



It is the mission of the Ann Arbor Transportation Authority to provide useful, reliable, safe, environmentally responsible, and cost-effective public transportation options for the benefit of the Greater Ann Arbor Community.

Approved Minutes  
October 18, 2012  
Ann Arbor Transportation Authority  
Board of Directors Meeting  
Ann Arbor District Library, 343 South Fifth Avenue, Ann Arbor, Michigan, 6:30 p.m.

Board Members Present: Jesse Bernstein, Eli Cooper, Anya Dale, Sue Gott, Charles Griffith (Chair), Roger Kerson, David Nacht

District Representatives: Bill Lavery, Bob Mester, David Phillips, Paul Schreiber

Staff Present: Michael Benham, Terry Black, Ron Copeland, Dawn Gabay, Michael Ford, Jan Hallberg, Ed Robertson, Phil Webb

Recording Secretary: Karen Wheeler

Chairman Charles Griffith declared that a quorum was present and called the meeting to order at 6:33 p.m.

1.0 Public Hearing

There was no public hearing.

2.0 Communications and Announcements

Charles Griffith announced Board committee assignments for FY2013:

Performance Monitoring and External Relations Committee – Roger Kerson (Chair), Jesse Bernstein and David Nacht

Planning and Development Committee – Anya Dale (Chair), Eli Cooper and Sue Gott

Eli Cooper reported on two transportation related items passed by Ann Arbor City Council: an investment in the environmental review process for the Ann Arbor Station and a commitment to the Connector Study Alternatives Analysis.

David Nacht commented on record ridership in Fiscal Year 2012 with over 6 million riders.

### 3.0 Public Time – Comment on Agenda Items

Jim Mogensen appeared before the Board. Mr. Mogensen commented on the September board meeting minutes regarding placement of a bus shelter at Chidester Place and a communication received from AATA staff explaining the placement which complies with the Americans with Disabilities Act (ADA). Mr. Mogensen suggested that by addressing the ADA issue, which resulted in a larger concrete pad but smaller shelter, a different problem was caused whereby there will be less space for people to wait under the structure in winter.

No one further appearing, Mr. Griffith declared public time closed.

### 4.0 Review and Approval of Minutes

#### 4.1 Review and Approval of Minutes of September 27, 2012

Roger Kerson moved approval of the minutes as written with support from Eli Cooper.

The motion carried.

#### 4.2 Review and Approval of Minutes of October 2, 2012

Roger Kerson moved approval of the minutes as written with support from Sue Gott.

Eli Cooper noted a correction needed in the last paragraph of item 8.1 Request to Washtenaw County Board of Commissioners to File Articles of Incorporation Creating a Michigan Act 196 Authority. The correction is noted below.

Eli Cooper commented on the “journey” that began with a strategic vision developed in 1999. Mr. Cooper noted collaborative efforts through the WATS countywide transportation plan and recent efforts reaching out to communities and responding. Mr. Cooper characterized the work as a “winning proposition”; helping people not to have to be required to have an automobile in order to meet the most local and ~~urgent~~ regional needs. Mr. Cooper expressed appreciation for the work completed and acknowledged the work ahead to identify and meet the needs of the community to the best of the board’s ability.

The corrected minutes were approved.

### 5.0 Board and Staff Reports

## 5.1 Chief Executive Officer

Michael Ford reported on follow-up items from the September board meeting. Mr. Ford referred to a worksheet included in his written report illustrating the budget changes from the version approved by PDC to the final budget adopted by the board. Also included were areas considered, but not chosen for reduction, in the FY2013 budget.

Mr. Ford noted the concern brought forth earlier in the meeting during public time regarding a new shelter at Chidester Place. Mr. Ford reported that the new shelter complies with the Americans with Disabilities Act; the shelter previously in place did not. Mr. Ford indicated that based on Mr. Mogensen's comments, Mr. Ford may do additional checking on the matter.

Mr. Ford reported that the Planning and Development Committee (PDC) did not meet as there were no action items for the committee to consider. The proposed PDC meeting calendar for FY2013 was included in the board packet for reference.

Mr. Ford reported that the Performance Monitoring and External Relations Committee discussed the Blake Transit Center reconstruction project and received a presentation on the new website. Mr. Ford deferred to Roger Kerson for a full report on the committee meeting.

Mr. Ford reported on filing Articles of Incorporation for a proposed Act 196 Authority based on the Board's authorization on October 2 and letters of notice sent to each municipality in the County based on the filing. The City of Ann Arbor recently communicated a different interpretation of the commencement of the 30 day opt-out period suggesting that the Articles of Incorporation were not effective until 30 days following the filing.

Although legal counsel for AATA feels that AATA has acted in accordance with all laws concerning the formation of the new transit authority, out of an abundance of caution, the decision was made to provide communities with additional time to make their decision to participate in or withdraw from the transit authority. The City of Ann Arbor provided the go ahead for the County to send a second notice. AATA staff will work with County officials on the details of sending a second notice and will bear the costs associated with the process. Each clerk was notified about the impending addition to the 30 day clock.

Mr. Ford reported on work with the City of Ann Arbor to establish Ann Arbor representatives on the Act 196 board. Contrary to plans and an understanding that Act 55 board members would automatically become part of the Act 196 board, the City has chosen not to proceed in this manner citing possible violation of the Incompatible Offices statute. Two Ann Arbor members were presented

for consideration by City Council with the appointments anticipated for early November. Mr. Ford indicated that while the new developments have caused a delay, the situation presented an opportunity for a coordinated process going forward that all parties can be comfortable with.

Mr. Ford repeated the news on FY2012 record ridership with more than 6.3 million rides; the highest total since recordkeeping began in 1979. This is nearly 7% above ridership from FY2011 levels. Mr. Ford shared specifics on increases on fixed route service and Express Bus service. Mr. Ford also noted increasing ridership levels on AirRide service with 25,000 riders since the inception of the service in April.

## 5.2 Planning and Development Committee

There was no report.

## 5.3 Performance Monitoring and External Relations Committee

Committee Chair Roger Kerson provided the Performance Monitoring and External Relations Committee report. The committee had a lengthy discussion on the Blake Transit Center reconstruction project budget which has increased from a \$3.5Million project to an \$8.5Million project. It was noted that the Planning and Development Committee previously approved an amendment to the project budget to bring the total to \$7Million.

The committee supported increasing the budget from \$7Million to \$8Million using federal capital funds for the increase. The committee decided to bring the decision about whether to spend an additional \$500,000 to the Board for their collective wisdom and decision.

The committee received reports on the record setting performance statistics and the fiscal year-end annual budget. The meeting concluded with a look at the new website. Mr. Kerson praised the project team for their hard work. The new website is sophisticated and incorporates real-time information; an asset to service users. Testing of the site will take place by internal users and external focus groups and adjustments made based on the testing. The rollout will be scheduled following completion of final adjustments.

## 6.0 Question Time

Charles Griffith indicated that while it was necessary to make adjustments to the process for initiating a new authority, there should not be a big concern. Mr. Griffith was confident that while the process may take longer, it was expected that the transition would be smooth. Mr. Griffith indicated that he was looking forward to working with newly appointed members of the Act 196 Board.

Bill Lavery questioned the source of funds for increased expenses on the Blake Transit Center project. Michael Ford indicated that federal funds would be utilized to cover the additional expenses.

Anya Dale questioned the implications of using federal formula funds for the BTC and whether that would reduce the pool of funds to spend on other capital projects. Roger Kerson responded that to get to \$8.5Million to fully fund the BTC project, \$1.2Million of Section 5307 funds not tied to another project could be used to help fund the BTC.

## 7.0 Old Business

There was no Old Business for the Board to consider.

## 8.0 New Business

### 8.1 Authorization to Execute Contracts for the Construction of a New Blake Transit Center

Jesse Bernstein moved the following resolution with support from Anya Dale.

### **AUTHORIZATION TO EXECUTE CONTRACTS FOR THE CONSTRUCTION OF A NEW BLAKE TRANSIT CENTER**

**WHEREAS**, invitations for bid for the construction of a new Blake Transit Center were previously issued on August 24, 2012, and advertised consistent with Federal and State requirements and Ann Arbor Transportation Authority (AATA) purchasing procedures, and

**WHEREAS**, to ensure better control of the construction process and its cost, the project was broken down into several major trade packages that were bid on by more than eighty (80) different companies, and

**WHEREAS**, after careful evaluation of all bids received, the following contractors were determined to be responsive and responsible in their various categories:

<b><u>CATEGORY</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>CONTRACTOR</u></b>	<b><u>BID</u></b>
01	Testing Consultant	Materials Testing Consultants	\$39,000
2A	Demolition	Homrich	\$28,000
2B	ERS & Site work	Blaze	\$747,000
03	Concrete	Albanelli	\$648,200
04	Masonry	Baker Construction	\$453,620
05	Structural & Misc. Steel	B & A Steel	\$594,260
7A	Metal Panel, Glass & Doors	Edwards Glass	\$885,712
7B	Roofing	Christen Detroit	\$86,000
08	Window Treatments	Creative Windows	\$7,120
9A	Drywall, Trades & Doors	Ann Arbor Ceiling & Partitions	\$325,650
9B	Paint	Niles Construction Services	\$30,641
9C	Ceramic Wall & Floor Tile	D. F. Floor Covering	\$101,186

9D	Flooring	Continental Interiors	\$34,950
14	Elevator	Thyssen Krupp	\$139,451
21	Fire Protection	Lincoln Fire Protection	\$36,339
22	Plumbing & Mechanical	Goyette mechanical	\$1,389,000
26	Electrical	Bailey Labelle	<u>\$374,500</u>
<b>Total:</b>			<b>\$5,920,629</b>

**THEREFORE, IT IS RESOLVED**, that the AATA Board of Directors (Board) authorizes the Chief Executive Officer (CEO) to execute construction contracts with the above listed vendors for an aggregate total of \$5,920,629.

**BE IT FURTHER RESOLVED** that the Board authorizes an additional not to exceed amount of \$2,179,371 for additional expenses as follows:

<u>DESCRIPTION</u>	<u>ESTIMATED COST</u>
Fire Pump	\$47,260
Credit for Parking	(\$23,340)
Reimbursable Costs	\$241,295
Millwork	\$120,000
DTE	\$10,000
Furniture	\$60,000
Network Equipment including Phone System	\$100,000
Signage: Site Way-Finding and Boarding Locations	\$20,000
Art Work	\$60,000
Audio Visual Systems	\$5,000
Appliances	\$2,000
Security System	\$150,000
Contingency Fee	\$275,000
A&E Fee	\$674,500
Construction Management Fee	\$387,644
Total	\$2,129,359
<b>PROJECT TOTAL</b>	<b><u>\$8,049,988</u></b>

**IT IS FINALLY RESOLVED** that the Board authorizes a grand total of \$8,049,988 for the construction of a new Blake Transit Center.

Board members and District Representatives discussed the resolution. An explanation of the PMER Committee's concerns about costs was given as well as the explanation from staff detailing items that resulted in the final budget totaling \$8.5Million. The committee decided to keep the budget at \$8Million and staff was tasked with identifying items to reduce the budget to that level. Staff identified three items for reduction and yielded to the Board to decide whether to leave the items out or increase the budget to put them back in. The items staff identified for reduction were: LEED Gold Certification – \$80,000; Real-Time Kiosk Signage – \$180,000; and Ticket Vending Machine – \$125,000.

An overview of the PDC's decision to double the project budget was shared. The committee took into account environmental and aesthetic concerns and a desire to be part of the changing downtown community while maintaining AATA's standing in the business community as good stewards and good neighborhoods.

It was noted that the current design includes the potential to add up to two floors; that could be accomplished through development by a public-private partnership. An opportunity that move forward several years ago for a public-private partnership in the space adjacent to the BTC was mentioned and a concern raised about how to reinforce the new building on a small footprint. The facility design and amenities were discussed and the tradeoffs between designing for possible future expansion versus accommodating employees and riders.

At the Board's request, Terry Black, AATA Manager of Maintenance, provided an overview of the Blake Transit Center reconstruction project from its inception two years prior to present day, detailing some of the additional major expenses. Mr. Black reported on the original single story facility design that evolved into a multilevel building based on planning for the future and working with stakeholders to identify and eventually implement design elements to accommodate community members, passengers and employees as well as facilitate safety by including an emergency dispatch center and providing a barrier free facility. Mr. Black reported on a storm water retention system, the security system and a requirement of the Federal Transit Administration to spend 1% of the project on artwork. Mr. Black described the durable materials that were chosen in the design to reduce maintenance costs.

Mr. Black responded to questions about the need to increase the project contingency fee indicating that the amount identified in the early stages of the project was determined to be too tight and a concern. Input was shared from Board members and district representatives that the contingency may still be too low.

Board members discussed the LEED Certification element removed from the project. It was noted that the building is being designed for LEED Gold Certification. There was some difference of opinion on whether to spend \$80,000 to acquire the actual certification versus being satisfied that the project meets the environmental and design elements. Staff was cautioned that absent actual certification, it may not be appropriate to state that the facility meets the stringent standards. It was noted that a University of Michigan project utilized LEED elements in a recent construction project but utilized elements in the building rather than paying for the cost of certification.

The importance of meeting the needs of customers was raised in terms of maintaining elements that would be of benefit such as real-time kiosk signage and a ticket machine. It was suggested that those two elements of the project could be reconsidered at the 50% mark of project completion, when there may be funding available.

The question of the expanded contingency fee was raised and Matt Burke from Spence

Brothers, the project manager, commented. The contingency fee was originally recommended at 5% based on the level of design. Mr. Burke indicated that the expanded and more complex design now calls for a 10% fee which Spence believes is appropriate.

A concern was raised about increasing the budget beyond \$8Million given the recent reduction in state funding and reserves just reaching the three month level required by the Board. Board members discussed the availability of funds in the Section 3507 category and staff confirmed that the expense to bring the project total to \$8Million would not put future funds at risk.

As to adding in the three items slated for reduction, it was noted that the ticket machine and real-time information signage could easily be added later (if funds are available throughout the course of the project), but LEED Certification could not be added later.

Charles Griffith proposed an amendment to add \$80,000 to the project budget for LEED Certification. Anya Dale supported the motion.

Board members discussed the proposed amendment and whether to spend the funds for actual certification or simply construct the facility to the standards and spare the expense.

Terry Black responded to questions on where savings could be realized to recapture \$80,000 to pursue LEED Certification. Mr. Black indicated that there could be some potential savings from changing the finishes, but in the long run this may result in higher maintenance costs. Mr. Black spoke to the expense of a snow melt system and water run off canopy; expenses higher at the onset but expected to yield cost savings over time through lower maintenance costs.

Stephen Kromkowski, from DLZ, architects for the new BTC, commented on LEED Certification. Mr. Kromkowski indicated that the LEED process needs to be put in place at the onset of the project as it includes documenting design, materials selection, mechanical systems incorporated, and recycling and handling of materials during demolition. Mr. Kromkowski indicated that the certification is a public statement documenting a sustainable commitment. Mr. Kromkowski further indicated that it is believed that the project would have enough credits to achieve Gold level certification.

The amendment to add LEED Certification to the overall project budget carried: Bernstein – Yes; Dale – Yes; Gott – Yes; Kerson – Yes; Cooper – No; Nacht – No.

The amended motion passed unanimously.

## 9.0 Public Time



Jim Mogensen appeared before the Board. Mr. Mogensen commented on the structure of purchase of service agreements. Mr. Mogensen suggested that municipalities are not purchasing fixed route bus service but are providing the local match associated with the Ann Arbor Transportation Authority's fixed route bus service. Mr. Mogensen encouraged the board to look at what municipalities are actually paying for when moving forward and thinking about structures to put in place.

Carolyn Grawi from the Ann Arbor Center for Independent Living appeared before the board. Ms. Grawi commented on the new BTC that will be barrier free. Ms. Grawi urged consideration for building aspects for expansion into the infrastructure to maximize costs. Ms. Grawi suggested that new board positions are filled with people who have experience in transit noting that experience would benefit communities that do not have transit systems. Ms. Grawi commented on efforts being taken to follow the law and consider many viewpoints to bring forward a countywide system.

Thomas Partridge appeared before the board. Mr. Partridge called on the board to provide leadership to bring about increased attention to the needs of Washtenaw County residents for improved access to buses and transportation routes as well as affordable dial a ride or paratransit service. Mr. Partridge also called on the board to construct a bus facility that reduces the stress of bus drivers and ends discrimination of disabled persons. Mr. Partridge commented on the upcoming Presidential election.

No one further appearing, Mr. Griffith declared public time closed.

10.0 *Executive Session – Consider Material Exempt from Discussion or Disclosure by State or Federal Statute; Michigan Open Meetings Act; Section 8(h)*

Jesse Bernstein moved to adjourn to Executive Session to consider pending litigation and materials exempt from disclosure. Roger Kerson supported the motion. The motion passed unanimously on a roll call vote. The Executive Session commenced at 8:17 p.m.

David Nacht moved to close the Executive Session with support from Anya Dale. The motion passed unanimously and the Executive Session closed at 10:15 p.m.

11.0 *Adjourn*

David Nacht moved to adjourn the meeting with support from Jesse Bernstein. The motion carried and the meeting adjourned at 10:18 p.m.

Respectfully Submitted,

Anya Dale, Secretary