



MINUTES
EXECUTIVE COMMITTEE MEETING
REGIONAL TRANSPORTATION AUTHORITY
September 15, 2021

- I. **Call to Order:** The regular meeting of the Regional Transportation Authority of Middle Tennessee (RTA) Board of Directors was held at the Downtown Nashville Public Library, 615 Church Street, Nashville, TN 37219 on Wednesday, September 15, 2021. A quorum was established, and the meeting was called to order at 9:30 a.m. by Chair, Mayor Randall Hutto.

Executive Committee Members in Attendance:

Mayor Randall Hutto – Wilson County
Mayor Paige Brown – City of Gallatin
Governor’s Appointee Ed Cole, Secretary – Davidson County
Mayor Ken Moore – City of Franklin
Mayor Bill Ketron – Rutherford County
Mayor Billy Vogle – Robertson County
Mayor Rick Bell – City of Lebanon
Governor’s Appointee Kelly Dannenfelser – Williamson County
Governor’s Appointee Ken Davis – Wilson County

Others Present:

Mayor Bob Rial – Dickson County
Mayor Jamie Clary – City of Hendersonville
Mayor Mike Callis – City of Portland
Thad Jablonski – City of Columbia
Jim Kerr (Alt.) – City of Murfreesboro
Victor Lay – City of Nolensville
Gerald Herman- City of White House (Alt.)

II. **Approval of the May 19, 2021 Minutes**

Mayor Bill Ketron made a motion to approve the May 19, 2021 Minutes; the motion was seconded by Governor’s Appointee Ken Davis, and the minutes were unanimously approved by the Executive Committee.

III. **Public Comments:** There were no public comments to come before this.

IV. **Finance Committee Report:** Chief Financial Officer Ed Oliphant reported the following:

- a. **Monthly Financial Report Compared to Budget Report (EXC-D-21-013):** Chief Financial Officer Ed Oliphant reviewed the year-to-date data of the statement of operations for July 2021 compared to the FY2020 budget and the balance sheet as of July 31, 2021. Chief Financial Officer Ed Oliphant availed himself for questions, and there were none at this time.
- b. **Resolution for FY2022 Grant Applications (R-A-21-011):** Grants Administrator Billy Higgins reported the following:

The Regional Transportation Authority of Middle Tennessee (RTA) has the authority to receive federal, state, and local financial assistance for transportation projects.

For the RTA to apply and receive federal funds, RTA must comply with Federal Certifications and Assurances and annually submit compliance in accordance with these terms.

Reoccurring Federal Transit Administration (FTA), Federal Highway Administration, and State of Tennessee funding sources are as follows:

5307 Urbanized Area Formula Funds

When the apportionment is made available, RTA is eligible to use 5307 Urbanized Area Formula Funds, along with the 10% State and 10% Local match.

5337 State of Good Repair Formula Funds

RTA is eligible to use State of Good Repair Funds. State of Good Repair Formula funds is for the maintenance, rehabilitation, and replacement of existing fixed guideway systems to maintain a state of good repair. The FY2021 apportionment for the Nashville Urbanized Area combined with the State and Local match is \$3,445,901 (80% Federal/10% State/10% Local).

State Operating Assistance

RTA is eligible for operating assistance from the Tennessee Department of Transportation. The amount for FY2021 was \$633,400 and an additional \$350,000 for commuter bus service. The FY 2022 amount has not been published.

IMPROVE Act Assistance

RTA can request up to \$3 million in assistance (requires a 25% match) for capital projects that support public transportation services.

The resolution comprises the annual submittal of Certifications and Assurances for FTA funds and authorization to submit applications for grants with the FTA, the Tennessee Department of Transportation, and other grant funding entities.

Staff requested that the Committee:

- Adopt the attached resolution,
- Authorize the applications for 5307 & 5337 funding and State/Local match,
- Authorize the submittal of the applications for State Operating Assistance funding; and,
- Authorize the submittal of applications and execution of contracts for any other federal, state, or local grant funding that may become available during the fiscal year 2022 for the benefit of RTA.

There was no further discussion. A motion was made by Secretary Ed Cole and seconded by Mayor Billy Vogle and unanimously approved by the Executive Committee

- c. **Procurement Policy Revisions (R-A-21-012)**: Procurement Manager Kim Hereford reported the following:

After a recent assessment of the procurement policies and procedures, staff recognized that WeGo Public Transit's Procurement Policy lacked a provision for unsolicited proposals and should contain additional language regarding protest procedures.

A policy allowing for unsolicited proposals allows WeGo to explore new business opportunities or concepts that are beneficial to the agency.

The proposed new policy for unsolicited proposals addresses the following areas:

- Unsolicited Proposal Description
- Evaluation Process
- Dedication to Full and Open Competition
- Sole Source Award
- Contract Resulting from an Unsolicited Proposal
- Prerequisites to Contract Negotiation
- Use of Confidential Information

The policy will not circumvent the competitive bid process. It will instead give us insight into an innovative proposal. As with any proposal, an evaluation would be made whether such goods or services represent a clear and necessary sole source or require a competitive bid process to procure.

In addition to adding a policy for unsolicited proposals, staff also recognized that our current protest procedures should be updated to include the following:

- Protest Point of Contact/Response Time
- Appeal Process / Response Time
- FTA Notification

The proposed policy addition and updates promote structure and guidance internally, as well as externally for potential receipt of unsolicited proposals or protests. If the Board approves, the Procurement Department will publish the new policy on WeGo's website as we work to finalize a revised hard copy of our Policy manual.

Staff recommended the Board approve the attached proposed new policy for unsolicited proposals and updates to the protest procedures as discussed. (see attached).

There was no further discussion. A motion was made by Mayor Ken Moore and seconded by Governor's Appointee Ken Davis and unanimously approved by the Executive Committee.

V. Operations Committee Report: Chief Operating Officer Andy Burke reported the following:

- Monthly Operating Statistics (EXC-D-21-014):** Chief Operating Officer Andy Burke reviewed the RTA Monthly Dashboard Report through July 31, 2021, with the Executive Committee. Chief Operating Officer Andy Burke availed himself for questions, and there were none at this time.
- RJ Corman 2021 Track Maintenance & Rehab Project (R-A-21-013):** Chief Development Officer Trey Walker reported the following:

To ensure the safety and quality of the WeGo Star service and compliance with Federal Railroad Administration (FRA) requirements for commuter rail operations, annual routine maintenance and rehabilitation work is for the infrastructure on which the service operates.

To maintain the corridor in a “state of good repair,” repair efforts need to be completed within the 2021 calendar year. As a requirement of the tri-party agreement between the Regional Transportation Authority of Middle Tennessee (RTA), Nashville and Eastern Railroad Authority (NERA), and Nashville and Eastern Railroad Corporation (NERC), the railroad is to perform regular maintenance and repair of the track and infrastructure associated with the rail passenger corridor. Based on the railroad’s annual assessment of conditions, the RTA reviews and evaluates the request for repairs and associated capital costs before issuing approval of the work.

RTA staff requested the Board of Directors to provide the Chief Executive Officer authority to release capital funding to support this year’s track maintenance and rehabilitation needs, as defined within the Tri-party agreement between RTA, NERA, and NERC. The proposed capital project is to be managed with a total amount not to exceed \$849,898.00. RTA will fund its portion of \$764,908.20 (90%) from Federal, State, and local sources. RJ Corman will fund the remaining \$84,989.80 (10%) as agreed to in the Tri-Party Agreement.

There were general discussions regarding this project. A proper motion was made by Mayor Billy Vogle, seconded by Mayor Jamie Clary, and unanimously approved by the Executive Committee.

VI. CEO’s Report: CEO Bland provided the following report:

1. We also had the opportunity to operate two special event services on the Star since we last met. We sold out of tickets for the 4th of July celebration at 750 round trips. We also provided service to the first Big Machine Music City Grand Prix race, with 355 passengers riding. This was a clear demonstration that people will ride when they come downtown.
2. With respect to the locomotive overhaul on the Star, the last of the 4 locomotives is currently at the rebuilder. We expect it back by the end of this year, completing this project.
3. On the commuter bus side, we’re continuing to see pandemic-induced disruptions in the supply chain impact our operations. We have been notified of a delay in the delivery of our 10 new commuter buses as the manufacturers await delivery of key components delayed by shortages.
4. We are partnering with the City of Nashville, TDOT, and the Nashville Downtown Partnership on a Downtown Nashville Traffic Study to examine the many competing uses for downtown Nashville streets and rights of way. One of our key objectives will be to try to identify transit priority corridors where we can gain transit priority measures like dedicated lanes and improved infrastructure. This will be essential for RTA commuters as the downtown workforce spreads well beyond the State Capitol complex. We received two excellent proposals and are evaluating them for contract award now.
5. We are also assembling a Request for Proposals to develop a range of options for the future evolution of the Star. With most of our State of Good Repair projects completed over the past 2 years, we can again look to the future, including an examination of how our long-term commuter markets might be impacted by the pandemic and changing work patterns. As part of the process, we did a formal request for information from the consulting community and received responses from 4 large, national consulting firms (all with a Middle Tennessee presence). We are currently talking to each of these firms, as well as RJ Corman, to develop the content on the Request for Proposals.

CEO Bland concluded his remarks and was available for any questions from the floor and there were none at this time.

- VII. Chair's Report:** Mayor Hutto thanked everyone for attending the Executive Committee Meeting.
- VIII. Adjournment:** With no further business, Mayor Hutto called for adjournment, a proper motion was made and seconded, and the meeting was adjourned at 10:25 a.m.

Respectfully submitted:

Ed Cole, RTA Secretary &
Davidson County Governor Appointee