



**Committee Members**

Commissioner Sandra Murman - Chair  
Mickey Jacob – Vice Chair  
Wallace Bowers  
Karen Jaroch  
Rich McClain  
Commissioner Lesley “Les” Miller  
Kathleen Shanahan

HART Administrative Office  
1201 E. 7th Avenue, 3rd Floor  
Florida Conference Room  
Tampa, Florida 33605  
Monday, October 3, 2016  
10:00 a.m.

**AGENDA**

*Information not viewable is available upon request through the Clerk of the Board  
phone: 813-384-6552 or e-mail: [petitl@goHART.org](mailto:petitl@goHART.org)*

**TAB**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**1. APPROVAL OF MINUTES**

- a. Minutes from the February 29, 2016 Legislative and Strategic Planning Committee meeting..... 1-1

**PUBLIC COMMENT ON AGENDA ITEMS (3 MINUTES PER SPEAKER)**

**2. DISCUSSION ITEMS**

**a. Outlook on FY17 State Legislative Environment**

*Justin Day, The Advocacy Group, HART State legislative Consultant*

Overview:

Justin Day will discuss the anticipated legislative environment moving into the next legislative cycle.

**b. Overview of FY16 Federal Legislative Initiatives**

*Lisa Barkovic & Karl Koch, Holland & Knight, HART Federal Legislative Consultants*

Overview:

The Holland & Knight team will be discussing HART’s FY16 federal legislative priorities including the TIGER Grant, Bus and Bus Facilities grant, Low-No grant programs, and the Advanced Transportation and Congestion Management Grant.

**c. Outlook on FY17 Federal Legislative Environment**

*Lisa Barkovic & Karl Koch, Holland & Knight, HART Federal Legislative Consultants*

Overview:

The Holland & Knight team will discuss the anticipated federal legislative environment moving into FY17 and some opportunities that HART may qualify for.



*Continued...*

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**d. Legislative Priorities discussion for FY17**

*Cesar Hernandez, HART Government Relations Specialist*

Overview:

Legislative and Strategic Planning Committee members and staff will have an open discussion on legislative opportunities for HART going into the next state and federal legislative cycles.

**ADJOURNMENT**



**Committee Members Present (5)**  
Wallace Bowers  
Mickey Jacob  
Karen Jaroch  
Commissioner Sandra Murman  
Kathleen Shanahan

**Committee Members Absent (2)**  
Commissioner Lesley “Les” Miller  
Rich McClain

**Staff Present**  
Sylvia Berrien  
Greg Brackin  
Dara Chenevert  
Al Burns  
Katharine Eagan  
Sandra Morrison  
Lena Petit  
Ruthie Reyes Burckard  
Christina Buchanan  
Marco Sandusky  
Jeanie Satchel  
Cesar Hernandez  
Jeff Seward  
Justin Begley  
Rickey Kendall  
Ebony Clemons

**Others Present**  
David Smith, GrayRobinson  
Gary Cloyd, 1402 East Chilkoot Ave  
Yvette Hammett, Tampa Tribune  
Mitch Perry, FloridaPolitics.com

*Sign-in sheets are attached.*

**CALL TO ORDER**

The meeting was called to order at 9:07 a.m. by General Counsel David Smith.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance followed.

**ELECTION OF OFFICERS**

David Smith, General Counsel, conducted the election of Committee Officers.

*Director Jaroch nominated Director Murman for the position of Chair. All committee members present voted aye. The motion carried unanimously.*

*Director Jaroch nominated Director Jacob for the position of Vice Chair. All Committee members present voted aye. The motion carried unanimously.*

**PUBLIC COMMENT ON AGENDA ITEMS (3 MINUTES PER SPEAKER)**

No one signed up to speak on agenda items.



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**PRESENTATIONS**

**First Mile/Last Mile Pilot Program**

Due to time constraints, Chair Murman addressed the Action Items first with the presentation to follow.

**COMMITTEE ACTION ITEMS**

**Authorize the Chief Executive Officer to Approve the Proposed Program of Projects, Hold a Public Hearing to Receive Input on the Proposed Projects and Apply and Accept FY2015 Federal Transportation Funding**

*Committee member Shanahan moved and Committee member Jacob seconded approval of the action item 2a - Authorize the Chief Executive Officer to Approve the Proposed Program of Projects, Hold a Public Hearing to Receive Input on the Proposed Projects and Apply and Accept FY2015 Federal Transportation Funding; and advancing it to the full Board of Directors at the February 1, 2016 regular Board meeting. All LSP Committee members present voted aye. The motion carried unanimously.*

**Authorize the Chief Executive Officer to Award a Contract to Transdev Services, Inc. for transportation services, in an Amount Not-to-Exceed \$833,322 (One Year Contract, with one One-Year Option)for the implementation of the First and Last Mile Pilot Program**

*Committee member Shanahan moved and Committee member Jacob seconded approval of the action item 2b - Authorize the Chief Executive Officer to Award a Contract to Transdev Services, Inc. for transportation services, in an Amount Not-to-Exceed \$833,322 (One Year Contract, with one One-Year Option) for the implementation of the First and Last Mile Pilot Program; and advancing it to the full Board of Directors at the March 7, 2016 regular Board meeting.*

Committee member Jaroch requested to have more information and see the presentation prior to vote.

**Authorize the Chief Executive Officer to Award a Contract for the Preventative Maintenance Building Roof Replacement and Heavy Maintenance Roof Modifications to Prodigy Contracting Group, Inc. in the Amount of \$1,506,807.21; Plus a 10% Contingency of \$150,680.72 for a Total Not-To-Exceed of \$1,657,487.93**

*Committee member Shanahan moved and Vice Chair Jacob seconded approval of the action item 2c - Authorize the Chief Executive Officer to Award a Contract for the Preventative Maintenance Building Roof Replacement and Heavy Maintenance Roof Modifications to Prodigy Contracting Group, Inc. in the Amount of \$1,506,807.21; Plus a 10% Contingency of \$150,680.72 for a Total Not-To-Exceed of \$1,657,487.93; and advancing it to the full Board of Directors at the March 7, 2016 regular Board meeting. All LSP Committee members present voted aye. The motion carried unanimously.*

**Authorize the Chief Executive Officer to Increase the Value of Contract VC-000520 for Construction Services for the HART Ybor Administrative Office Renovation Project with Midstate Contractors, Inc. by the Amount of \$53,821.14 for a Total Not-To-Exceed of \$618,635.86**

***Committee member Shanahan moved and Committee member Jaroch seconded approval of the action item 2d - Authorize the Chief Executive Officer to Increase the Value of Contract VC-000520 for Construction Services for the HART Ybor Administrative Office Renovation Project with Midstate Contractors, Inc. by the Amount of \$53,821.14 for a Total Not-To-Exceed of \$618,635.86; and advancing it to the full Board of Directors at the March 7, 2016 regular Board meeting.***

Vice Chair Jacob inquired about the additional costs incurred on the project.

Mr. Al Burns, Director of Procurement and Contracts Administration, stated that there are two contract modifications for the project, but the initial scope of the project did not change. He reported that the first modification is a result of a more robust IT infrastructure. Mr. Burns stated that the other modification is due to safety issues. He indicated that drilling on the second floor for IT dropboxes was not accounted for initially. He added that a different kind of cable was required due to the high voltage from the streetcar. Mr. Burns reported that the additional requested funding was already budgeted by the FTA, and the Action Item addresses the exact amount with the 10% contingency.

Committee member Shanahan inquired whether the requested funds are part of the 10% contingency initially requested.

Committee member Bowers arrived at 9:15 a.m.

Mr. Burns responded that the funds are requested in addition to the initial contingency.

Committee member Shanahan inquired about the overall percentage of the contract increase.

Mr. Burns stated that he does not have the exact amount, but he would estimate that it is approximately 10%.

Committee member Shanahan noted that the project has already utilized the initial 10% contingency and is now requesting an additional 10%. She remarked that this is a large increase from the initial amount. Committee member Shanahan advised that it is prudent to research the technological specifications that would be required for the project prior to beginning work.

Mr. Burns stated that the IT department that initially reviewed the specifications is not the same IT department that is currently in place. He said he challenged the proposed changes by the IT staff and verified them with the Engineer of Record (EOR). Mr. Burns stated that the proposed changes were to address safety requirements.

Chair Murman commented that this Action Item generated a good discussion. She added that sometimes vendors low-ball contracts to get a foot in the door thinking they will be able to have add-ons. Chair Murman advised utilizing a guaranteed maximum price as an option in the future.

Mr. Burns remarked that in construction there are often buried costs. He indicated that HART staff, being cognizant of this aspect, holds the contractors to the high standard.

Committee member Bowers inquired whether there is anything in place to guard against price increases.



Mr. Burns stated that there are quality control processes in place. He said a project manager cannot move ahead with a modification regardless of any monetary value unless it is approved by the next person in the chain of command.

Committee member Bowers inquired at which point contract modifications trigger a re-bid.

Mr. Burns reported that cardinal changes such as change in material, scope, or monetary value would cause a rebid, however it is difficult with construction contracts after the contractors have been mobilized. He noted that, generally, when a cost increases more than 20% a re-bid is triggered as offerers who were rejected might have had the opportunity to structure their proposals differently.

*The questions was called on the motion by Committee members Shanahan and Jaroch. All LSP Committee members present voted aye. The motion carried unanimously.*

Chair Murman advised that while presenting contract modifications to the Board and Committees in the future, it is important that staff note that the contract changes have been initiated by HART, not the contractor.

## **PRESENTATIONS**

### **First Mile/Last Mile Pilot Program**

Ms. Eagan noted that 40-foot buses are not the solution for all areas in the County and HART was searching for a solution to meet everyone's needs. She reported that there were several excellent bids received from internationally-recognized transportation firms. She indicated that the firm that is recommended for award is bringing in software they have developed internationally and has been successful in Helsinki, which allows HART to leverage international success. Ms. Eagan stated that this vendor runs 200 Super Shuttles every day, and they know the Tampa Bay area. She remarked that HART would not be able to capture this knowledge base if it tried to grow it on its own. Ms. Eagan reminded that HART has gone through this solicitation process twice, learning from the industry what vendors like and do not like. She stated that no one in the country delivers such type of service; while it is exciting to be first, it is more important to do it right.

Mr. Justin Begley, Senior Planner, presented an overview of the service contract with private transportation company Transdev Services, Inc. that will be a demonstration of alternative transportation solutions that connects customers within 3 miles of a fixed route to the closest sheltered stop or transit center, while creating a positive experience for patrons via use of the latest technology. The pilot program will be deployed in three areas of Hillsborough County: Brandon, University Area, and Carrollwood.

Committee member Shanahan inquired about the length of the contract.

Mr. Begley stated that the contract is for one year with one one-year option.

Committee member Shanahan inquired how long PSTA has been using this service.

Mr. Begley reported that PSTA launched their partnership with the cabs and Uber in late February.



Ms. Eagan clarified if the question was about the length of PSTA partnership with Uber or how long PSTA used this vendor for the services.

Committee member Shanahan specified the length of time PSTA has used the vendor.

Ms. Eagan said staff will provide a response on a later date.

Committee member Shanahan inquired whether people need to reside in the designated areas or if they just need to physically be in the areas to be able to use the service. She also inquired about HART's part of the financial obligation.

Ms. Eagan reported that HART will pay \$7 per trip. She explained that HART pays \$16 of \$20 fare for 7.8 mile trip with Yellow Cab. Ms. Eagan said HART spends \$60 an hour on a bus.

Committee member Shanahan inquired whether a marketing plan was part of the contract award.

Mr. Begley stated that Transdev submitted a strong marketing plan. He added that HART will work with Transdev on details.

Committee member Jaroch reported that she has been excited about this program and has been waiting for it to launch. She inquired about the total dedicated fleet.

Mr. Begley explained that Transdev will launch the service with 11 dedicated vehicles. He added that if the demand needs to be shifted, Transdev will have the capacity to provide additional vehicles.

Committee member Jaroch expressed her concern that 11 vehicles may not be enough to accommodate the needs during peak hours of service. She questioned the one year length of the pilot program, when HART will be locked into the contract for a period of one year.

Chair Murman concurred and inquired about an out-clause of the contract.

Ms. Eagan explained that the contract is structured so there is a minimum response time of 15 to 20 minutes. She added that the agreement specifies that Transdev will pull additional vehicles to satisfy the response time if the current fleet does not meet the needs.

Mr. Burns added that if Transdev will not be able to meet the response time consistently, HART will issue a Notice of Cure and Transdev will have ten days to rectify the situation; and if it is not achieved, the contract can be terminated.

Chair Murman agreed that this provision will provide good protection for HART.

Committee member Jaroch inquired how HART will receive the feedback on whether Transdev is meeting their response time.

Mr. Begley explained that there is a quality insurance program in place, all records associated with trip requests with pick up and drop off times are available to HART for monitoring. He added that there are





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also requirements that Transdev resolve all customer complaints. Mr. Begley added that this is the same process used with the taxi voucher program.

Mr. Brackin, Director of Operations Support-ADA Officer, stated that currently, under the brand new share ride program, HART performs a five percent quality assurance call-back to ensure that the services deliver on time, and the quality of services the customers are receiving are to their satisfaction.

Committee member Jaroch expressed her concerns about the process, specifically how HART would know that a call for this service was made and the customer received a response from the provider. She noted that even the app is proprietary on Transdev side.

Chair Murman left at 9:45 a.m.

Ms. Eagan explained that HART uses tax payers dollars for the service which triggers sunshine levels of reporting. She added that HART has ability to audit records; and Transdev are familiar with these requirements and is able to answer them.

Mr. Brackin explained that HART receives a trip sheet with pick-up and drop-off times and locations, and customer contact information.

Committee member Jaroch inquired whether there is a restriction on the times of day that the service is available.

Mr. Begley stated that the service begins 30 minutes before and after the first and last trip in the system.

Committee member Jaroch inquired about multiple trips and capability of picking up passengers along the way. She indicated that passengers will be paying \$3 each way. She inquired if HART will be paying for an entire trip or it will be pro-rated.

Ms. Eagan reported that, at this time, HART will pay a flat rate of \$7 per trip. She clarified that, as the year goes by, HART will revisit the price point.

Committee member Jaroch stated that she is interested in seeing how the program progresses and would like to receive an update in two or three months. She also suggested comparing experiences with PSTA.

Vice Chair Jacob inquired if the contract was set up based on a predicted usage level based on selected routes. He noted that the areas appeared to be fairly broad on a map.

Mr. Begley responded that HART leaned on expertise of the private operators to propose the number of vehicles to meet the level of service. They submitted their proposals based on technology to make the most efficient use of their vehicles.

Vice Chair Jacob inquired if HART identified existing customers who would benefit from this program and made them aware of this program. He spoke about importance of positioning HART for providing the best service as well as receiving the best input from the customers.





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Mr. Begley stated that the zones were chosen based on the challenges in serving the neighborhoods with dead end streets with HART buses. He explained that patrons in those neighborhoods may want to use transit, but have difficulties getting to the bus stops. Mr. Begley reported that there will be outreach as part of the implementation over the spring and summer to raise awareness about the service.

Mr. Begley stated that he would like to clarify that PSTA has a relationship with Transdev, but not on the same type of First Mile / Last Mile service.

*The question was called on the motion by the LSP Committee members Shanahan and Jacob. All LSP Committee members present voted aye. The motion carried unanimously.*

## **DISCUSSION ITEM**

### **Overview of Federal and State Legislative Initiatives and Outreach**

Cesar Hernandez, Government Relations Specialist, and Karl Koch, Senior Policy Advisor with Holland & Knight, summarized in the weekly Government Relations Updates provided as attachments. Mr. Koch spoke in more detail about the three federal funding opportunities for HART, one of them being the Transportation Investment Generating Economic Recovery (TIGER) grant program for HART farebox replacement project which the application process will be much more competitive this year.

Vice Chair Jacob inquired if HART Board members can write letters to the Congressional delegation asking for their support of the HART TIGER grant application.

Mr. Smith confirmed that such requests for the letters of support would be appropriate if the HART Board members state that they communicate on behalf of HART, it should be a HART-advocated position, and if a Board members adds other individual items, it should be stated that they are not HART-related.

Vice Chair Jacob inquired whether he could write a letter as a citizen without identifying himself as a HART Board member.

Mr. Smith responded affirmatively.

Vice Chair Jacob reported that he would be in Washington D.C. on March 7 and would be available to visit any members of the delegation.

Committee member Shanahan inquired about the decision time on the TIGER grant submission; and about the date of the last allocation when no Florida projects were granted money.

Mr. Koch responded that application are due in April, and decision should be made within three months. He said last TIGER grant allocation was announced in October –November of 2015.

Committee member Shanahan inquired if the Governor's office can be helpful advocating for any Florida-based projects, considering that Florida is a donor state.

Mr. Koch stated the government could be helpful in being more informed about HART allocation and



being able to weigh in.

Committee member Shanahan noted that the Florida delegation has more Republicans than Democrats. She encouraged to use all levers, the relations with the delegation, relationship with the Administration, where appropriate, everyone should be informed that Florida did not receive any TIGER grant last year, this year HART is applying and would appreciate their support.

Mr. Koch indicated that during the next round of legislative meetings, HART and H&K staff will be meeting with Congressmen Buchanan and Webster who may be representing Tampa Bay area in the near future.

Committee member Shanahan remarked that she has personal relationships with both Congressmen Buchanan and Webster.

Mr. Koch reported that the second funding opportunity is the Bus and Bus Facilities Grant. He explained that it is an FTA funded program in the MAP-21 transportation bill, with a much smaller allocation this year. He noted that last time the Bus and Bus Facilities money was awarded was in 2014, and the criteria is similar to the TIGER grant, but also looks at the age and condition of the buses and facilities. Mr. Koch added that 20 percent of local match will be required for these funds.

Mr. Koch stated that the third funding opportunity is the No/Low Emission Buses Grant Program which has a much smaller pool of money, with applications due in late summer and award in fall.

Committee member Jaroch inquired whether HART would use funds from the Bus and Bus Facilities Grant to update buses or facilities.

Ms. Eagan remarked that currently, there is no room for expansion of the 21<sup>st</sup> Avenue maintenance facility and to expand HART's maintenance footprint. She said a new van facility is critical for HART's growth to serve the community in the most cost effective way. Ms. Eagan indicated that it would be easier to find a van facility, and have an opportunity to extend to East or South County and shorten the deadheads. She pointed out that HART TDP vision and status quo plans have capital funds set aside to retain a firm to identify the best site for such a facility.

Committee member Shanahan inquired how much space could become available for buses if all vans are moved to a different facility.

Ms. Eagan stated that HART would remove 48 paratransit and 10 flex vans to make space for 20 buses. She added that the bigger transformation would be to remove maintenance units, which will help to specialize staff in a more efficient way, to do more dynamic training.

### **State of Transportation**

Ms. Eagan stated that at the January regular Board meeting, a broad conversation was held on what is going on with transportation in the Tampa Bay area that resulted in a Letter to the Editor that articulated how HART is bringing these projects together. She remarked that the Board can have more in-depth discussions, to broaden the reach of the conversations, to get more business and legislative partners involved during a transportation event in April or May. Ms. Eagan indicated that it is a different way to

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have a conversation, gives an opportunity to position HART as a leader, and would be handled separately from a Board of Directors meeting. She solicited the LSP Committee members' preferences on moving forward with scheduling an event.

Committee member Shanahan supported the idea of a transportation event. She remarked that it would be interesting to figure out how HART can be a collaborative leader on a regional basis, because HART is an implementing platform by its size and resources, to assist the region in an organized transportation effort. Committee member Shanahan indicated that the Board heard from Senator Latvala that unless HART and PSTA merge in some functional/back office fashion, he is not going to be an advocate for state money for the regional farebox project. She added that the story to tax payers should be about the ways HART and PSTA try to make more efficient use of their money, learn the best practices from each other, and be smarter about delivering services. Committee member Shanahan said that this conversation is not going away, and the agencies need to learn how to maximize their ability to better deliver service. She emphasized that it would be very interesting to set up a collaborative information sharing forum on technology adaptations.

Committee member Jaroch agreed that HART is the implementer and recipient of funding from the County and the federal government, as well as HART is a leader on the technical aspect. She remarked that it would be informative to have a presentation on merger for the benefit of HART and PSTA new Board members, and invite Dr. Polzin to present his unbiased view on the matter. Committee member Jaroch stated it would be helpful to receive updates on all major projects underway.

Committee member Bowers supported the idea of a transportation event, with an opportunity to hear from all areas of constituents, private and public agencies, to form a collective opinion.

Committee Vice Chair Jacob remarked that Senator Latvala's position, as difficult as it is for HART, gives the HART Board an opportunity to take a look at other ways to solve his problem. Committee Vice Chair Jacob noted that Senator Latvala has a specific idea and a way, but there are other ways to build the coalitions necessary to come up with a strategy that achieves this goal. He suggested having broader discussions at a workshop or a board meeting. Committee Vice Chair Jacob said there is a transportation issue in this community and if the community is going to continue to grow and prosper, transportation is a vital element of its growth in order to compete with other cities both nationally and internationally. Committee Vice Chair Jacob supported the idea of being able to generate discussion and thoughts about a strategy moving forward. He mentioned that the First Mile/Last Mile pilot is the first step forward in the transportation discussion, with the next steps of integrating the streetcar and other services, building a coalition with other transportation organizations in the region and coming up with strategy. Committee Vice Chair Jacob pointed out that there is opportunity for HART to take these steps forward and be perceived as the leader by both the elected and voting community.

Ms. Eagan said staff will come back with a structure of an event. She added that staff will also put together the background information on HART and PSTA merger discussions.

Committee Vice Chair Jacob indicated that Chair Murman requested to discuss the role of the LSP Committee. He requested that at the next Committee meeting, staff provide an outline of the closeout of the 2016 legislative session. Committee Vice Chair Jacob pointed out that Committee member Shanahan has been vocal about importance of putting together a legislative strategy in advance of the session and start our work on that strategy well prior to the start of the session to have time to prepare



*Hillsborough Transit Authority  
Legislative and Strategic Planning Committee Meeting  
February 29, 2016*

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the people who will be making those decisions to understand HART's goals and objectives. He remarked that LSP Committee is the platform for such strategy setting work.

Committee member Shanahan said she believed that there has been much progress made this year building relationships. She pointed out that the LSP Committee could set up a calendar of steps, an education plan and the targets based on appropriations. Committee member Shanahan stated that she has appreciated the regular focused outreach this year.

Committee member Jaroch remarked that her comments on the First Mile/Last Mile may have come across as negative. She clarified that she was excited about the program, and her only concern was the fleet size and terms. Committee member Jaroch acknowledged staff's work on the pilot project.

Ms. Eagan referred the Committee members to the distributed talking points "HART At a Glance".

**ADJOURNMENT**

The meeting adjourned at 10:30 a.m.