



BOARD OF DIRECTORS

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

THURSDAY, APRIL 13, 2023

ATLANTA, GEORGIA

MEETING MINUTES

CALL TO ORDER AND ROLL CALL

Chair W. Thomas Worthy called the meeting to order at 1:36 P.M.

Board Members

Present:

Jim Durrett
William Floyd
Roderick Frierson
Freda Hardage
Russell McMurry¹
Al Pond
Rita Scott
Thomas Worthy
Valencia Williamson
Jennifer Ide
Jacob Tzegaegbe

Board Members

Absent:

Stacy Blakley
Kathryn Powers
Rod Mullice
Jannine Miller

Staff Members Present:

Collie Greenwood
Melissa Mullinax
Ralph McKinney
Raj Srinath
Luz Borrero
Rhonda Allen
Peter Andrews
George Wright

¹ Russell McMurry is the Commissioner of the Georgia Department of Transportation (GDOT). Per the MARTA Act, he is a non-voting member of the Board of Directors.

Carrie Rocha

Also in Attendance:

Justice Leah Ward Sears
Kirk Talbott
George Wright
Jonathan Hunt
Colleen Kiernan
Paula Nash
Donna DeJesus
Jacqueline Holland

PUBLIC COMMENTS (SUBMITTALS VIA TELEPHONE, U.S. MAIL AND IN PERSON)

Ed Williams [via email]
Nathan Clubb [via email]
Hans Klein [via email]
Matt Eckmann [via email]
Commissioner Jeff Rader [in person]
Jacquelyn Word [via email and in person]
Jefeme Sharpe [in person]
Matthew RAO [in person]
Hans Klein [in person]
Jill Johnson [in person]

1. APPROVAL OF THE MINUTES

Approval of the March 9, 2023, Board Meeting Minutes.

Approval of the March 9, 2023, Board Meeting Minutes. On a motion by Board Member Durrett, seconded by Board Member Williamson, the motion passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.

2. BUSINESS MANAGEMENT COMMITTEE REPORT

Committee Chair Jim Durrett reported that the Committee met on March 30, 2023, and approved the following resolutions:

Committee Chair Report Business Management

Approval of the Business Management Committee Resolutions 2a, 2b, 2c & 2d. On a motion by Board Member Durrett, seconded by Board Member Tzegaegbe, the resolutions passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.

3. PLANNING & CAPITAL PROGRAMS COMMITTEE REPORT

Committee member Jacob Tzegaegbe reported that the Committee met on March 30, 2023, and approved the following resolutions:

Committee Chair Report Planning & Capital Programs

Board Member Durrett requested we separate the vote for 3e – Resolution to Approve the Locally Preferred Alternative for the Atlanta Streetcar East Extension Project, LPA. On a motion by Board Member Durrett, seconded by Board Member Pond to amend the Board agenda, the motion passed by a vote of 10 to 0, with 1 member abstaining and 11 members present.

Approval of the Planning & Capital Programs Committee Resolutions 3a, 3b, 3c, 3d, 3f and 3g. On a motion by Board Member Hardage, seconded by Board Member Ide, the resolutions passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.

Approval of Board Agenda item 3e - Resolution to Approve the Locally Preferred Alternative for the Atlanta Streetcar East Extension Project, LPA. On a motion by Board Member Tzegaegbe, seconded by Board Member Ide, the resolution passed by a vote of 8 to 0, with 3 members abstaining and 11 members present.

4. OPERATIONS & SAFETY COMMITTEE REPORT

Committee Chair Al Pond reported that the Committee met on March 30, 2023, and approved the following resolutions:

Committee Chair Report Operations & Safety

Approval of the Operations & Safety Committee Resolutions 4a, 4b, 4c, 4d, 4e & 4f. On a motion by Board Member Ide, seconded by Board Member Williamson, the resolutions passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.

5. EXTERNAL RELATIONS COMMITTEE REPORT

Committee Chair Rita Scott reported that the Committee met on March 30, 2023.

Committee Chair Report External Relations

No action items

6. AUDIT COMMITTEE REPORT

Committee Chair Roderick Frierson reported that the Committee met on March 23, 2023.

Committee Chair Report Audit

No action items

7. OTHER MATTERS

Chief Legal Counsel Peter Andrews read into the record the following three items emanating from Executive Session:

1. Approval of a Resolution Authorizing the Submittal of the Fourth Round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Summerhill Bus Rapid Transit (BRT) Project, City of Atlanta, Fulton County, GA. On a motion by Board Member Hardage, seconded by Board Member Durrett, the motion passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.
2. Approval of a settlement - \$450,000 – Tina Macey v. MARTA. On a motion by Board Member Durrett, seconded by Board Member Pond, the motion passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.
3. Approval of a settlement - \$600,000 – Gerald Shealey v. MARTA. On a motion by Board Member Durrett, seconded by Board Member Hardage, the motion passed by a vote of 10 to 0 with 1 member abstaining and 11 members present.

8. COMMENTS FROM THE BOARD

None

9. ADJOURNMENT

The Board meeting adjourned at 2:33 P.M.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tyrene L. Huff". The signature is written in a cursive style with a large initial 'T'.

Tyrene L. Huff
Assistant Secretary to the Board

YouTube link: https://youtube.com/live/b_b9OXIWedc?feature=share

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF INVESTMENT ADVISORY SERVICES REQUEST FOR PROPOSALS NUMBER P50072

WHEREAS, the Authority's Department of Finance has identified the need for the Procurement of Investment Advisory Services, Request for Proposals Number P50072; and

WHEREAS, On March 7, 2022 the Metropolitan Atlanta Rapid Transit Authority duly sent to potential Offerors notice of its Request for Proposals for the Investment Advisory Services, RFP P50072; and

WHEREAS, notice of the said Request for Proposals was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area once in each of the two weeks prior to the proposal deadline; and

WHEREAS, all Proponents were given the opportunity to protest the proposal instructions, specifications, and/or procedures; and

WHEREAS, on May 6, 2022 at 2:00 p.m., local time, nine (9) proposals were received; and

WHEREAS, the Authority's staff determined that AndCo Consulting, LLC submitted the most advantageous offer and other factors considered and is technically and financially capable of providing the services.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Request for Proposals Number P50072, between the Authority and AndCo Consulting, LLC for the procurement of Investment Advisory Services in the amount of \$275,000.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR INVESTMENT MANAGEMENT, LETTER OF AGREEMENT NUMBER L50288.

WHEREAS, the Authority's Department of Finance has identified the need for the Procurement of Investment Management Professional Services, Letter of Agreement Number L50288; and

WHEREAS, on January 10, 2023, the Metropolitan Atlanta Rapid Transit Authority received a proposal from Payden & Rygel; and

WHEREAS, it is necessary to procure investment strategies and solutions that includes supervising and directing the investment of all assets in the account with Payden & Rygel; and

WHEREAS, the Department of Internal Audit will be requested to perform a Price/Cost Analysis to determine fair and reasonable pricing;

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Letter of Agreement (LOA) on substantially the same terms and conditions as contained in the L50288, between the Authority and Payden & Rygel, for the Professional Services for Investment Management in the amount of \$1,590,000.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews 3/13/2023
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACT ACTUAL
AUTHORIZATION FOR MAINTENANCE OF PARKING CONTROL EQUIPMENT
CONTRACT NUMBER RFPP P46686**

WHEREAS, on February 21, 2021, the General Manager entered into a Contract with Access Control Systems, LLC for Maintenance of Parking Control Equipment Contract, Request for Price Proposals P46686; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the contract term and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the Department of Internal Audit will be requested to perform a cost/price analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. P46686 Maintenance of Parking Control Equipment Contract from \$199,880.00 to \$404,903.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority

RESOLUTION AUTHORIZING A MODIFICATION IN CONTRACT ACTUAL AUTHORIZATION FOR MASS NOTIFICATION SYSTEM, RFPP P48760 UTILIZING THE FEDERAL GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT

WHEREAS, on August 26, 2021 the General Manager entered into a Contract with Everbridge, Inc. for Mass Notification System, Request for Price Proposal P48760 consistent with the prices, terms and conditions of the General Services Administration (GSA) Contract Number GS-35F-0692P for the procurement of general purpose commercial Information Technology equipment, software and services; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the contract term and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. P48760 Mass Notification System from \$196,376.04 to \$306,220.19 utilizing the Federal General Services Administration (GSA) Contract Number GS-35F-0692P.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing the Disposal of Permanent Easements to the Georgia Department of Transportation (GDOT) in the amount of \$49,800.00 for Traffic Signal Upgrades at four tracts along SR154/SR 29/Lee Street, Fulton County, Atlanta GA

WHEREAS, the Board of Directors (Board) of the Metropolitan Atlanta Rapid Transit Authority (MARTA) adopted on August 9th, 1982 a policy regarding the disposition of MARTA property rights; and

WHEREAS, GDOT has requested permanent easements from MARTA in order to support traffic signal upgrades at various locations; and

WHEREAS, the Board has determined that permanent easements on the Parcels C4186B will not interfere with rapid transit system construction, operation or maintenance; and

WHEREAS, section 8(r) of the MARTA Act of 1965 as amended permits MARTA to dispose of property to municipalities and government agencies without seeking competitive bids, provided that the Authority receives consideration at least equal in value to the disposed interest, as established by independent appraisal; and

WHEREAS, four Tracts in Parcel C4186B have been appraised for a total fair market value of \$49,800.00; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate is hereby authorized to do all acts, perform all things, and execute on behalf of the Authority all instruments of conveyance, other instruments and agreements as necessary to effectuate the disposal of permanent easements on Parcel C4186B to the Georgia Department of Transportation upon receipt of \$49,800 equal to the appraised value of the property rights.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR I-285 TOP END BRT PLANNING STUDY
REQUEST FOR PROPOSALS NUMBER P50012

WHEREAS, the Authority's Office of Planning has identified the need for the Procurement of I-285 Top End BRT Planning Study, Request for Proposals Number P50012; and

WHEREAS, On December 1, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent to potential proponents notice of its Request for Proposals for the Procurement of I-285 Top End BRT Planning Study, RFP P50012; and

WHEREAS, notice of the said Request for Proposals was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to the proposal deadline; and

WHEREAS, all Proponents were given the opportunity to protest the proposal instructions, specifications, and/or procedures; and

WHEREAS, on January 23, 2023 at 2:00 p.m., local time, three (3) proposals were received; and

WHEREAS, the Authority's staff determined that CDM Smith, Inc. submitted the most advantageous offer and other factors considered and is technically and financially capable of providing the services.

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR I-285 TOP END BRT PLANNING STUDY
REQUEST FOR PROPOSALS NUMBER P50012

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/Chief Executive Officer or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Request for Proposals Number P50012, for the procurement of I-285 Top End BRT Planning Study between the Authority and CDM Smith, Inc. in the amount of \$6,709,993.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0FE047927B94DA

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROCUREMENT OF GENERAL PLANNING SERVICES
NUMBER P50097**

WHEREAS, the Authority's Office of Planning has identified the need for the Procurement of General Planning Services, Request for Proposals Number RFP P50097; and;

WHEREAS, On November 1, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent to potential proponents notice of its Request for Proposals for the Procurement of General Planning Services, Request for Proposals Number RFP P50097; and;

WHEREAS, notice of the said Request for Proposals was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to the proposal deadline; and;

WHEREAS, all Proponents were given the opportunity to protest the proposal instructions, specifications, and/or procedures; and;

WHEREAS, on January 18, 2023, at 2:00 p.m., local time, six (6) proposals were received; and;

WHEREAS, the Authority's staff determined that HNTB, Corporation, VHB, Inc.

and WSP, USA Inc. submitted the most advantageous offer and other factors considered and is technically and financially capable of providing the services.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/Chief Executive Officer or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Request for Proposals Number P50097, for the procurement of General Planning Services, between the Authority and with HNTB, Corporation, VHB, Inc. and WSP, USA Inc. in the amount of \$76,000,000.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

A RESOLUTION OF THE METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY BOARD OF DIRECTORS APPROVING A FRAMEWORK TO GUIDE COMPLETING A COMPREHENSIVE BUS NETWORK REDESIGN

WHEREAS, the General Manager and Chief Executive Officer of MARTA advised the Board that MARTA needed to comprehensively assess and subsequently implement a redesign of its bus network to meet changing demographics, changes in travel patterns and significant urban growth; and

WHEREAS, the Board authorized a contract for professional services with HNTB as the prime consultant and Jarrett Walker and Associates as its major sub-consultant to conduct a study, public outreach and preparation of an updated bus network design; and

WHEREAS, Jarrett Walker and Associates has helped many large transit agencies and their communities prepare bus network redesigns, and with this significant experience, has provided professional advice to MARTA staff and its Board; and

WHEREAS, the project team has conducted technical analysis of the MARTA system and service area, conducted extensive peer research, developed two contrasting concepts based on that analysis, and created the Transit Choices Report to summarize all findings; and

WHEREAS, public outreach was conducted through a variety of means and methods, including a survey conducted over several months; and

WHEREAS, the MARTA Board conducted a workshop on May 13, 2022 to receive information about the current bus network, a ridership emphasis option, a coverage emphasis option and survey results of public preferences, and has been updated subsequently about additional project developments and

WHEREAS, the MARTA Board discussed establishing policy, guiding principles and overriding considerations for the purpose of defining a framework for guiding the preparation of one bus network draft and subsequent decision-making about it.

NOW THEREFORE BE IT RESOLVED by the MARTA Board of Directors as follows:

There is a need for a comprehensive bus network redesign to address the following conditions or functions:

- A. Shifting demographics, emerging employment districts, increasing traffic congestion, and changing travel patterns.
- B. Reduce inefficiency in the current bus system.
- C. Better access to jobs, education, and essential services.
- D. Create a better experience for current and future bus riders.
- E. Better integrating the bus network, ensuring it connects well to itself and with other modes.

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that the following criteria shall constitute the broad framework and guiding principles of a draft bus network plan and the subsequent decision-making associated with the same;

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that the Total Bus Network Quantity of Service will maintain service level near or at the level provided in August 2021, while increasing the Ridership-Coverage ratio from the current level of 60% ridership and 40% coverage to a ratio in between 75%-80% ridership and 20-25% coverage (“Policy”);

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that Clayton County’s bus network shall remain substantially unchanged through this project, in keeping with past policy guidance through the Rapid Transit Contract and Assistance Agreement, particularly in keeping with the 14th and 15th Amendments;

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that to achieve the Policy, the following five principles (“Guiding Principles”) shall be followed:

- A. *Expand Access.* Expand access to opportunity, so that more people find bus service useful, leading more people to ride, which advances inclusive economic development, environmental stewardship, and positive fiscal impact.
- B. *Equity.* Go beyond ensuring there are no disparate negative impacts for historically disadvantaged communities by providing quality bus service to reduce disparities, which benefits the entire region in linking access, equity and growth.
- C. *Future Facing.* Plan for the community now and in the future, not for the travel patterns of the past.
- D. *Balance.* Balance the competing goals of ridership and coverage.
- E. *Challenges.* Accept that while the network will be a net improvement, some customers will object to the changes.

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that the Board finds that there could be certain scenarios wherein applying the Guiding Principles may result in inequities or unforeseeable results that would be overly detrimental while otherwise consistent with the Policy;

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that to prevent these potential inequities or unforeseen outcomes, the Board and Staff need the ability to make exceptions to the Guiding Principles in a manner that is transparent and supported (“Overriding Considerations”).

NOW THEREFORE BE IT FURTHER RESOLVED by the MARTA Board of Directors that any proposed Overriding Consideration(s) must be made in writing with supporting documentation to show that the exception in special circumstances provides benefits that outweigh strict adherence to the Policy and supporting Guiding Principles by addressing at least one of the following criteria for each and every Overriding Consideration:

- A. Non-compliance with Title VI of the Civil Rights Act of 1964, pursuant to Federal Transit Administration regulations, would be avoided.
- B. Demographic and socio-economic circumstances of a neighborhood, community or corridor that are demonstrably underserved would be mitigated.
- C. Significant economic development and access to the opportunity afforded by it would be substantially facilitated.

- D. Significant topographical constraints that create an impediment to accessing transit service would be mitigated.
- E. Significant infrastructure deficits that create an impediment to accessing transit service would be mitigated.

BE IT FINALLY RESOLVED, by the MARTA Board of Directors, that upon the completion of a draft bus network redesign, staff shall present the plan to the MARTA Board of Directors who may approve, modify, edit or deny the proposed plan.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
A0EF047927B94DA...

**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing Approval of the Atlanta Streetcar East Extension alignment running along Edgewood Avenue to the BeltLine at Irwin Street and up to Ponce de Leon Avenue as the Locally Preferred Alternative (“LPA”) for the Streetcar East Extension Project.

WHEREAS, the subsequent 15th Amendment to the Rapid Transit Contract and Assistance Agreement (“RTCAA”) set forth various capital projects, including an expansion of the current Atlanta Streetcar System onto the Atlanta Beltline; and

WHEREAS, the City of Atlanta and MARTA agreed in the 15th Amendment to the RTCAA that the Atlanta Streetcar East Extension Project shall be funded by the additional one-half penny sales tax and/or other non-sales tax funding sources; and

WHEREAS, the City of Atlanta and MARTA entered into the More MARTA Intergovernmental Agreement (“IGA”) for the planning, design, construction, and operations of the expansion and enhancement of the rapid transit system in accordance with the 15th Amendment More MARTA program; and

WHEREAS, the Atlanta BeltLine and Ponce City Market are significant activity centers, and additional economic development potential exists along the corridor; and

WHEREAS, the Atlanta Streetcar East Extension Project has gone through the necessary planning, public engagement and preliminary project development processes and has the requisite local funding required to design and construct; and

WHEREAS, the Atlanta Streetcar East Extension Project is estimated to cost over \$230 million and it is the intention for MARTA to design and construct utilizing local funding coming from the More MARTA half-penny sales tax; and

WHEREAS, the robust public engagement process identified the need for additional infrastructure and supporting features to support the expansion of the current Atlanta Streetcar System, which the City of Atlanta and MARTA have agreed to undertake, resulting in the aforementioned overall estimated cost of \$230 million; and

WHEREAS, pursuant to the IGA, the MARTA Board of Directors is the official policy making entity and has the ultimate responsibility for decisions affecting the transit component of the program; and

WHEREAS, pursuant to the IGA, the Program Governance Committee (“PGC”), at the request of the Program Management Team (“PMT”), will review all LPAs and recommend them to be forwarded to the City of Atlanta Subcommittee of the MARTA Board of Directors for recommendation prior to going before the full MARTA Board for approval; and

WHEREAS, the Office of the Mayor is provided notice of the recommended LPA; and

RESOLVED THEREFORE, the MARTA Board of Directors selects the proposed alignment which extends to run along Edgewood Avenue to the BeltLine at Irwin Street and up to Ponce de Leon Avenue, more particularly depicted on the map exhibit and corresponding narrative description in **Exhibit “A”** to this Resolution.

BE IT FURTHER RESOLVED that this LPA is transmitted to the Federal Transit Administration, Atlanta-Region Transit Link and the Atlanta Regional Commission for incorporation into their programs and plans.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE SOLICITATION OF PROPOSALS FOR THE
PROCUREMENT OF SYSTEM-WIDE COMMUNICATIONS BASED TRAIN CONTROL
(CBTC), RFP P50319**

WHEREAS, the Authority is authorized by Section 14(m) of the MARTA Act to procure goods and services without competitive bidding if it is impracticable to prepare adequate specifications and an adequate description on the basis of which to solicit competitive bids; and

WHEREAS, the General Manager/CEO has certified, in accordance with Section 14(m) of the MARTA Act, that the procurement of System-wide Communications Based Train Control (CBTC) is impracticable through the solicitation of competitive bids; and

WHEREAS, award of a Contract for the procurement of System-wide Communications Based Train Control (CBTC), after the solicitation of proposals and selection of a preferred proponent pursuant to Section 14(m) of the MARTA Act, is subject to approval by the Board of Directors.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO, or his designee be, and hereby is, authorized to solicit proposals for the procurement of System-wide Communications Based Train Control (CBTC) by means other than competitive bidding, in accordance with Section 14(m) of the MARTA Act, through the use of Request for Proposals.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE SOLICITATION OF PROPOSALS FOR THE
PROCUREMENT OF AUTOMATED TRANSIT NETWORK (ATN) PILOT PROJECT,
RFP P50320**

WHEREAS, the Authority is authorized by Section 14(m) of the MARTA Act to procure goods and services without competitive bidding if it is impracticable to prepare adequate specifications and an adequate description on the basis of which to solicit competitive bids; and

WHEREAS, the General Manager/CEO has certified, in accordance with Section 14(m) of the MARTA Act, that the procurement of Automated Transit Network (ATN) Pilot Project is impracticable through the solicitation of competitive bids; and

WHEREAS, award of a Contract for the procurement of Automated Transit Network (ATN) Pilot Project, after the solicitation of proposals and selection of a preferred proponent pursuant to Section 14(m) of the MARTA Act, is subject to approval by the Board of Directors.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO, or his designee be, and hereby is, authorized to solicit proposals for the procurement of Automated Transit Network (ATN) Pilot Project by means other than competitive bidding, in accordance with Section 14(m) of the MARTA Act, through the use of Request for Proposals.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
FM-200 FIRE SUPPRESSION SYSTEMS INSPECTION AND TESTING SERVICES,
IFB B50144**

WHEREAS, the Authority's Office of Rail Car Maintenance has identified the need for the Procurement of FM-200 Fire Suppression Systems Inspection and Testing Services, Invitation for Bids Number B50144; and

WHEREAS, on September 22, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on October 21, 2022 at 2:00 p.m., local time, three (3) bids were publicly opened and read aloud; and

WHEREAS, the second lowest bid submitted by Cintas Fire Protection Services, Inc., is responsive and responsible and the bidder is capable of performing the Contract.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B50144, Procurement of FM-200 Fire Suppression Systems Inspection and Testing Services, IFB B50144 between the Authority and Cintas Fire Protection Services, Inc., in the amount of \$403,640.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR THE PROCUREMENT OF
MARTA CUSTOMIZED BOMB TRUCK, IFB B50206**

WHEREAS, the Authority's Department of Police has identified the need for the Procurement of MARTA Customized Bomb Truck, Invitation for Bids Number B50206; and

WHEREAS, on September 26, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent Notice of the Invitation for Bids to potential Bidders; and

WHEREAS, notice of the said Invitation for Bids was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to opening bids; and

WHEREAS, all Bidders were given an opportunity to protest the bid instructions, specifications, and/or procedures; and

WHEREAS, on October 25, 2022, at 2:00 p.m., local time, one (1) bid was publicly opened and read aloud; and

WHEREAS, the single bid submitted by LDV, Inc. Custom Specialty Vehicle, is responsive and responsible and the bidder is capable of performing the Contract.

WHEREAS, the Department of Internal Audit conducted a price analysis and determined that the price is fair and reasonable.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract on substantially the same terms and conditions as contained in the Invitation for Bids Number B50206, Procurement of MARTA Customized Bomb Truck, between the Authority and LDV, Inc. Custom Specialty Vehicle., in the amount of \$ 547,159.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACTRACTUAL
AUTHORIZATION FOR TRANSIT OPERATOR TRAINING COURSES
CONTRACT NUMBER RFPP P45519**

WHEREAS, on February 1, 2020 the General Manager entered into a Contract with Georgia Piedmont Technical College (GPTC) for Transit Operator Training Courses, Request for Price Proposal P45519; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to extend the term three (3) additional years and increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

WHEREAS, the Department of Internal Audit will be requested to perform and cost/price analysis to determine fair and reasonable pricing; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to extend the contract term and increase the authorization for Contract No. P45519 Transit Operator Training Courses from \$787,100.00 to \$4,306,100.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

RESOLUTION TITLE

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT UTILIZING THE STATE OF OKLAHOMA
CONTRACT FOR PROCURMENT OF FIFTEEN (15) BRAUN TYPE I MINVIANS P50253**

WHEREAS, the Authority's Department of Bus Operations has identified a need for Fifteen (15) Braun Type I Minivans; and

WHEREAS, on October 3, 2022, the Metropolitan Atlanta Rapid Transit Authority duly sent the Request for Price Proposal to the Dealer; and

WHEREAS, the Authority's staff has determined that the Fifteen (15) Braun Type I Minivans may be purchased utilizing the State of Oklahoma Contract; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to execute a Contract utilizing the State of Oklahoma Contract that are valid at the time the Authority procures its Fifteen (15) Braun Type I Minivans under the Authority Contract Number P50253 in the amount of \$1,498,185.00.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE MODIFICATION IN CONTRACTUAL AUTHORIZATION FOR
MARTA NATURAL GAS SUPPLY CONTRACT NUMBER IFB B42422**

WHEREAS, on April 1, 2019 the General Manager entered into a Contract with Mansfield Power and Gas, LLC for MARTA Natural Gas Supply, Invitation for Bids B42422; and

WHEREAS, on November 3, 2022 the General Manager/CEO's contingency of \$811,296.41 was requested and utilized; and

WHEREAS, MARTA staff has determined that it is in the best interest of the Authority to increase the contract value to provide for known changes and additions to the contract; and

WHEREAS, all contractual changes and additions for this modification will follow the Authority's procurement policies and guidelines; and

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is, authorized to increase the authorization for Contract No. B42422 MARTA Natural Gas Supply from \$17,037,224.30 to \$17,691,366.08.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROCUREMENT OF MARTA BUSES
REQUEST FOR PROPOSALS NUMBER P50104**

WHEREAS, the Authority's Department of Bus Operations has identified the need for the Procurement of MARTA Buses (Sixty-Foot Battery Electric Bus), Request for Proposals Number P50104; and

WHEREAS, On November 8, 2023 the Metropolitan Atlanta Rapid Transit Authority duly sent to potential proponents notice of its Request for Proposals for the Procurement of MARTA Buses (Sixty-Foot Battery Electric Bus), RFP P50104; and

WHEREAS, notice of the said Request for Proposals was advertised in the local newspaper of the largest circulation in the Atlanta metropolitan area, once in each of the two weeks prior to the proposal deadline; and

WHEREAS, all Proponents were given the opportunity to protest the proposal instructions, specifications, and/or procedures; and

WHEREAS, on February 16, 2023 at 2:00 p.m., local time, five (5) proposals were received; and

WHEREAS, the Authority's staff determined that New Flyer of America, Inc. submitted the most advantageous offer and other factors considered and is technically and financially capable of providing the services for the sixty-foot (60') battery electric buses.

WHEREAS, the Authority's staff will continue to review proposals for RFP P50104 to recommend award for other bus types.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that the General Manager/CEO or his delegate be, and hereby is authorized to enter into contracts with New Flyer of America to provide the sixty-foot (60') battery electric bus and is authorized to assign tasks by negotiated work orders that will not exceed the amount of \$58,545,015.00.

Approved as to Legal Form:

DocuSigned by:

Peter J. Andrews

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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Resolution Authorizing the fourth round of Acquisition Offers and Settlements for Right of Way and Easements in support of the Summerhill Bus Rapid Transit Project, City of Atlanta, Fulton County, GA

WHEREAS, pursuant to the MARTA Act of 1965, as amended (“MARTA Act”), MARTA exists for purposes of planning, designing, leasing (as lessee), purchasing, acquiring, holding, owning, constructing, improving, equipping, financing, maintaining and administering a rapid transit system within the metropolitan area, and operating same; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority’s (“MARTA”) operations staff has identified a public need to acquire property within the City of Atlanta (“City”), Fulton County, Georgia and the City is within the territorial jurisdiction of MARTA;

WHEREAS, MARTA will expand its rapid transit system by developing, maintaining and operating a Bus Rapid Transit Project (“Summerhill BRT”) located within the City; and

WHEREAS MARTA Planning and Capital Programs has identified that certain real property located adjacent to the Summerhill BRT corridor, City of Atlanta, Fulton County, State of Georgia (“Property”) for acquisition to facilitate the Summerhill BRT project; and

WHEREAS, MARTA and the City executed a Rapid Transit Contract & Assistance Agreement as amended and a Project-based Agreement executed on March 25, 2022 whereby the parties agreed to coordinate their efforts regarding the expansion of MARTA’s rapid transit system, including, without limitation, the City agreeing to work with MARTA and, upon the request of MARTA, to exercise its eminent domain power to acquire any property rights and interests necessary for MARTA to carry out its purpose as stated in the MARTA Act; and

WHEREAS, upon the City’s approval, MARTA will submit offers to the fee owner(s) of the Properties in the amount of the appraised values. If negotiations for fair and equitable purchase terms are not successful, then MARTA will request the City initiate condemnation proceedings.

RESOLVED THEREFORE, by the Board of Directors of the Metropolitan Atlanta Rapid Transit Authority that in accordance with policies and procedures previously adopted by the Board, the acquisition of those real properties known as MARTA Parcels B099, B100A, B105A, B110, B111, B112, B113, B114, B115, B116, B128, B137, B138, B150, B150A, B162, B167, B189 as identified as Exhibit A attached hereto and incorporated herein by the reference (“Required Properties”), are hereby determined to be necessary for the construction, operation and maintenance of the Authority’s bus rapid transit system and hereby is approved, provided the acquisition costs do not exceed the estimate of just compensation as further identified in Exhibit A.

BE IT RESOLVED THEREFORE, that the General Manager/CEO or his delegate is hereby authorized to offer and execute Acquisition Agreements and/or other settlements with the fee simple owner(s) for the acquisitions of the Properties and in the event a mutual agreement or settlement is unsuccessful to request the City of Atlanta to initiate condemnation proceedings.

Approved as to Legal Form:

DocuSigned by:
Peter J. Andrews
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**Chief Counsel, Metropolitan Atlanta
Rapid Transit Authority**

Summerhill Bus Rapid Transit
Round Four Acquisitions
Exhibit A

MARTA Parcel	Area Needed (Sq. Ft.)	Area (acres)	Acquisition Type	\$ per SF	Full or Partial Acquisition	Initial MARTA Offer (EJC)
B099	553.00	0.0127	Permanent Need	\$71.00	Partial	\$39,263.00
B099	500.00	0.0115	TCE	\$71.00	10%	\$1,775.00
B099			Site Improvements			\$104.00
B100A	77.00	0.00177	TCE	\$65.00	10%	\$250.25
B100A			Site Improvements			\$252.00
B105A	128.00	0.00294	Permanent Need	\$30.00	Partial	\$3,840.00
B110	432.00	0.00992	TCE	\$71.00	10%	\$1,533.60
B111	389.00	0.0089	TCE	\$40.00	10%	\$778.00
B112	345.00	0.0079	TCE	\$40.00	10%	\$690.00
B113	336.00	0.0077	TCE	\$65.00	10%	\$1,092.00
B114	499.00	0.01146	TCE	\$65.00	10%	\$1,621.75
B115	21.00	0.00048	Permanent Need	\$65.00	Partial	\$1,365.00
B115	107.00	0.00246	TCE	\$65.00	10%	\$347.75
B115			Site Improvements			\$75.00
B116	220.00	0.00505	Permanent Need	\$71.00	Partial	\$15,620.00
B116	113.00	0.00259	TCE	\$71.00	10%	\$401.15
B128	10,871.00	0.2496	Permanent Need	\$50.15	Full	\$545,180.65
B137	940.00	0.02158	TCE	\$48.00	10%	\$2,256.00
B138	67.00	0.00154	Permanent Need	\$48.00	Partial	\$3,216.00
B138			Site Improvements			\$495.00
B150	78.00	0.00179	TCE	\$192.91	10%	\$752.35
B150A	34.00	0.00078	TCE	\$210.00	10%	\$357.00
B162	105.00	0.00241	Permanent Need	\$7.73	Partial	\$811.65
B167	41.00	0.00094	Permanent Need	\$50.00	Partial	\$2,050.00
B189	55.00	0.00126	Permanent Need	\$35.00	Partial	\$1,925.00

\$626,052.15

Less: Amts presented for prior approval of revisited parcels Rounds 1, 2 & 3 (\$523,237.25)

\$102,814.90