CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)
Compliance & Oversight Committee
Stephen P. Clark Center
111 NW 1st Street
10th Floor Conference Room
November 6, 2003
12:00 p.m.

Summary of Minutes

CITT MEMBERS:
Henry Lee Givens, Chair
Hon. John F. Cosgrove
Marc Buoniconti

COUNTY ATTORNEY:
Bruce Libhaber

OTHERS PRESENT:
Cathy Lewis, MDT
Francisco Fernandez, MDT
Clinton Forbes, MDT
Karen MacNeil, MDT
Jack Furney, CITT
Joanna Santiago, CITT
Marlene Amaro, CITT
David Tinder, PWD
Dan Ricker, Watchdog
Nestor Toledo, CITT
Patty David, CITT
Alina Philipp, CITT

ROLL CALL
With a quorum being present, Mr. Givens Chairman, called the meeting to order at 12:25 p.m.

APPROVAL OF AGENDA
Mr. Givens asked for a motion to approve the agenda. Mr. Buoniconti moved approval and carried without dissent.

CITIZEN'S COMMENTS
None

CHAIRMAN'S COMMENTS
Mr. Givens stated that he was appointed to the CITT by Commissioner Dennis Moss and takes his appointment serious. He will not place himself in a conflict or controversial position as it relates to County policy. He understands that his role as a member of the CITT is different from the Commissioners role as elected officials representing a particular district. In addition, he is very sensitive to the needs of the disfranchised and disadvantaged communities. It is important for Trust members and staff to respond in a timely fashion to the requests made by those communities.

COMMITTEE MEMBERS COMMENTS
Mr. Cosgrove commented that he agrees with Mr. Givens comments but added that the CITT members represent a very diverse community in Miami Dade and everyone should be treated with respect.

APPROVAL OF MINUTES
Mr. Cosgrove moved to approve the June 24, 2003 minutes, seconded by Mr. Givens and carried without dissent.

NEW BUSINESS
PENSKE CONTRACT
Karen MacNeil, Chief Materials Management- MDT, informed the members the contract for consideration is for the maintenance of transit vehicles. The contractor will provide and manage a maintenance facility as well as manage Miami-Dade County employees performing the maintenance of transit vehicles. It is a 10-year contract with a 5-year option to renew. The DBE goal for this contract is 2%.

Francisco Fernandez, Office of Civil Rights, discussed the Maintenance of Transit Vehicles with Lease Option, Contract TA02-BLM Disadvantaged Business Enterprise (DBE) Summary (a copy was distributed). He stated that a DBE goal of 10% was established for the lease and maintenance of the transit vehicle. There was only one proposal received for this solicitation, and Penske submitted it. Penske was deemed responsive as to the DEB requirements by committing to meet the 10% DEB goal. The contract ceiling for mileage rate

reimbursement is $125,000,000 and $45,000,000 for fuel. The 10% DEB goal is based on the amount paid to Penske for the above listed items. Penske has identified BV Oil, as their DEB subcontractor, and BV Oil will be providing fuel and oil supplies as a means to meeting the DEB goal. Ms. MacNeil added that in compliance with regulations and procedures of the Federal Transit Administration, MDT established a goal of ten percent (10%) for participation by Disadvantaged Business Enterprises.

Mr. Cosgrove noted that the Compliance and Oversight Committee is responsible only for reviewing that the DBE requirements are met, and it appears that the Penske contract has met those requirements, however the amount of the contract is substantial and needs to be reviewed more thoroughly at the other committees. Mr. Cosgrove asked if this item was contemplated as being part of the PTP.

Mr. Libhaber responded that the bus improvements are part of the PTP, the expansion of bus fleet from 700 to 1335. The option to purchase additional buses will also require storing the additional buses and the maintenance of the additional 600 buses are all part of the PTP. This contract is not addition to the plan and has been approved by the Board of County Commissioners (BCC).

Mr. Buoniconti asked what has been covered under the maintenance of effort and what aspect of the Ordinance specifies the maintenance of the new buses. Mr. Libhaber responded that the Ordinance mentions that the half-cent can be utilized to for operations and maintenance of the improvements. Mr. Buoniconti asked if the cost was going to be added to the pro forma. Mr. Givens responded that Mr. Forbes stated that the budget is ready and should be delivered tomorrow.

Mr. Buoniconti suggested approving the Checklist and the need to review the pro forma before approving the contract.

Mr. Toledo, Interim Secretariat added that the Penske contract would be reviewed by the Project Review and the Budget and Finance Committee.

Mr. Givens expressed that he is comfortable with staff's recommendation. He requested a motion to approve the Penske contract to be forwarded to the Project Review and the Budget and Finance Committee meetings. Mr. Cosgrove moved approval, seconded by Mr. Buoniconti and carried without dissent.

Mr. Cosgrove added that the review process has several parts to it; the part of the Compliance & Oversight Committee is specifically to review DBE component. The contract has already been approved by the BCC

Mr. Givens asked staff to separate the contract according to the various sections that each committee needs to review. In addition, the time frame in which the committee members receive contracts.

Mr. Toledo responded the CITT would follow the same procedures that the County establishes. The Penske Contract was an information item.

Mr. Givens suggested that contracts should be distributed to the committee members 7 days prior to the meeting to provide ample time to review. Mr. Toledo agreed that would be done. Mr. Cosgrove questioned why the contract was not distributed to the CITT members at the same time the County Manager's memo dated October 24, 2003 was sent to the BCC. That would have given the members more time to review the contract.

CHECKLIST

Mr. Toledo stated that the Checklist was prepared and distributed as requested. Dr. Carlos Bonzon has approved it. The Checklist will facilitate the members when reviewing items such as contracts, Joint Participation Agreements, Change Orders, ect. Mr. Cosgrove questioned the check for "all CITT members are indemnified". Mr. Libhaber responded that Mr. Buoniconti has requested that the wording be added. Mr. Givens suggested simplifying the list and remove the section for comments. The list should be a "yes" or "no" questions.

CITIZEN'S COMMENTS
NONE

ADJOURNMENT
There being no further business, the meeting adjourned at 1:35 p.m.