

**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Transit, Infrastructure and Roads Committee  
(TIRC)  
SRS WORKSHOP**

**Board of County Commissioners**

Stephen P. Clark Government Center  
Commission Chambers  
111 N.W. First Street  
Miami, Florida 33128

June 16, 2009  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

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Alan Eisenberg, Commission Reporter  
(305) 375-2510





Stephen P. Clark  
Government Center  
111 N.W. 1st Street  
Miami, FL 33128

## FINAL OFFICIAL

### Meeting Minutes

#### Transit, Infrastructure & Roads Committee

Barbara J. Jordan (1) Chair; Carlos A. Gimenez (7) Vice Chair; Commissioners Audrey M. Edmonson (3), Dorrin D. Rolle (2), Natacha Seijas (13) and Katy Sorenson (8)

#### STS WORKSHOP

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Tuesday, June 16, 2009

2:00 PM

Commission Chambers

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**Members Present:** Audrey M. Edmonson, Carlos A. Gimenez, Barbara J. Jordan, Dorrin D. Rolle, Natacha Seijas, Katy Sorenson.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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#### MINUTES PREPARED BY:

**Report:** *Alan Eisenberg, Commission Reporter  
305-375-2510*

#### 1A PLEDGE OF ALLEGIANCE

**Report:** *Chairwoman Jordan called the meeting to order, and the Committee convened in a moment of silence, followed by the Pledge of Allegiance.*

#### 1B ROLL CALL

**Report:** *Chairman Jordan introduced Ms. Tanzania Burnett, an intern in her office.*

*The following staff members were present:  
Assistant County Manager Ysela Llort; Assistant County Attorneys Bruce Libhaber and Alexander Bokor; Deputy Clerks Judy Marsh and Alan Eisenberg.*

*Chairwoman Jordan called the meeting to order at 2:11 p.m.*

*Chairwoman Jordan noted a motion to set the agenda was in order and called for requests for changes to today's (6/16) agenda.*

**1C      DISCUSSION ITEMS**

**Report:** *Chairwoman Jordan welcomed everyone to today's workshop, which she noted was the first workshop of the Transit, Infrastructure & Roads Committee. She also noted agenda packages were distributed to Committee members; including the Draft Copy of the Request for Proposal (RFP) for Special Transportation Services (STS) and the Matrix with Recommendations from the STS Task Force.*

*Assistant County Manager Ysela Llort noted the staff presentation would establish a framework for the Matrix review and RFP issues.*

*Commissioner Seijas noted the RFP was only 75% complete and expressed concern about the review process for the remaining components.*

*Ms. Miriam Singer, Director, Department of Procurement Management (DPM), indicated that a brief review of the matrix and RFP issues was conducted on an expedited basis and a more thorough review would be conducted by the Department of Procurement Management (DPM), Risk Management and County Attorney.*

1C1

**091829 Report**

DRAFT COPY OF REQUEST FOR PROPOSAL (RFP) FOR SPECIAL TRANSPORTATION SERVICES (STS) (County Manager)

**Presented**

**Report:** *Chairwoman Jordan indicated that Recommendations from the STS Task Force and DPM had been presented and the Committee would now begin a review of the RFP.*

*4.5; Price Evaluation; Handwritten Page 41: Ms. Singer responded to Commissioner Seijas' request for information on the methodology associated with evaluating price. She noted the formula was developed in cooperation with the County Attorney to evaluate price based upon proposals submitted by all vendors.*

*Attachment D, 4, C; Handwritten Page 76: Ms Singer indicated that the intent was to obtain information on the approach to manage the contract and provide required services in response to Commissioner Seijas's inquiry. She noted the RFP was not prescribing how the service was to be provided and the industry would respond to the County with a solution which would address the criteria specified in the approach.*

*Attachment E, Form B-1, A; Handwritten Page 78: Commissioner Seijas inquired about the method to evaluate proposals with pricing either stated as a fixed price per trip or as a per vehicle hour.*

*Ms. Singer noted that judgments would be made by the County Manager's Evaluation Committee and his technical team based upon familiarity and expertise with the program. She noted two approaches were being used in order to analyze both data sources to obtain the best deal for the County.*

*Commissioner Seijas noted that both data sources must be combined and reviewed together to avoid confusion.*

*Attachment E, Form B-1, B, Handwritten Page 79: Ms Singer responded to Commissioner Seijas that the percentage breakdown of Extended Total Price was for evaluation purposes and not scored in order to better understand the proposal and the capacity of the firm to perform the work.*

*Article 10; Handwritten Page 41 & Article 41;  
Handwritten Page 64:*

*Commissioner Edmonson expressed concern that the County was not requesting sufficient insurance coverage. She noted language in the RFP for 5 million dollars insurance coverage when 25 million dollars coverage was considered industry standard and performance bond coverage was below 2 million dollars.*

*Ms. Singer noted the solicitation had not been reviewed by Risk Management to determine appropriate insurance coverage and bond requirements.*

*Commissioner Edmonson asked Ms. Singer to ensure that the correct level of insurance and performance bond coverage was obtained.*

*2.15; Handwritten Page 12; Computer System:  
In response to Commissioner Edmonson's questions regarding the Miami-Dade Transit's Trapeze Computer System (Trapeze), Ms. Singer noted that Trapeze was required so that vendor data would be compatible with the Transit Department.*

*Ms. Ruby Hemingway-Adams, Assistant Director Customer Development, Miami-Dade Transit, informed Commissioner Edmonson that the County owned both the computer equipment and software and was providing full maintenance services.*

*Commissioner Edmonson asked Ms. Singer to explore opportunities to reduce Trapeze maintenance costs to assist the County with reducing expenses.*

*2.25; Handwritten Page 30; Facilities:  
Assistant County Attorney Liebhaber noted that it was not possible to require the service facility to be located within Miami-Dade County in response to Commissioner Edmonson's inquiry.*

*Commissioner Edmonson asked that the Selection Committee examine various logistical service considerations when selecting a vendor.*

*4.2; Handwritten Page 40; Evaluation Criteria:  
Ms. Singer informed Commissioner Gimenez that the composition of the Evaluation Committee had not been determined; however, she noted that members would be appointed by the County Manager and would adhere to the Board's policy*

*in terms of composition, balance, expertise, and a Small Business Development member; as well as a technical committee.*

*In response to Commissioner Gimenez' comments that the association of points with price did not guarantee a certain level of service; Ms. Singer responded that points for price were based upon the value of the service.*

*Commissioner Gimenez noted that value was a determination of both price and technical merits.*

*Attachment D, 4, A; Handwritten Page 76:  
Ms. Singer responded to Commissioner Gimenez that a transition plan for a new vendor was included in the review process.*

*Attachment E, Form B-1; Handwritten Page 77:  
Responding to Commissioner Gimenez' inquiry regarding the current subsidy per trip, Mr. Kapoor informed Commissioner Gimenez that the STS Service received an annual subsidy from the County in the amount of 42 million dollars, at the rate of \$27 per trip for 7,560 trips per day.*

*Commissioner Gimenez asked Mr. Kapoor to investigate the capital and operational requirements of providing in-house STS services rather than outsourcing these services including start-up requirements, hiring of reduction in workforce employees and fuel costs savings.*

*Chairwoman Jordan asked Mr. Kapoor to calculate the costs of an in-house STS program over a ten to fifteen year period in order to determine whether potential savings could be expected over the duration of this timeframe.*

*Assistant County Manager Llort reviewed the directives requested by the Committee members.*

*Commissioner Edmonson asked Assistant County Manager Llort to ensure that a clause was incorporated within the RFP to require that audited financial statements be provided.*

1C2

**091830 Report**

MATRIX WITH RECOMMENDATIONS FROM STS TASK FORCE (County Manager) **Presented**

**Report:** *Ms. Hemingway-Adams reviewed the Matrix with Recommendations from the STS Taskforce entitled "Recommended Changes for RFP 2010."*

*Commissioner Sorenson requested that details be provided on the financial impact of these recommendations as the items were presented.*

*1.2.26; Page 1; Negotiated Pick up Time:  
A confirmed pick-up time within one hour of the requested time would be confirmed upon making the reservation. No financial impact.*

*2.11; Page 1; Hours and Days of Service:  
The reservation agent was required to provide service seven days per week from 8:00 a.m. to 5:00 p.m. This would have a financial impact with additional service hours.*

*2.15.5; Page 1; AVL/GPS and Mobile Data Terminals:  
This equipment was required to be installed in at least 98% of vehicles prior to implementation. This would have a financial impact of approximately 3 million dollars.*

*Chairwoman Jordan noted the Transit Department requested that equipment be installed up-front rather than through a phase-in process in order to effectively gather information.*

*Ms. Hemingway-Adams responded to Commissioner Gimenez that all vehicles would be required to use the equipment and that equipment maintenance costs were unknown.*

*2.19; Page 2; Performance Standards:  
The goal was for AVL/GPS equipment to be operational a minimum of 95% of the time.*

*2.20, 2.20.1.1, 2.20.1.2, 2.20.1.3, 2.20.1.4, 2.20.1.6; Page 2; Change Liquidated Damages to Fines:  
Language was modified in consultation with the County Attorney for the recovery of liquidated damages rather than the imposition of fines.*

*Assistant County Attorney Libhaber indicated that*

*courts were reluctant to enforce fines since they were considered punitive measures in a contract. He noted that a fine suggested a punishment rather than a compensation for damages suffered.*

*2.21.7; Page 2; Chauffeur Standards:*

*This provided for two preventable accidents within a one-year period to be reviewed by the Accident Review Committee.*

*Ms. Hemingway-Adams noted that the Committee Chairperson was the Assistant Transit Director, with representation from the service provider, Transit staff and the Transit Safety Committee.*

*2.21.7; Page 3; Chauffeur Standards:*

*A national criminal background review with fingerprints would be performed on all drivers.*

*2.21.7; Page 4; Chauffeur Standards:*

*Required drivers to complete an English proficiency examination and upon two or more legitimate complaints would be required to meet with the Project Manager to demonstrate the ability to sufficiently speak English phrases.*

*Ms. Hemingway responded to Commissioner Edmonson's request for methods to measure a legitimate complaint. She noted that driver complaints could be verified against the manifest data and they would also be evaluated for language proficiency through one of five pre-tests.*

*2.21.10; Page 4; Complaints against Chauffeurs and Dispatchers:*

*This language was rejected and the County retained the right to remove from service any selected Proposer and/or Service Provider regardless of the number of complaints on record.*

*2.23.2; Page 5; Required Records:*

*Language was rewritten to require both Mobil Data Terminal records and paper manifest records for instances when the electronic system was non-operable.*

*4.6; Page 6; Negotiations:*

*Service provider was required to inform the County of any pending litigation.*

*Article 8; Page 6; Pricing:*

*The proposed contract included a CPI adjustment that was not in the present agreement.*

*Ms. Singer noted the language "may adjust" was*

substituted instead of "will adjust" in order for the CPI to conform to other County contracts. She responded to Commissioner Seijas that the CPI was a well established index and this change would provide the County flexibility to consider both pricing increases and decreases.

Assistant County Attorney Libhaber indicated the language "may" provided discretion whether to grant the adjustment up or down. He noted the CPI language offered a limit to the range of discretion for potential adjustments.

Article 9; Page 6; Method and Time of Payment: Payments changed to forty-five days from receipt of a proper invoice and thirty-days from receipt for a small business, in conformity with current County procedures.

Article 23; Page 7; Termination/Suspension of Work:

This specified that the County could terminate with or without cause upon written notice; however the Contractor could not terminate the contract, for consistency with other County contracts.

2.21.2; Page 9; Vehicle Standards:

Language was changed for vehicles to comply with Passenger Transportation Regulatory Division regulations; to promote utilization of fuel efficient vehicles; and to govern the age of vehicles.

Commissioner Sorenson asked Ms. Singer to develop language supporting the utilization of fuel efficient vehicles.

Commissioner Edmonson asked Ms. Singer to consider both vehicle age and mileage in determining replacement schedules and to check with current procedures being utilized by the Consumer Services Department.

Assistant County Attorney Libhaber informed Commissioner Rolle that the Transit Department received approximately 6 million dollars annually in 5307 Federal Grant funding. He advised that the receipt of Federal funding required the adherence to their regulations and that local preference and other provisions contradicting Federal regulations were not applicable. Assistant County Attorney Libhaber noted the receipt of State funding also required compliance since it included Federal funds.

*Assistant County Manager Llord reviewed the directives requested by Commissioners.*

*2.10; Page 8; Service Area:*

*Clarified that the service area shall be throughout the County, South to Monroe County Mile Marker 50, and within  $\frac{3}{4}$  of a mile on each side of the MDT fixed route service in Broward County.*

*Commissioner Gimenez asked Ms. Singer to include language within the proposed RFP that any future change(s) to the level or scope of service would result in a pricing renegotiation.*

*Article 8; Page 6; Pricing:*

*Commissioner Seijas stated that the contractor should be allowed to submit price adjustment requests every 6 months with stringent requirements.*

*Commissioner Sorenson expressed concern regarding staff resources necessary for a bi-annual review. She noted she did not believe it was necessary to adjust the CPI when other transit services did not adhere to this schedule.*

*Commissioner Rolle concurred with the need to consider more frequent adjustments.*

*Ms. Singer indicated that fuel costs were among many factors considered in the CPI calculation and this index reflected both upward and downward trends. She noted the index was a lagging indicator based upon the previous year and applied forward.*

*Commissioner Gimenez said that fuel was the major industry commodity and vendors would charge a higher price when submitting their RFP in anticipation of pricing increases without an option to make future modifications. He asked Ms. Singer to develop a methodology that future pricing adjustments considered the costs associated with both fuel escalation and de-escalation*

*Chairwoman Jordan asked Ms. Singer to incorporate a "me too clause" into future pricing considerations that would require the same standards applicable to both the Transit Department and outsourced transit service providers.*

*Commissioner Edmonson concurred with the need for staff to develop alternative options.*

*Commissioner Seijas stated that a provision for pricing adjustments being incorporated into the agreement was necessary due to the increased costs associated with hybrid vehicles.*

*2.21.2; RFP Handwritten Page 23; Vehicle Standards:*

*Commissioner Gimenez suggested using the terminology "fuel efficient vehicle" since hybrid vehicles were more expensive and there were many other vehicles available with good gas mileage.*

*Chairwoman Jordan noted that compact cars were not conducive to handicapped passengers and full sized vehicles were better suited to serving these riders.*

**1D      PRESENTATION BY STAFF**

1D1

**091831 Report****STS PROGRAM OVERVIEW, CURRENT STATUS AND  
COMPARISONS WITH OTHER LOCALITIES****Presented**

**Report:** *Mr. Harpal Kapoor, Director, Miami-Dade Transit, provided an overview of the STS RFP, in which he highlighted the following points:*

- The current five-year contract expires March 2010.*
- The RFP ensures continuation of mandated paratransit service.*
- The contract was for five years, with two two-year renewal options and linked to the Consumer Price Index (CPI).*
- Selection Criteria was based upon the following criteria: Price (40%) and Technical (60%).*

*Ms. Singer noted the DPM was requesting the following changes be made to today's draft RFP that have not been reviewed by the Task Force:*

*1) Delete the General Consulting Services, Clause 2.4, Handwritten Page 10, which would have allowed the County to negotiate work orders for additional consulting services. This item was deleted since no additional consulting services would be required by the Transit Department to effectively implement this contract, said Ms. Singer.*

*2) Delete the Performance Incentives, Clauses 2.20.2.1, 2.20.2.2, 2.20.2.5, and 2.20.2.6, Handwritten Page 21, for vendor payments for achievement of specified targeted performance criteria. This was deleted since the vendor was already expected to perform services in exchange for payment and additional compensation should not be provided for meeting contracted performance criteria, said Ms. Singer.*

*Commissioner Seijas asked Ms. Singer to ensure that the language in Article 2.20.2, Handwritten Page 21 of the proposed STS RFP regarding Performance Incentives, be reviewed so that it accurately reflected requested changes.*

*Ms. Singer also presented the following additional proposed recommendations that were not reflected in the draft RFP as presented on June 16, 2009:*

*1) Clause 2.10, Handwritten Page 11, Service*

*Area:*

*Recommendation to eliminate service provided beyond ¼ miles of fixed route service based upon federal regulations and other jurisdiction practices.*

*Assistant County Manager Llord noted that this change was being recommended since current Board policy exceeded the Americans with Disabilities Act (ADA) Service Area requirements.*

*Mr. Kapoor responded to Commissioner Gimenez that a 1 million dollar subsidy was provided for exceeding the Service Area requirement which covered 37,000 trips for 244 individuals.*

*Commissioner Seijas said that no reciprocal agreements existed with Broward and Monroe Counties.*

*Chairwoman Jordan said that it was worth the investment since residents utilized transportation services for employment related purposes.*

*Mr. Kapoor responded to both Chairwoman Jordan and other Committee members' requests that STS Services were required within ¼ of a mile of fixed route service according to Federal guidelines. STS Services were available to the 50 mile marker in Monroe County due to fixed route service to that location, said Mr. Kapoor.*

*Commissioner Edmonson expressed concern over the costs associated with transporting non-Miami-Dade County residents and the necessity for providing service into Monroe County.*

*Chairwoman Jordan suggested the Committee consider a policy decision relating to routes at a later time and concentrate today on the RFP review.*

*Mr. Kapoor responded to Commissioner Gimenez that Miami-Dade County must continue to provide STS Service even though the fixed route service was contracted to a private vendor.*

*Assistant County Manager Llord said Monroe County residents must be certified by Miami-Dade County to qualify for STS Service and this was a two-way service.*

*The Committee Members asked Mr. Kapoor to prepare a report outlining specific details relating to services provided by the Monroe County*

*Express Bus Service and the Special Transportation Service (STS) as follows:*

- Number of Monroe County residents subsidized by the service.*
- Number of trips made into Monroe County and associated costs.*
- Breakdown of costs between Bus Service and STS Service.*
- Breakdown between Miami-Dade and Monroe residents utilizing the service.*
- Number of trips originating in Monroe County and associated costs.*
- Demographics of service recipients including an analysis of the number of Miami- Dade residents utilizing services for employment related purposes.*

*Commissioner Seijas asked that the report also include similar information for Broward County.*

*Ms. Singer noted this recommendation provided the County with additional flexibility to change the service area and/or revise the fare basis in the future.*

*2) Article 8, Handwritten Page 49, Pricing: Recommendation related to price escalation and changed the language "will adjust" to "may adjust".*

*Ms. Singer said that price escalation was a single event action. She noted that in the event a downward trend occurred in price, the County could meet with the vendor, review the budget and develop alternative pricing that would be in the best interest of the County.*

*Ms. Singer responded to Commissioner Seijas' inquiry regarding the meaning of "Not Seasonally Adjusted, Miami-Ft. Lauderdale, FL Area." She noted this was standard nomenclature used by the Department of Labor, Bureau of Labor Statistics to define a specific area.*

*Commissioner Seijas said that she did not believe it was appropriate to limit the Contractor to one price adjustment within a twelve-month period. She noted twelve months was too long based upon today's economy and suggested that six months would be a better alternative.*

*Assistant County Attorney Llort noted gas price fluctuations were part of the CPI and that the index adjusted for many combined factors rather than focusing upon specific items.*

Chairwoman Jordan requested the clause "unless extraordinary circumstances" be included.

Commissioner Seijas asked Ms. Singer to examine the frequency of adjustments to the CPI and to develop appropriate language to account for variables including the cost of fuel and usage of fuel efficient vehicles.

3) Clause 2.33, Handwritten Page 38; Mobility Management Services (MMS):

Ms Singer recommended the deletion of MMS at the request of the Transit Department since this service was not required to effectively implement the contract.

Assistant County Attorney Libhaber confirmed Commissioner Seijas's inquiry that this service was not a Federal requirement and therefore could be eliminated.

Assistant County Manager Llord stated that MMS provided public information on alternative methods available for Transit services. She noted that Transit currently provided this service through its website and staff. Although these services were in the existing RFP, they were determined an unnecessary duplication, said Assistant County Manager Llord. She also noted that even though the language indicated the service was offered at no cost that this was an unrealistic expectation.

Assistant County Manager Llord responded to Commissioner Rolle's inquiry that although a budget line item for MMS services was not included; these costs were absorbed by the vendor and added into the total contract price.

Mr. Kapoor continued his overview of the STS RFP report. He stated that the RFP Committee's Chairperson was the Miami-Dade Transit's (MDT) STS Division Chief and its membership included the Local Coordinating Board (MPO), Cross Disabilities Transportation Issues Committee, Inc. (CDTIC) and the Commission on Disabilities Issues (CODI). Mr. Kapoor noted four meetings were held. He advised that a STS Taskforce Committee was created in February 2002 which monitored the progress of the RFP and an ADA mandated public hearing was held in May 2009 providing feedback from riders, service providers, vendors and the general public.

Mr. Kapoor said that additional enhancements included: the screening of all safety sensitive personnel through the National Crime Information Center; the addition of Global Positioning System (GPS) technology to enhance performance; interface with the EASY Card fare media system; and electronic reporting and invoice verification. He indicated reservations could be made seven days per week from 8:00 a.m. to 5:00 p.m. and confirmation of driver arrival times would be established at the time of reservation.

Commissioner Gimenez requested information on STS Service hours to which Mr. Kapoor responded that although service was provided 24/7, it was not encouraged. He noted that 6 fixed bus routes operated on a 24/7 basis and STS Service was required to operate on the same schedule as fixed route service.

Assistant County Attorney Libhaber responded to questions from Commissioner Gimenez and Rolle. He indicated that in compliance with ADA guidelines, STS Services must be provided within  $\frac{3}{4}$  miles of any bus route, during that route's normal schedule of operation. ADA required that "as good" service be provided for the disabled as provided for the community at large, said Assistant County Attorney Libhaber. He noted that 24/7 STS Service was provided throughout Miami-Dade County and into Broward and Monroe Counties over and above minimum ADA requirements.

Commissioner Gimenez asked Mr. Kapoor to examine policy alternatives to offering STS Service hours beyond those provided for fixed rate service, considering specific requirements, associated costs, and number of people affected.

Commissioner Rolle questioned the need for 24/7 STS Service.

Commissioner Edmonson concurred with Commissioner Rolle and asked Mr. Kapoor for data on the number of STS requests for service by time of day and location. She noted her support of service for Miami-Dade County residents but not for those of other Counties.

Chairwoman Jordan asked Mr. Kapoor to provide comparative information on STS service offered in other areas, including available options and cost savings which could be achieved.

## 2 ADJOURNMENT

**Report:** *Chairwoman Jordan expressed appreciation to Committee members for their attention, thoroughness and commitment to the process. She noted the primary issues related to the RFP had been addressed, and the Task Force Matrix and procurement changes were accepted.*

*Chairwoman Jordan asked Assistant County Manager Llort to prepare a memorandum to the Committee addressing appropriate actions being taken to address the concerns presented at this meeting.*

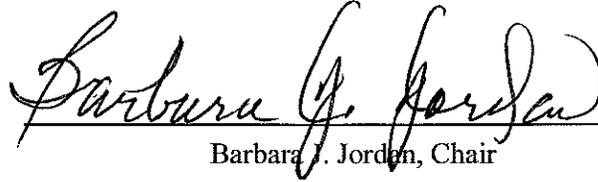
*Commissioner Seijas expressed appreciation to Chairwoman Jordan for her efforts with the Committee and the Advisory Board. She noted the final RFP needed to be reviewed after today's changes were incorporated.*

*Chairwoman Jordan asked Ms. Singer to forward the final RFP to the Committee before it was advertised.*

*The Committee would reconvene should there be any further issues that needed to be addressed, said Commissioner Jordan.*

*Commissioner Seijas expressed her desire to co-sponsor policy changes that Commissioner Gimenez would be presenting.*

## 3 CONSENT AGENDA

  
Barbara J. Jordan, Chair