciate all that the STAC Committee is doing and want to be partners to help improve the committee. Chairman Healy committed that MATA staff, as well as the Board, will use the committee structure to be more effective as a Board.

### **Bus Advertising Presentation - Gary Crawford**

Mr. Crawford, Senior Manager of Transit Advertising, gave a review of how MATA handles its transit advertising. Our goal is to bring in money for the agency so we can provide better service and amenities. Our advertising sales since bus advertising was brought in-house two years ago, is \$900,002. It has averaged 450,000 per year, an 80% increase in the revenue to MATA compared to the previous contracting arrangement.

With regard to bus shelters, MATA contracts with Clear Channel giving them the right to put out shelters with advertising and pay MATA a portion of the revenues. Mr. Crawford stated that all that the shelters put in by Clear Channel or MATA has met ADA regulations.

The price for advertisement on a bus is based on the type of advertising that is requested. Mr. Crawford explained the different types of bus advertisements, as well as the pricing for each type. Some strategies that we are looking at for future advertising are: 1) Audio Advertising (on buses and trolleys)- this feature would advertise specials in the area of the stops; 2) Smaller interior ads at the terminals; this is to give customers more options to know when buses are arriving; and 3) a new website that will embrace social media. We will have Linked In, Twitter and Facebook. This is not an overnight process; however, we do need to start working on it now. MATA has already begun working on an app.

Mr. Crawford also gave an update on the shelters. As of Friday, we have installed 40 new shelters. This includes 12-foot and 8-foot lengths. We have also installed two refurbished shelters. They cost of a refurbished trolley is about \$1,700. We have our new super shelters for the new super stops, and they are 20 foot long. There are two installed, one on each side of Cleveland just north of Poplar. We have one other shelter in storage awaiting installation. Mr. Gibson asked if there were any special advertising rates for non-profits. Mr. Crawford says we do have special rates for anything that falls in that category. Chairman Healy thanked Mr. Crawford for a good report.

### **SPEAKERS:**

**Mr. Bill Appling, 296 Angelus, Memphis, TN 38112** - RE: University of Memphis Basketball Shuttle - Mr. Appling read an article from the Commercial Appeal Editorial section written by his parents requesting the continuation of the U of M shuttle. About 30 people (along with his parents) meet at Halle Station to catch the shuttle and a lot of these individuals have disabilities. Most of them have been using the services for 12 to 15 years.

In taking away this service, they feel one of the highlights of their golden years have been taken away. He attended the Board Meeting in support of his parents who are in their 80's and all the other 30+ people that ride this shuttle. He appreciates the opportunity to express this for his parents and other riders as well.

**Mr. Ray McClanahan, MBRU** - Mr. McClanahan stated the purpose of the public transportation is to provide service for the people. The people of Memphis are suffering because of the poor transportation service in Memphis. In October 2013 he spoke to the Board about no transportation service on Saturday nights for the people that want to go out and enjoy themselves. There are also young people that have jobs that need after hours service. This has been going on for years and years. He stated that he approached Dr. Fox about this and Dr. Fox promised him that we would extend this service, but it would have to wait until June. As of June 1, 2014 there have been no changes in the service. Meanwhile, there is standing room only on the 36 Lamar in the evening. He talked about the Goodlett Farms route that no one ever rides; however it continues to run. He feels this is unnecessary money being spent; meanwhile people are suffering. Mr. McClanahan stated that money is being wasted on the 5 Central as well. Mr. McClanahan urges the MATA Board to make the right choice when it comes to selecting a general manager. Dr. Fox stated that he did not promise Mr. McClanahan that he would extend the Poplar service. He did tell Mr. McClanahan that he would look into it as we are still trying to figure out how to add some late night Saturday trips. Part of the problem is we would have to add more service than the Poplar route. We have not totally dismissed this request, but there were no promises this service would be in place in June.

## **OLD/NEW BUSINESS**

Chairman Healy updated the Board on the general manager's search. KL Executive Search was able to secure 45 potential candidates, and the list has been narrowed down to 5 candidates. The Board have conducted interviews, as well as follow ups with some of the candidates. All of the candidates have other jobs, and for confidentiality, we will not mention their names. Seven of the Board Members participated on the interview panel, and comments from the Board are that all five candidates are very strong and from all parts of the United States. Chairman Healy stated that his commitment to the Board and staff is by the July 28, 2014 Board Meeting we should have a resolution to bring forward on the new general manager. This process came in the middle of a change out of several members of the Board, and we wanted to make sure we had all new Board Members in place before we take the final steps to hiring a general manager.

### **Hudson Transit Center Concerns**

Mr. Pickard stated that he was invited by the bus riders union to visit the Hudson Transit Center as they had several concerns about the condition of the facility, as well as some deferred maintenance issues that need to be addressed. Mr. Pickard stated that he would like to form a committee to work with Mr. Alvin Pearson to go down and visit the terminal in an effort to get some of the issues of the bus riders union resolved. Mr. Pickard showed some photos of the condition of the men's restroom. He also expressed their concern about needing a camera inside the security guard's holding area housed inside the facility. There is no roof on the holding area, so staff could possibly put a camera on the column. Also there are no outlets for people to charge their phones. He feels this is something that can be provided at a low cost. We also need to find other ways to utilize the monitors other than for bus schedules. The outside of the facility is not being maintained. Mr. Pearson stated that he would schedule a time that those interested parties could go down and review the facilities and give their input on maintaining it.

### **Bike-share Eligible for Transit Funds**

Dr. Fox updated the Board on an email he received from Bike/Pedestrian coordinator on the bike-share language in the potential bill that is being circulated around in the U.S. Senate. The coordinator suggested that Mayor Wharton is supportive of the language that would possibly be inserted in the Transportation Reauthorization Bill allowing bike-share programs to be an eligible expenditure on the FTA Formula Grant Program. Dr. Fox asked the Board's feelings on MATA supporting this possible change in federal law to allow transit money to be used for bike-share program. Dr. Fox also explained the definition of the bike-share program, as well as stated that he feels that both capital and operating expenses would be eligible. The language would be inserted in the bill that provides the formula funds for MATA.

Dr. Lipinski stated that there are some projects in the works now that would be very amenable to the bike-share program. Chairman Healy asked if there are any objections to the Board adding our support for the bike-share program. There were no objections.

### **U of M Basketball Shuttle**

Dr. Fox stated that he received an email stating that the University of Memphis is committing to the cost of advertising in the amount of the projected losses for the basketball games. This was welcomed news.

**Vice Chairman Nomination**

Mr. Andre Gibson nominated himself to serve as vice-chairman of the MATA Board of Commissioners and Chairman Healy seconded the motion. The nomination was unanimously approved by the Board.

Ms. Eskridge stated the next Board Meeting will be July 28, 2014 at 3:30 p.m. at 1370 Levee Road Board Room.

Chairman Healy recognized all staff and guests that were present at the meeting and stated he appreciates everyone that takes the time to attend the MATA Board Meetings. He then called for a motion for adjournment. Mr. Pickard motioned that the Board Meeting be adjourned. Mr. Gibson seconded the motion and the MATA Board Meeting was adjourned.

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Mr. Sean Healy  
Chairman of the Board

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION 14-34**

**RESOLUTION TO AUTHORIZE A LEASE WITH THE AMALGAMATED TRANSIT  
UNION-LOCAL 713 FOR OFFICE SPACE AT THE HUDSON TRANSIT CENTER**

**WHEREAS, The William Hudson Transit Center (formerly the North End Terminal) has leasable office space in the building; and**

**WHEREAS, The Amalgamated Transit Union-Local 713 (ATU) has a need for office space; and**

**WHEREAS, Staff has negotiated a lease with ATU for approximately 2,250 square feet on the second floor of the William Hudson Transit Center at an annual rent of \$11,100, or \$925 per month for an initial term of five years; and**

**WHEREAS, The lease may be renewed for additional one year periods at terms that are mutually agreed upon by the parties; and**

**WHEREAS, The lease may be terminated by either party at any time upon 30 days notice.**

**NOW THEREFORE BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That a Lease Agreement between MATA and the Amalgamated Transit Union-Local 713 is approved.**

**BE IT FURTHER RESOLVED, That the rent will be \$11,100 per year for the initial term of five years, and mutually agreed upon by the parties for any renewal term(s).**

**BE IT FURTHER RESOLVED, That the lease is contingent on approval by the Federal Transit Administration.**

**BE IT FURTHER RESOLVED That the President/General Manager or Chairman of the MATA Board of Commissioners be authorized to execute the Lease.**

**\* \* \* \* \***

**Motion Made By: Charles Pickard**

**SECONDED: John Vergos**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**

**LEASE AGREEMENT**  
**Between the Memphis Area Transit Authority and**  
**ATU – Local 713**

The Lease Agreement (“Lease”) is made and entered into this 1<sup>st</sup> day of August, 2014 (“Effective Date”) between the Memphis Area Transit Authority (“LESSOR” or “MATA”), a transit authority existing under and by the virtue of Tennessee Code annotated and the Memphis Code of Ordinances and the ATU – Local 713 (“LESSEE”).

**WITNESSETH**

WHEREAS, LESSOR owns the building and the property located at 444 N. Main Street, Memphis, Tennessee 38108, the Hudson Transit Center (“HTC”), and desires to lease approximately 2,250 square feet of said HTC (the “Premises”) to LESSEE; and WHEREAS, LESSEE is desirous of utilizing the Premises to operate an office of LESSEE and has determined the Premises are suitable for said purpose.

NOW, THEREFORE, each of the parties acknowledges receipt of valuable consideration from the other and for the further consideration as set out herein below, LESSOR and LESSEE agrees as follows:

1. **Lease Grant.** Subject to the terms of the Lease, LESSOR hereby leases to LESSEE, and LESSEE leases from LESSOR, the Premises.
  
2. **Term.** The initial term of this Lease shall be for five (5) years commencing August 1, 2014 and ending July 31, 2019 (the “Initial Term”). This Lease will automatically renew for additional one (1) year periods (each a “Renewal Term”) following the expiration of the Initial Term or any Renewal Term, unless either party provides the other with written notice of termination at least 30 days prior to the end of the Initial Term or Renewal Term, as applicable. Collectively, the Initial Term and Renewal Term are referred to herein as the “Term”.
  
3. **Rent.** The annual rental and monthly payments due LESSOR with respect to the Premises shall be as follows:

	<b>Lease Year</b>	<b>Annual Rental</b>	<b>Monthly</b>
<b>Payment</b>			
<b>Initial Term</b>	August 1, 2014 – July 31, 2019	\$11,100	\$925.00
	Subsequent Renewal Terms Years	To be determined by mutual agreement of the parties	

LESSEE shall pay the applicable Monthly Payment on the first business day of each month during the Initial Term and any Renewal Term of the Lease. All Monthly Payments shall be paid to LESSOR at the following address, MATA Attention: Accounts Receivable, 1370 Levee Road, Memphis, Tennessee 38108.

4. **Permitted Use.** It is agreed that the Premises shall be used for office and meeting space and for no other uses or purposes without the consent of the LESSOR. LESSOR



will not unreasonably withhold consent to use the Premises by LESSEE for other legal purposes.

5. **Utilities; Security.** LESSEE shall promptly pay all telephone (local and long distance) charges incurred during the Term or while LESSEE is occupying the Premises.

LESSOR shall be responsible for all water, electricity, gas and other utility charges relating to the Premises for any part of the Term or while LESSEE is occupying the Premises as the 444 N. Main Street have separate meters to correctly assess these charges.

LESSEE agrees to pay all costs for cleaning and janitorial services within the Premises.

LESSEE agrees to pay all costs for security exceeding the level of security provided by MATA for the Premises in the ordinary course of its business, if needed

6. **Parking; Signage.** LESSEE and its members, shall park their cars only in those portions of the parking area designated by LESSOR for LESSEE's use during normal business hours and during the hours of special meetings held by the LESSEE.

LESSEE may install a sign package, at its own expense, with a design (including size, wording and all other aspects of the sign), to be approved by LESSOR and at a location on the interior, of the premises to be approved by LESSOR, which approval shall not be unreasonable withheld, conditioned or delayed.

7. **Alterations; Repairs.** (a) LESSEE shall not make any substantial changes, alterations, or additions about the Premises without first obtaining written consent of LESSOR, which approval shall not be unreasonably withheld, conditioned or delayed, and in no event shall LESSEE do anything that shall weaken the HTC building or structure. This provision shall not impair the right or obligation of LESSEE to make minor alterations or repairs as required by this Lease.

(b) LESSEE shall have no duty to replace in full the boiler, heating, ventilating and air conditioning systems; or roof.

(c) LESSEE agrees to return said Premises to LESSOR at the end of the Term in as good a condition as the date of the Lease, except for ordinary wear and tear.

(d) LESSEE shall maintain all portions of the Premises not constituting the HTC Building Structure (which the LESSOR is obligated to maintain in a clean, safe and operable condition) in as good a condition as of the date of the Lease, and shall not permit or allow to remain any waste or damage to any portion of the Premises, except for ordinary wear and tear.

8. **Insurance.** LESSEE agrees that it will keep the Premises insured for the full replacement value of all improvements on the Premises including, without limitation, all improvements made by LESSOR and LESSEE. LESSOR shall be named as insured under said policy. LESSEE agrees to maintain general public liability insurance acceptable to LESSOR insuring against personal injury and property damage claims arising on the Premises, or areas

immediately adjacently thereto, and to name LESSOR as the named insured in the policy. The policies providing insurance specified above shall include MATA, City of Memphis (a municipal corporation), Mid – South Transportation Management, Inc. (MTM) and First Transit, Inc. as additional insured or loss payees with respect to physical loss or damage to the Premises LESSEE shall provide a certificate of insurance completed by the insurance carrier, agent or broker certifying that the insurance coverage required are in effect and that coverages will not be cancelled or materially changed without 30 days written notice to MATA. A certificate of insurance specifying the foregoing coverage shall be received by MATA at the following address:

Memphis Area Transit Authority  
1370 Levee Road  
Memphis, TN 38108

9. **Indemnification.** LESSEE shall indemnify and hold harmless the Additional Insured set forth in paragraph 8 and LESSOR and its directors, employees, agents (collectively, “Indemnified Parties”) from any and all claims, damages, liabilities, fines and expenses, including court costs and reasonable attorney’s fees in any manner arising out of actions, or omissions of LESSEE, its employees, agents and contractors, in performing its obligations under this Lease, including, but not limited to, injuries to persons or properties to the extent not caused by the gross negligence or willful misconduct of the Indemnified Parties.
10. **Termination.** This Lease may be terminated prior to the end of the Initial Term or any Renewal Term:
  - (a) by joint agreement of the parties hereto;
  - (b) by LESSEE by providing thirty (30) days written notice to LESSOR; provided that all payments accruing under this Lease through any month or partial month encompassed by the notice period will be immediately due and payable;
  - (c) by LESSOR by providing thirty (30) days written notice to LESSEE.
11. **Entire Agreement.** This Lease constitutes the entire agreement between LESSOR and LESSEE regarding the subject matter hereof and supersedes all oral statements and prior writings relating thereto. Except for those set forth in this Lease, no representations, warranties, or agreements have been made by LESSOR or LESSEE in connection therewith. The normal rule of construction that any ambiguities be resolved against the drafting party shall not apply to the interpretation of this Lease or any amendments hereto.

It is understood and agreed that this Lease is made subject to the approval and execution by the duly authorized officials as evidenced by their signatures below.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on the date first written above.

LESSOR  
Memphis Area Transit Authority (MATA)

LESSEE  
ATU – Local 713

By: \_\_\_\_\_  
Thomas D. Fox  
Barber  
President/General Manager

By: \_\_\_\_\_  
Name: Willie  
Title: Secretary/Treasurer/Business Agent

Attest:  
  
\_\_\_\_\_  
\_\_\_\_\_

Attest:

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION 14-35**

**RESOLUTION TO APPROVE A TASK ORDER TO SMITH SECKMAN REID, INC.  
(SSR) FOR PROVISION OF TECHNICAL ASSISTANCE RELATED TO TROLLEY  
VEHICLES**

**WHEREAS, The Memphis Area Transit Authority (MATA) has a need for professional services related to inspection and repair of trolley vehicles and preparation of associated documentation; and**

**WHEREAS, the MATA Board of Commissioners awarded a contract to SSR for On-Call Engineering Services on March 25, 2013 at a maximum amount of \$500,000 over three years; and**

**WHEREAS, Task Orders of \$50,000 require Board approval; and**

**WHEREAS, A proposal was solicited for assistance to MATA maintenance staff in reinspecting, repairing and documenting work on trolley vehicles in order to insure that the vehicles are safe to operate; and**

**WHEREAS, MATA's staff has reviewed the proposal received from SSR and recommends that a Task Order be awarded to SSR and their sub consultant, Streetcar and Trolley Services, a firm with specialized experience in historic trolleys; and**

**WHEREAS, The cost of this task order is \$85,000 which staff considers to be reasonable; and**

**WHEREAS, Funds are available in a capital grant; and**

**WHEREAS, Approval of this task order will exceed the maximum amount of the contract, and Staff recommends increasing the maximum from \$500,000 to \$750,000 to allow for additional task order to be issued over the remainder of the contract, at MATA's discretion.**

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS, That a task order be approved to SSR under the On-Call Engineering Services Contract for provision of technical assistance related to trolley vehicles at a cost of \$85,000.**

**BE IT FURTHER RESOLVED That the maximum amount of the contract be increased from \$500,000 to \$750,000.**

**BE IT FURTHER RESOLVED That the President/General Manager or Contracting Officer be authorized to execute the Task Order and Change Order.**

\* \* \* \* \*

**Motion Made By: John Vergos**

**SECONDED: Lauren Taylor**

**YEA: Charles Pickard; Andre Gibson; Sean Healy; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**



## MEMO

**TO:** MATA Board of Commissioners

**FROM:** Tom Fox, Interim President/General Manager

**SUBJECT:** Approval of Task Order with SSR for Trolley Technical Assistance

**DATE:** July 24, 2014

---

MATA has an on-call contract with Smith Seckman Reid (SSR) for engineering and related services. A three year contract was awarded in March 2013, at a maximum amount of \$500,000.

In order to accomplish the work necessary to reinstitute trolley service, MATA solicited a proposal from SSR to provide technical assistance to MATA trolley maintenance staff. The types of technical assistance recommended by the APTA Peer Review team included:

1. National expert assistance on maintenance/repairs/safety
2. Technical writing for expanding and updating various maintenance manuals
3. Additional training for maintenance staff

SSR's proposal includes a subcontractor, Gord McOuat, CEO of Streetcar and Trolley Services, who is considered a national expert. Mr. McOuat will take the lead on advising and assisting staff with inspections, repairs, and training. SSR staff will provide staff support for technical writing. MATA may also utilize a TDOT consultant and/or additional technical writing experts to supplement the efforts of SSR. It is anticipated that the work on this task order will be concentrated in August and September but could continue at a lesser level of effort through December 2014.

Staff recommends approval of this Task Order.

Also, as a result of this task order, the \$500,000 maximum amount of the contract will be reached with more than 1 ½ years remaining on the contract. Therefore, Staff further recommends that the maximum amount of the contract be increased from \$500,000 to \$750,000. These additional funds would only be spent if MATA issued additional task orders over the remainder of the contract period. Staff recommends revision of the maximum amount of the SSR contract from \$500,000 to \$750,000.

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION NO. 14-36**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION  
WITH THE FEDERAL TRANSIT ADMINISTRATION FOR DISCRETIONARY  
FUNDING UNDER THE SECTION 5309 “LADDERS OF OPPORTUNITY” PROGRAM  
AS PART OF A STATEWIDE APPLICATION**

**WHEREAS, The Federal Transit Administration has issued a notice of funding availability for the FTA Bus and Bus Facilities “Ladders of Opportunity Initiative”; and**

**WHEREAS, The initiative is designed to invest in projects that enhance access to work, provide more transportation choices, support existing communities, support economic opportunities, and support partnerships; and**

**WHEREAS, Staff recommends that MATA participate in a statewide application with other transit agencies for replacement vehicles to be submitted to FTA by TDOT; and**

**WHEREAS, MATA’s portion of the application will be for a maximum of 41 fixed route vehicles and/or a maximum of 13 paratransit vehicles to replace vehicles, subject to final adjustment by TDOT and the participating transit agencies; and**

**WHEREAS, At the maximum number of vehicles, the federal share for MATA’s portion of the application would be \$13,536,000 (80%), with TDOT and the City of Memphis each providing \$1,692,000 (10% each) for a total cost of \$16,920,000; and**

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS: That Staff is authorized to participate in a statewide application to be submitted to FTA by TDOT for funding under the Section 5309 Ladders of Opportunity program.**

**BE IT FURTHER RESOLVED That MATA’s portion of the application will be for a maximum of 41 fixed route vehicles and a maximum of 13 paratransit vehicles, and Staff is authorized to approve lower numbers of vehicles if appropriate to insure that the application is competitive.**

**\* \* \* \* \***

**Motion Made By: John Vergos      SECONDED: Charles Pickard**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman;  
Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**





**TO:** MATA Board of Commissioners  
**FROM:** Tom Fox, Interim President/General Manager  
**SUBJECT:** FTA Section 5309 Bus and Bus Facilities Ladders of Opportunity Initiative  
**DATE:** July 24, 2014

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**On June 4, 2014, the Federal Transit Administration published a Notice of Funding Availability and request for project proposals. FTA will make available approximately \$100 million from recoveries for the Section 5309 Bus and Bus Facilities Program. Proposals are due on August 4, 2014.**

**This funding opportunity makes funds available to public transportation providers to finance capital projects to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities.**

**TDOT has offered to submit a consolidated statewide application for replacement buses. Most transit agencies in the state are participating in the statewide application and Staff recommends that MATA participate as well. The last statewide application for a similar program was successful.**

**TDOT will provide one-half of the non-federal match (10%). The City of Memphis will provide the other 10%.**

**The Tennessee Public Transportation Association (TPTA) is coordinating with all participating transit agencies to develop a list of vehicles that have reached the end of their useful life and are ready for replacement. Based on the initial responses, the total statewide need is about \$35 million, of which MATA's portion almost one-half. In order to be competitive with other applications that FTA will receive for the \$100 million available nationally, it may be necessary to reduce the total amount of the request. Staff is asking the Board for the authority to reduce the number of vehicles in consultation with TPTA and TDOT if it is determined that a lower amount of funding should be requested.**

**Page 2**

**Due to the relatively small amount of funds available nationwide, it is likely that even if the overall request is reduced, the total amount of the award would be less than the requested amount.**

**Please let me know if you have questions.**

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION NO. 14-37**

**RESOLUTION AUTHORIZING INSURANCE COVERAGE**

**WHEREAS, The Memphis Area Transit Authority (MATA) maintains a risk management program that includes various lines of insurance coverage; and**

**WHEREAS, Third Party Administration (TPA) is provided for Workers Compensation claims; and**

**WHEREAS, The expiration date for the current coverage is August 1, 2014; and**

**WHEREAS, Under contract, MATA's insurance broker, Arthur J. Gallagher Risk Management Service, Inc. solicited requests for coverage for the period August 1, 2014 to August 1, 2015; and**

**WHEREAS, The carriers listed on the attached schedule quoted the most competitive premiums; and**

**WHEREAS, Staff considers these premiums to be reasonable given the current facts and circumstances.**

**NOW, THEREFORE, BE IT RESOVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That insurance coverages and Third party administration for Workers Compensation claims be approved as shown for the period August 1, 2014 to August 1, 2015 for a total cost of \$600,233.**

**BE IT FURTHER RESOLVED That Staff is authorized to add and delete rolling stock at the appropriate time at rates consistent with those approved by this resolution.**

**BE IT FURTHER RESOLVED That the President/General Manager, Interim President/General Manager, Chairman and Vice – Chairman are authorized to execute the necessary documents.**

\*\*\*\*\*

**Motion Made By: Charles Pickard                      SECONDED: Roquita Coleman**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**

**MEMPHIS AREA TRANSIT AUTHORITY**

**INSURANCE COVERAGES FOR PERIOD OF AUGUST 1, 2014 - AUGUST 1, 2015**

<u>Coverage</u>	<u>Company/Carrier</u>	<u>Annual Premium</u>
Property: (including Risk Control Assessment)	Affiliated FM Insurance FM Global Group	\$ 94,000
Specified Perils – Revenue Vehicle Fleet:	RSUI Indemnity/ Allegheny Insurance	159,437
Physical Damage – Service Vehicle Fleet:	Scottsdale Insurance/ Nationwide Group	7,842
Directors & Officers and Employment Practices Liability:	National Union Fire of PA/ American International Group	18,543
Crime and Fiduciary:	Federal Insurance/Chubb	7,600
Terrorism Stand Alone:	Lloyd's Syndicate	24,000
Excess General Liability:	The Insurance Co. of the State of Pennsylvania/ American International Group	153,465
Excess Worker's Compensation:	Safety National Casualty/ Safety National Group	109,667
Hazard Insurance	Federal Insurance/ Chubb	<u>1,729</u>
<b>SUBTOTAL INSURANCE PREMIUMS:</b>		<b>\$576,283</b>
Third Party Administrator Fee For Workers Compensation Claims:	PMA Companies	<u>23,950</u>
<b>TOTAL INSURANCE COSTS:</b>		<b>\$600,233</b>



TO: MATA Board of Commissioners  
 FROM: Tom Fox, Interim President/General Manager  
 SUBJECT: Insurance Coverage Effective August 1, 2014  
 DATE: July 10, 2014

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MATA carries private insurance in the following categories of coverage:

- Property
- Specified Perils Physical Damage – Revenue Vehicle Fleet
- Physical Damage – Service Vehicle Fleet
- Directors & Officers and Employment Practices Liability
- Crime & Fiduciary
- Terrorism
- Excess General Liability
- Excess Workers' Compensation
- Felonious Assault

MATA is self-insured for General Liability up to \$2,000,000 and for Workers Compensation up to \$500,000. The Excess policies are invoked for claims exceeding these retention amounts. The other coverage deductibles vary but are generally in the range of \$10,000 - \$75,000.

MATA hired Arthur J. Gallagher Risk Management Services Inc. (AJG) to develop our insurance program on an annual basis. AJG's services include securing the most competitive quotes for the various insurance coverages and advising MATA on insurance-related issues. AJG is recommending the carriers and premiums shown on the accompanying resolution for the year beginning on August 1, 2014.

The comparison of premiums for the new year as compared to the expiring year are shown below.

<i>Coverage</i>	<i>Premium 2013-2014</i>	<i>Premium 2014-2015</i>	<i>Percent Change</i>
<b>Property</b>	\$ 98,000	\$ 94,000	- 4.1%
<b>Specified Perils Physical Damage Revenue Vehicle Fleet</b>	\$107,918	\$159,437	+47.7%
<b>Physical Damage – Service Vehicle Fleet</b>	\$ 9,828	\$ 7,842	- 20.0%
<b>Directors &amp; Officers and Employment Practices Liability</b>	\$ 17,749	\$ 18,543	+ 4.5%
<b>Crime &amp; Fiduciary</b>	\$ 6,239	\$ 7,600	+21.8%
<b>Terrorism</b>	\$ 23,480	\$ 24,000	+ 2.2%
<b>Excess General Liability</b>	\$159,559	\$153,465	- 3.8%
<b>Excess Workers' Compensation</b>	\$ 94,515	\$109,667	+16.0%
<b>Felonious Assault</b>	\$ 1,729	\$ 1,729	0.0%

Third Party Administrator for Workers Compensation	\$ 22,950	\$ 23,950	+ 4.4%
<b>TOTAL</b>	<b>\$541,967</b>	<b>\$600,233</b>	<b>+10.8%</b>

Compared to the expiring policies, there is an increase in total premium. The primary reason for the increased insurance cost is associated with the two trolley fires in FY14. Also, MATA added 27 new buses to the revenue vehicle fleet. Changes in premiums for individual policies generally range between about -11% and +16%. Premiums are determined largely by exposure (measured by value of assets or operating costs) and per unit rates established by the insurance companies. Per unit rates are affected by our experience as well as the experience across the country. MATA's changes in exposures ranged from -23% to +38%; rate changes ranged from -20% to +48%.

In addition to the insurance program, AJG also arranges for the Third Party Administrator for Workers Compensation claims. AJG is recommending continuing with PMA Companies.

**Staff recommends approval of the proposed insurance program.**

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION 14-38**

**RESOLUTION TO AWARD A CONTRACT TO GILLIG PURCHASE SPARE PARTS  
FOR HYBRID-ELECTRIC BUSES**

**WHEREAS, MATA is required to maintain an inventory of parts and supplies to ensure the efficient and continued operation of its facility and fleet; and**

**WHEREAS, Four types of spare parts are needed for hybrid-electric buses; and**

**WHEREAS, MATA issued an Invitation for Bid (IFB) for companies to provide spare parts for hybrid-electric buses; and received one (1) responsive offer; and**

**WHEREAS, The bid was formally advertised; and**

**WHEREAS, There was no DBE goal set; and**

**WHEREAS, Gillig, LLC submitted the lowest responsive and responsible bid at the prices shown in Exhibit A; and**

**WHEREAS, Staff has reviewed the bid received and recommends that a contract be awarded to Gillig, LLC at a cost of \$87,185.82; and**

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That a contract be awarded to Gillig, LLC for the purchase of spare parts for hybrid-electric buses, at a cost of \$87,185.82.**

**BE IT FURTHER RESOLVED That the Chairman, Vice Chairman or Interim President/General Manager and President/General Manager be authorized to execute the contract.**

**\* \* \* \* \***

**Motion Made By: John Vergos    SECONDED: Charles Pickard**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**

## EXHIBIT A

### Spare Parts for Hybrid-Electric Buses 2014 Bid Analysis

	Est Qty.	Gilllig Unit Price	Gilllig Extd. Price	New Flyer Unit Price	New Flyer Extd. Price	NABI Unit Price	NABI Extd. Price	Mohawk Unit Price	Mohawk Extd. Price
<b>E-Fan Assembly 82-62762-014</b>	4	\$ 4,556.74	\$ 18,226.96	NB	NB	NB	NB	NB	NB
<b>Rear Axle Assembly 53-58623-013</b>	2	\$ 10,287.50	\$ 20,575.00	NB	NB	NB	NB	NB	NB
<b>Power Converters 13-65001-001</b>	4	\$ 4,992.85	\$ 19,971.40	NB	NB	NB	NB	NB	NB
<b>Radiator Assembly 01-66888-001</b>	3	\$ 9,470.82	\$ 28,412.46	NB	NB	NB	NB	NB	NB
<b>Total</b>			<b>\$ 87,185.82</b>		<b>\$ -</b>		<b>\$ -</b>		<b>\$ -</b>





## MEMO

**TO:** MATA Board of Commissioners

**FROM:** Tom Fox, Interim President/General Manager

**SUBJECT:** PURCHASE OF SPARE PARTS FOR HYBRID-ELECTRIC BUSES  
IFB 13-14

**DATE:** July, 28, 2014

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This memo summarizes the procurement and evaluation process for a supplier to provide spare parts for the hybrid-electric buses. MATA is required to maintain an inventory of parts to ensure the efficient operation of its vehicles. Listed below are the parts and quantities stated in the IFB.

QTY.	PART NUMBER	DESCRIPTION
4	82-62762-014	E-Fan Assembly
2	53-58623-013	Rear Axle Assembly
4	13-65011-001	Power Converters
3	01-66888-001	Radiator Assembly

The IFB was sent to four vendors, formally advertised and posted to MATA's website.

The goal for participation by Disadvantaged Business Enterprises (DBE) was set at 0% since this procurement is only for supplying spare parts.

One (1) bid was received. MATA staff reviewed this bid on the criteria of the lowest responsive and responsible bid.

MATA staff recommended the contract to be awarded to Gillig, LLC. The value of the contract, as presented in the Board resolution is based on the lowest responsive and responsible bid for a total of \$87,185.82.

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION 14-39**

**RESOLUTION TO APPROVE AN EASEMENT FOR ARTISTIC BUS SHELTER**

**WHEREAS, On May 21, 2012, the MATA Board of Commissioners approved a contract with the UrbanArt Commission for services related to selection, design, fabrication, installation and maintenance of public art projects on a task order basis; and**

**WHEREAS, On June 25, 2012, the Board approved a task order for approval of a public art shelter project to provide more visible transfer points between buses and the planned Greenline-Overton Park connection on Tillman Street and Broad Avenue; and**

**WHEREAS, the location of one of the shelters has been established at 470 N. Tillman Street in the Binghampton neighborhood on property owned by the Binghampton Development Corporation ; and**

**WHEREAS, An easement agreement has been prepared for use of a portion of the property for the artistic bus shelter.**

**NOW THEREFORE BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That an easement agreement be approved with the Binghampton Development Corporation for use of a portion of the property at 470 N. Tillman Street for an artistic bus shelter.**

**BE IT FURTHER RESOLVED, That the President/General Manager or Chairman or Vice Chairman be authorized to execute the necessary documents.**

**\* \* \* \* \***

**Motion Made By: Charles Pickard                      SECONDED: Lauren Taylor**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland;  
Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**

## EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (the "Easement Agreement") entered into the 30th day of June, 2014, by and between the MEMPHIS AREA TRANSIT AUTHORITY, a public transportation system and transit authority ("MATA") and BINGHAMPTON DEVELOPMENT CORPORATION, a Tennessee Non-Profit Corporation (the "Owner") (MATA and Owner together the "Parties").

### WITNESSETH:

WHEREAS, Owner is the owner of certain real property identified as 470 Tillman Street, Memphis, Shelby County, Tennessee ( the "Property");

WHEREAS, MATA has contracted for the fabrication of an artistic bus shelter (the "Shelter");

WHEREAS, the Parties have agreed on the southwest corner of 470 Tillman Street as the location of the Shelter:

WHEREAS, MATA has requested and Owner has agreed to grant an easement over a portion of the Property to allow for the use and maintenance of the Shelter:

NOW THEREFORE, for and in consideration of the Property and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Owner does hereby grant, bargain and convey to MATA an easement (the "Easement") on, over and across a portion of the Property in the location of the Shelter as shown on the attached **EXHIBIT "A"**.
2. The Easement shall be for the location, use and maintenance of the Shelter and the continuing use of the Easement by MATA. MATA shall not have the right to move the Shelter to another location on the Property without the prior written consent of Owner.
3. Owner further grants, bargains and conveys to MATA an access easement (the "Access Easement") on, over and across such portion of the Property, which are reasonably necessary to provide sufficient access to allow MATA to accomplish the continued maintenance of the Shelter.
4. MATA shall be responsible for all work associated with the use and maintenance of the Shelter.
5. MATA shall be responsible for any and all loss, liability, cost, claim, demand, damage, action, cause of action and suit arising out of, or in any manner related to the use and maintenance of the Shelter or use of the Easement and the Access Easement. MATA shall be responsible for any and all damage caused by MATA, including any damage to the adjacent property at its sole cost and expense in a timely fashion. MATA is self-insured for general liability and shall provide Owner with documentation of coverage relating to the Easement and the Access Easement.

6. The BINGHAMPTON DEVELOPMENT CORPORATION may terminate this easement for cause if the Shelter no longer serves an active MATA route or falls into a state of disrepair. Further, the BINGHAMPTON DEVELOPMENT CORPORATION may terminate the easement upon reimbursing MATA for the cost of the Shelter's relocation. In any termination event, the BINGHAMPTON DEVELOPMENT CORPORATION is required to give certified written notice with a 30-day cure period in the cause events.
  
7. This Easement Agreement shall be binding on and inure to the benefit of the Parties and their successors, assigns, agents, employees, contractors and invitees.

This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed to be an original.

IN WITNESS HEREOF, THE Parties have caused their signatures to be affixed hereto as of the date first written above.

**ADDRESS:**

**Memphis Area Transit  
Authority  
1370 Levee Road  
Memphis, TN 38108**

**MATA:**

**MEMPHIS AREA TRANSIT AUTHORITY,**

**By:** \_\_\_\_\_  
**Name:** Thomas D. Fox  
**Title:** Interim General Manger

**ADDRESS:**

**Binghampton Development  
Corporation  
280 Tillman Street  
Memphis, TN 38112**

**OWNER:**

**BINGHAMPTON DEVELOPMENT CORPORATION**

**By:** \_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION 14-40**

**RESOLUTION TO ADOPT CUSTOMER CODE OF CONDUCT**

**WHEREAS, MATA's mission is to provide a reliable, safe, accessible, clean and customer-friendly public transportation system that meets the needs of the community; and**

**WHEREAS, In order to insure the safety of all persons who use MATA vehicles, facilities or services, Staff has developed a Customer Code of Conduct ("Code") which outlines prohibited behaviors and activities by customers, as well as consequences for violations, and an appeal process; and**

**WHEREAS, The Code also provides information on the manner in which a customer can file a complaint or make a suggestion about a MATA service, employee or contractor; and**

**WHEREAS, MATA has sought and incorporated comments from rider groups.**

**NOW THEREFORE BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That the Customer Code of Conduct is approved.**

**BE IT FURTHER RESOLVED, That Staff may edit the Code as appropriate to create a condensed version for posting on vehicles and at facilities.**

**\* \* \* \* \***

**Motion Made By: Lauren Taylor   SECONDED: Roquita Coleman**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**



# CUSTOMER CODE OF CONDUCT

It is the mission of MATA to provide reliable, safe, accessible, clean and customer-friendly public transportation, through the efforts of dedicated, well-trained personnel.

MATA has established a Customer Code of Conduct to promote the safety and comfort of its riders, to facilitate the proper use of transit facilities and services, to protect the safety of persons and MATA Properties, to assure the payment of fares, and to ensure that MATA Vehicles and MATA Facilities are safe and welcoming and provide equitable access for MATA customers.

A customer is defined as any person who uses MATA services or MATA Facilities. The Code sets out prohibited behaviors for everyone who is present on MATA Facilities and/or rides the MATA system. It authorizes certain personnel to expel from MATA Vehicles and MATA Facilities persons who commit violations and to suspend his/her privileges to thereafter enter upon MATA Facilities and/or use the transit system. This Code also establishes an appeals procedure to provide a person who feels that he/she has been unfairly or improperly cited with a process to contest their suspension.

This Code of Conduct covers all public or non-public areas of **MATA Property**. MATA Property includes **MATA Vehicles** (used to provide fixed-route, MATApplus and trolley services), and **MATA Facilities** (transit centers, administrative, operational, communications, customer service, park and ride, and maintenance facilities).

Violations of and infractions under this Code Of Conduct are in addition to and do not supersede or supplant criminal laws of the United States Of America, the State Of Tennessee, the City of Memphis, Tennessee, or any other entity or agency with jurisdiction or legal authority.

## CUSTOMER SUGGESTIONS AND COMPLAINTS

MATA has rules that employees and contractors must follow. If a customer feels that a service, an employee, or a MATA contractor has not performed satisfactorily, he or she is encouraged to register a complaint, or make a suggestion. Customers can submit suggestions and/or complaints in the following manners:

1. Call 901-522-9175 and record their comment.
2. Fill out a Comment Card available at all transit centers.
3. Fill out a Comment form on the MATA website at [matatransit.com](http://matatransit.com).
4. Send an email with comments to [publiccomments@matatransit.com](mailto:publiccomments@matatransit.com).
5. Write a letter and send it to:

Memphis Area Transit Authority  
ATTN: Customer Service – Comments  
1370 Levee Rd  
Memphis, TN 38108

Customer should provide their name and phone number and/or email address if they want a response to their specific comment. Customers should also provide as much specific information about their comment/complaint as they can – for example – bus number, date and time, location, employee name and/or badge number, and specific nature of the problem. MATA will respond to the customer in writing within five business days.

The following are those behaviors and activities that are prohibited on MATA Properties:

## **A. Animals**

1. Bringing unconfined pets that are not service animals onto MATA Property. A service animal as defined by federal statute or regulation is permitted on MATA Property. Service animals are permitted provided that such animal is accompanied by a person with a disability, a personal care attendant accompanying a person with a disability, or a person who is responsible for training a service animal.

Small pets that are not service animals that are confined in rigid pet carriers with locks or latches are permitted on MATA Vehicles. Small pets must remain in the pet carrier at all times and must not block or impede doorways, aisles and access to seats.

## **B. Commercial Activity/Solicitation/Loitering**

1. Soliciting money, selling or offering to sell goods or services for a fee within the confines of MATA Property without the prior express permission or grant of a concession by MATA.
2. Delivering or distributing handbills or flyers of a commercial nature at or within MATA Facilities or on MATA Vehicles.
3. Panhandling prohibited by Memphis City Code Chapter 6-56, and Public Solicitation prohibited by Memphis City Code Chapter 6-64.
4. Loitering on MATA Property for longer than two (2) hours without a travel destination or transit-oriented event/reason to be present.

## **C. Conduct/Civility**

1. Spitting,
2. Defecating, or urinating, other than in public restrooms.
3. Discarding litter, except into receptacles designated for that purpose.
4. Bringing commercial or large-size carts and dollies on MATA Vehicles unless collapsed. Objects, including packages, must not block passageways and doorways. A small, personal-use-size stroller or small cart must be securely held and not obstruct ingress or egress or passageways.
5. Roller-skating, roller-blading, or skateboarding on MATA Property.
6. Indecent exposure.
7. Stealing or willfully damaging, defacing, or destroying MATA Property.

8. Otherwise disorderly or inappropriate conduct that is inconsistent with the safe, orderly and comfortable use of MATA Vehicles or MATA Property for their intended purpose.

9. Interfering in any way with the safe and orderly operation of MATA Vehicles and MATA Facilities.

## **D. Fares**

1. Willfully refusing to pay a fare or show specific fare media to MATA personnel upon request.

2. Misuse of fare media; sale, use or distribution of counterfeit or stolen fare media; inserting or attempting to insert paper or other foreign objects in place of money into any farebox.

3. Failure to de-board after one round-trip. A base fare is valid for one inbound or outbound trip, after which passengers are required to pay another base fare or re-swipe a FastPass to continue service. After one complete round trip, passengers must exit that bus.

## **E. Food, Drink, Alcohol, and Drugs**

1. Consumption of food or possession of any open food container on a MATA Vehicle. Consumption or possession of any open beverage container on a MATA Vehicle unless the beverage is in a re-sealable container, including baby bottles.

2. Drinking alcoholic beverages or possessing open containers of alcoholic beverages.

3. Smoking, including carrying a lighted cigar, cigarette, cigarillo, pipe or any other lighted smoking material and/or equipment on MATA Vehicles is prohibited by Memphis Code Chapter 9-88. Violation carries up to a \$50.00 fine. In addition, smoking tobacco in any form, or using electronic cigarettes or vaporizers, on MATA Property, except in designated smoking areas.

4. Engaging in any activity on MATA Property that is a violation of the law including: selling drugs, prostitution, gambling, public intoxication, and gang activity.

## **F. Noise**

1. Using or playing any electronic device including but not limited to: a radio, CD player, iPod, MP3 player, or a mobile phone, unless such device is connected to an earphone or ear plug that makes the sound audible only to the hearing of the individual user is prohibited.

2. Engaging in indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance. This is not intended to prohibit ordinary conversation in person or on a cell phone in normal conversational tones.

3. Causing sounds that are unreasonable and highly disruptive of other individuals using MATA Properties, including but not limited to: loud, abusive, indecent, profane, or drunken conduct.

## **G. Safety**

1. Remaining aboard any MATA Vehicle after it has completed its scheduled route and passengers have been advised to exit the Vehicle; or remaining aboard after having been warned and after such Vehicle has entered a MATA garage or other restricted area not open to the public. Entering or remaining on a MATA Vehicle after having been notified by MATA personnel or an authorized individual not to do so or boarding or



remaining on a MATA Vehicles during the period when an individual has been banned from MATA Vehicles or MATA Facilities.

2. Entering, exiting, or passing through any emergency door of a MATA Vehicle in the absence of a bona fide emergency.
3. Entering the operator's area or driver's seat of any MATA Vehicle in the absence of a bona fide emergency.
4. Assault or threat of assault on a MATA Vehicle and/or MATA Facility.
5. Obstructing, hindering, interfering with, or otherwise disrupting or disturbing the operation, operator, or passengers of a MATA Vehicle.
6. Boarding any MATA Vehicle through the rear exit door, unless so directed by the operator or other authorized MATA personnel.
7. Standing in front of the yellow standee line at the front of the bus near the operator's seat.
8. Fighting on a MATA Vehicle or MATA Facility.
9. Behavior that is disruptive, harassing, or threatening in nature to passengers or MATA personnel. This includes, but is not limited to, harassing, following or stalking passengers or MATA personnel.
10. Extending any object, his or her head, hand, arm, foot, leg or other portion of the body through any window or door opening while a MATA Vehicle is in motion.
11. Avoiding or interfering with security measures, such as security cameras and communications devices.

## H. Weapons

1. Possessing or carrying any items of a dangerous nature or prohibited by law onboard MATA Vehicles, including but not limited to flammable or dangerous substances, and knives or swords larger than four inches.
2. Carrying or possessing a firearm if the person does not have on his or her person a valid weapons carry license. Law enforcement officials must have firearms in a holster; others with carry permits must have firearms in an enclosed case or carry-on bag.
3. Lighting an incendiary device.

## Expulsion and Suspension

1. Committing a violation of this Code shall be cause for removal of a person from MATA Property, which includes MATA Vehicles and MATA Facilities. MATA authorized supervisory personnel, contract security guards, and law enforcement personnel are authorized to immediately remove from MATA Property any person who commits a violation of this Code by issuing such person an order to immediately exit the Property.

2. **Expulsion for Minor Violations:** An Expulsion Order may be issued for minor violations and shall constitute a suspension of a person's privilege to re-enter MATA Vehicles, MATA Facilities, or both for the remainder of the calendar day on which it is issued. Failure to immediately comply with an Expulsion Order and remain off MATA Property while the Expulsion Order is in effect shall be grounds for a separate violation. A person can be expelled from MATA Property under an Expulsion Order either orally or in writing. Expulsion Orders are not subject to appeal or review.

3. **Suspension for Major Violations:** A Suspension Notice may be issued for major violations. A Suspension Notice shall be in writing and state the reason for the suspension and provision of this Code violated; the length of the suspension, and date on which the suspension will become effective and expire. A person receiving a

Suspension Notice for a violation that does not result in violence, injury or property damage may be suspended for use of MATA Vehicles and/or MATA Facilities for a time not to exceed fourteen (14) days. A person issued a Suspension Notice for vandalism, property damage, or trespass may be suspended for a period not to exceed sixty (60) days. A person receiving a Suspension Notice for a violation against a person (including MATA Customers, MATA operators, contract security personnel, and other MATA personnel) or which involves a firearm or other dangerous weapon may be suspended for a time not to exceed three hundred sixty five (365) days, and given the severity of the violation be permanently banned from MATA Property.

A person issued a Suspension Notice shall not enter or otherwise access or use MATA Vehicles and/or MATA Facilities until the Suspension Notice is dissolved or rescinded. A person may request that MATA dissolve or rescind the Suspension Notice by using the procedures in this section.

MATA may consider a person's prior history and record under this Code, the extent of harm to persons and MATA Property, and the ongoing safety and security of persons using MATA in determining whether to issue a Suspension and the length of a Suspension. A person who violates an active Suspension Notice commits a separate violation of this Code.

## Appeals

1. A person may request a review of a Suspension Notice by submitting a written request to the MATA General Manager, 1370 Levee Road, Memphis TN 38108 within five business days after issuance of the Suspension Notice. If the request is not submitted by the suspended person directly, the person requesting review of the suspension must provide written verification, signed by the suspended person, that she/he is acting at the request of the suspended person. The request for review must provide contact information for the person appeal and/or the person assisting the suspended person. The MATA General Manager, or designee, will acknowledge receipt of the request in writing within five business days.

2. Appeal of a suspension will be heard by the Suspension Appeal Panel. The Suspension Appeal Panel shall act on behalf of and at the direction of the General Manager of MATA. The Suspension Appeal Panel shall be comprised of seven (7) voting members as appointed by the General Manager, or designee, a majority of whom are not MATA employees or contractors. No person who was directly involved or participated in the events which resulted in the Suspension Order which is the subject of the appeal shall serve on the Suspension Appeal Panel. A majority of the members of the panel shall constitute a quorum. Appeals will be decided by a majority of the members present at the hearing.

3. The request for review shall state with specificity the grounds for the appeal. The suspension of an individual shall be stayed after MATA's receipt of the written appeal pending determination of the appeal by the Suspension Appeal Panel. A suspended person may appear before the Suspension Appeal Panel or may submit a written appeal and any documents he/she feels are relevant for the Suspension Appeal Panel to review.

4. The Suspension Appeal Panel will promptly schedule a hearing and provide notice by written and/or other means to the suspended person and/or a person assisting the suspended person. The suspended person has the right to attend the hearing, present witnesses on his/her behalf, ask questions of MATA personnel who testify, and be represented by counsel and/or the person whom the suspended person has designated to assist him/her.

5. The Suspension Appeal Panel shall review and may reconsider or modify the decision to suspend an individual. MATA shall cooperate with the Suspension Appeal Panel in the conduct of the hearing by appearing in person and/or providing requested materials. Notice of the Suspension Appeal Panel's decision shall be in writing and given within five business days of the date of the Suspension Appeal Panel's hearing, and shall state the reasons for the affirmance, rescission or modification of the suspension. The Panel's decision shall be a final determination.

6. An individual whose suspension is rescinded will be entitled to refund of unused fare media that may have expired during the time of his/her suspension.

07/24/2014

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION NO. 14-41**

**RESOLUTION TO APPROVE DISPOSAL OF SURPLUS VEHICLES**

**WHEREAS, MATA has several vehicles that have met their useful service life including 14 2000 40' Novabus buses that are currently in the Contingency Fleet; and**

**WHEREAS, Buses 133, 302, 343, 345, 503 and 3015 have not met their useful service life; however, it is more economically prudent to pay the Federal Transit Administration (FTA) back the Federal share of the remaining fair market value of the buses compared to the cost to put the buses back into revenue service in order to reach their fair market value; and**

**WHEREAS, MATA must receive FTA's approval before Buses 133, 302, 343, 345, 503 and 3015 may be disposed; and**

**WHEREAS, It is in the best interest of MATA to dispose of said vehicles which have met their useful service life and Buses 133, 302, 343, 345 503 and 3015 as shown on the attached Exhibit A in accordance with disposal procedures in MATA's Procurement Manual for the vehicles; and**

**WHEREAS, If MATA is unsuccessful in disposing of said vehicles in the manner stated above, then they may be donated to a public non-profit organization or disposed of accordingly.**

**NOW THEREFORE, BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That the President/General Manager and the Interim President/General Manager is hereby authorized to dispose of the aforementioned vehicles listed in Exhibit A in accordance with disposal procedures in MATA's Procurement Manual for the vehicles.**

**BE IT FURTHER RESOLVED, That Buses 133, 302, 343, 345, 503 and 3015 may only be disposed upon receiving FTA's approval.**

**BE IT FURTHER RESOLVED, That if the aforementioned methods of disposing of the vehicles is unsuccessful, they may be donated to a public non-profit organization.**

**\* \* \* \* \***

**Motion Made By: John Vergos    SECONDED: Lauren Taylor**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**

**EXHIBIT A**

**VEHICLES TO BE DISPOSED**

**Truck 7 - 2005 Dodge Pickup**  
**Truck 28 - 2003 Ford Pickup**  
**Bus 133 – 2000 General Coach America\***  
**Bus 302 – 2002 BlueBird\***  
**Bus 328 – 2002 BlueBird**  
**Bus 329 – 2002 BlueBird**  
**Bus 331 – 2002 BlueBird**  
**Bus 335 – 2002 BlueBird**  
**Bus 338 – 2002 BlueBird**  
**Bus 342 – 2003 BlueBird**  
**Bus 343 – 2003 BlueBird\***  
**Bus 345 – 2003 BlueBird\***  
**Bus 346 – 2003 BlueBird**  
**Bus 349 – 2003 BlueBird**  
**Bus 350 – 2003 BlueBird**  
**Bus 351 – 2003 BlueBird**  
**Bus 3015 – 2010 Gillig\***  
**Bus 411 – 2003 Gillig**  
**Bus 415 – 2003 Gillig**  
**Bus 419 – 2003 Gillig**  
**Bus 503 – 2004 Neoplan Articulated\***  
**Bus 862 - 2000 NovaBus**  
**Bus 863 - 2000 NovaBus**  
**Bus 864 - 2000 NovaBus**  
**Bus 865 - 2000 NovaBus**  
**Bus 866 - 2000 NovaBus**  
**Bus 867 - 2000 NovaBus**  
**Bus 868 - 2000 NovaBus**  
**Bus 869 - 2000 NovaBus**  
**Bus 870 - 2000 NovaBus**  
**Bus 871 - 2000 NovaBus**  
**Bus 873 - 2000 NovaBus**  
**Bus 874 - 2000 NovaBus**  
**Bus 875 - 2000 NovaBus**  
**Bus 876 – 2000 NovaBus**  
**Bus 881 - 2000 NovaBus**  
**Bus 882 - 2000 NovaBus**  
**Bus 883 - 2000 NovaBus**  
**Bus 885 - 2000 NovaBus**

**\* These buses cannot be sold until MATA receives approval from FTA.**

**MEMPHIS AREA TRANSIT AUTHORITY  
BOARD OF COMMISSIONERS**

**RESOLUTION NO. 14-42**

**RESOLUTION TO REVISE CONTINGENCY FLEET**

**WHEREAS, The Memphis Area Transit Authority (MATA) increased fixed-route bus service on June 11, 2014 resulting in 108 fixed-route buses being in service during peak periods; and**

**WHEREAS, MATA received 27 2014 Gillig buses that have been put into revenue service to replace 27 buses that have met their useful service life; and**

**WHEREAS, The Federal Transit Administration (FTA) permits grantees to maintain a spare fleet of buses equal to 20% of the number used in peak service which results in MATA being allowed to maintain 129 buses in the active fixed-route fleet; and**

**WHEREAS, FTA permits grantees to maintain a contingency fleet of buses which have met their useful service life; and**

**WHEREAS, It is in the best interest of MATA to maintain 23 buses which have met their useful service life in the Contingency Fleet as shown on Exhibit A.**

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMPHIS AREA TRANSIT AUTHORITY BOARD OF COMMISSIONERS That MATA is authorized to maintain the 23 buses shown on Exhibit A in the Contingency Fleet.**

**\* \* \* \* \***

**Motion Made By: John Vergos    SECONDED: Shelia Williams**

**YEA: Charles Pickard; Andre Gibson; Martin Lipinski; Shelia Williams; Roquita Coleman; Kristen Bland; Lauren Taylor**

**NAY: None**

**Approved: July 28, 2014**

**Absent at Time: Chairman Sean Healy**

**EXHIBIT A**

**VEHICLES TO BE MAINTAINED IN THE CONTINGENCY FLEET**

**Bus 56 – 1991 Chance Trolley  
Bus 57 – 1992 Chance Trolley  
Bus 58 – 1992 Chance Trolley  
Bus 401 - 2003 Gillig  
Bus 403 - 2003 Gillig  
Bus 404 – 2003 Gillig  
Bus 405 – 2003 Gillig  
Bus 406 – 2003 Gillig  
Bus 407 – 2003 Gillig  
Bus 408 – 2003 Gillig  
Bus 409 – 2003 Gillig  
Bus 410 – 2003 Gillig  
Bus 412 – 2003 Gillig  
Bus 413 – 2003 Gillig  
Bus 414 – 2003 Gillig  
Bus 416 – 2003 Gillig  
Bus 417 – 2003 Gillig  
Bus 418 – 2003 Gillig  
Bus 420 – 2003 Gillig  
Bus 877 – 2000 NovaBus  
Bus 879 – 2000 NovaBus  
Bus 880 – 2000 NovaBus  
Bus 886 – 2000 NovaBus**