A RESOLUTION

WAIVING THE COST LIMIT FOR EXECUTION OF WORK AUTHORIZATIONS UNDER METRO'S JOB ORDER CONTRACT FOR REMOVAL AND REPLACEMENT OF BUS LIFTS; AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE A WORK AUTHORIZATION; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO requires the removal and replacement of bus lifts in the chassis wash bay at the Hiram Clarke Bus Operating Facility; and

WHEREAS, responses to the solicitation for performance of the work were unsatisfactory; and

WHEREAS, Kellogg Brown & Root is willing to perform the work, at a fair and reasonable price, under the Job Order Contract; and

WHEREAS, it is necessary to waive the $250,000 price limitation under the Job Order Contract so this construction project may proceed by issuance of a work authorization; and

WHEREAS, METRO's Job Order Contract satisfies the requirements for competitive bidding;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board hereby waives the cost limit for work authorizations under METRO’s Job Order Contract to accommodate the removal and replacement of bus lifts in the chassis wash bay at the Hiram Clarke Bus facility.
Section 2. The President & CEO is hereby authorized and directed to negotiate, execute and deliver a work authorization under the Job Order Contract for the removal and replacement of bus lifts, to be performed by Kellogg Brown & Root, in an amount not to exceed $365,323.00.

Section 3. This resolution is effective immediately upon passage.

PASSED this 17th day of November, 2005
APPROVED this 17th day of November, 2005

ATTEST:

Assistant Secretary

Chairman
A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER AN INTERLOCAL AGREEMENT WITH THE CITY OF GALVESTON FOR EMERGENCY EVACUATION ASSISTANCE; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, as a part of its emergency preparedness initiatives, the City of Galveston has requested METRO's assistance in the evacuation of area residents; and

WHEREAS, METRO vehicles, buses and personnel can be used to assist in emergency evacuations; and

WHEREAS, the City of Galveston is willing to provide full reimbursement for METRO's costs for emergency evacuation assistance; and

WHEREAS, it is appropriate that METRO work with other public entities to provide such assistance as it can to transport residents to safe locations in the event of emergencies caused by natural disasters;

WHEREAS, METRO and the City of Galveston are willing to enter into an agreement setting forth the terms under which METRO will provide emergency evacuation assistance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver an interlocal agreement with the City of Galveston for emergency evacuation assistance.
Section 2. This resolution is effective immediately upon passage.

PASSED this 17th day of November, 2005
APPROVED this 17th day of November, 2005

ATTEST:

Assistant Secretary

Chairman
A RESOLUTION

DESIGNATING PORTIONS OF THE METRORAIL PLATFORM AS A PART OF THE TRANSIT SYSTEM; DESIGNATING PAID FARE ZONES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO’s enabling legislation at Section 451.0611, Texas Transportation Code, METRO may post signs designating each area in which a person is prohibited from using the transportation system without possession of evidence that the appropriate fare has been paid; and

WHEREAS, the designation of prohibited areas on the METRORail platforms will enhance fare policy enforcements and increase security; and

WHEREAS, it is appropriate that METRO post signs in designated areas to identify “paid fare zones”, as authorized by state law;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board hereby designates that area on the METRORail platform between the two ticket vending machines as a part of the transit system, and which shall constitute a “paid fare zone”.

Section 2. The President & CEO is hereby authorized and directed to take such action as necessary to designate areas of the transit system’s METRORail platform as restricted to use by holders of METRO fare media.
Section 3. This resolution is effective immediately upon passage.

PASSED this 17th day of November, 2005
APPROVED this 17th day of November, 2005

ATTEST:

David S. Wolff
Chairman

Assistant Secretary
A RESOLUTION

EXPRESSING METRO'S COMMITMENT TO DIVERSITY, NONDISCRIMINATION AND FAIR AND EQUAL OPPORTUNITIES IN ITS CONTRACTING AND PROCUREMENT ACTIVITIES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is committed to the use of efficient and effective business practices, and recognizes and values the diverse social profile of the METRO service area, its customers, stakeholders, contractors and employees; and

WHEREAS, METRO strives to provide fair and equal opportunities for all groups in its business and service operations, while maintaining sound business practices; and

WHEREAS, METRO recognizes that small businesses play a major role in the region's economic vitality; and

WHEREAS, METRO is committed to obtaining best value from a broad range of vendors willing and able to provide goods and services; and

WHEREAS, METRO recognizes that all persons, firms, businesses, companies and other groups should have an equal opportunity to participate in METRO's contracting and procurement activities without regard to race, color, sex, religion, national origin, or disability; and;

WHEREAS, it is appropriate that METRO reaffirms its commitment to provide equal opportunities for all groups to compete in the markets where METRO does business;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. METRO is committed to equal opportunity, diversity and non-discrimination in its contracting and procurement activities.
Section 2. It is METRO's policy that no person, firm, company or business will be excluded from participation in, denied the benefits of, or otherwise discriminated against in connection with the award and performance of any contract on the basis of race, color, sex, religion, national origin, or disability.

Section 3. It is METRO's Policy to ensure that small business enterprises, including disadvantaged business enterprises, have a fair and equal opportunity to participate in METRO's business activities, and that METRO may assist the development of small businesses that can successfully compete for METRO work.

Section 4. In accordance with all applicable law, and the policies stated herein, METRO will administer a program to enable maximum opportunities for the participation of eligible small businesses and disadvantaged businesses in METRO's contracting and procurement activities, consistent with the use of fair, reasonable, efficient and effective business practices.

Section 5. This resolution is effective immediately upon passage.

PASSED this 17th day of November, 2005
APPROVED this 17th day of November, 2005
WHEREAS, emergencies and sudden events can require unanticipated expenditures which affect budget certainty; and

WHEREAS, staff has identified fuel, new service, METRO Solutions and emergency management as critical areas which can necessitate expenditures that may be difficult to forecast; and

WHEREAS, it is appropriate that designated reserve accounts be established with funds allocated from the previous year's sales tax revenues to ensure cash availability for critical needs;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board of Directors hereby finds and determines that the creation of funded reserve accounts is in the best interest of METRO.

Section 2. The Board hereby authorizes and approves the creation of reserve accounts, funded with fiscal year 2005 sales tax revenues, and designated as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fuel</td>
<td>$3,226,202</td>
</tr>
<tr>
<td>METRO Solutions</td>
<td>$4,023,690</td>
</tr>
<tr>
<td>New Service (3-1 formula)</td>
<td>$2,416,630</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>$2,416,630</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$12,083,152</strong></td>
</tr>
</tbody>
</table>
Section 3. The President & CEO is hereby authorized and directed to execute and deliver such documents as are necessary and appropriate to effectuate the establishment of the reserve accounts.

Section 4. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

David S. Wolff
Chairman
A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH SUETRAK USA CO., INC. FOR AIR CONDITIONING PARTS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO's transit vehicles are equipped with Suetrak air conditioning systems; and

WHEREAS, METRO invited bids for the supply and delivery of Suetrak air conditioning parts, with the firm of Suetrak USA Co., Inc. submitting the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to execute and deliver a contract with Suetrak USA Co., Inc. for the purchase of Suetrak air conditioning parts, with the contract amount not to exceed $725,615.00.

Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005
RESOLUTION NO. 2005-101

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH P.C. TAYLOR INTEREST, INC. FOR LANDSCAPE MAINTENANCE SERVICES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO owns certain real property which is currently undeveloped but requires periodic maintenance and landscape services; and

WHEREAS, METRO issued an invitation for bids for landscape and maintenance services for these properties; and

WHEREAS, P.C. Taylor Interest Inc., submitted the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to execute and deliver a contract with P.C. Taylor Interest Inc., for landscape maintenance services for an amount not to exceed $106,560.00.

Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST: METROPOLITAN TRANSIT AUTHORITY

Assistant Secretary

David S. Wolff
Chairman
RESOLUTION NO. 2005-102

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO EXECUTE AND DELIVER A CONTRACT WITH HOUSTON GROTECH SERVICES FOR LANDSCAPE SERVICES FOR METRO'S TRANSIT FACILITIES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO invited bids for landscape services for designated Park & Ride facilities, transit centers and bus operating facilities; and

WHEREAS, Houston Grotech Services submitted the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to execute and deliver a contract with Houston Grotech Services for landscape services at METRO's transit facilities for an amount not to exceed $419,564.01.

Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST:

Assistant Secretary

David S. Wolff
Chairman
RESOLUTION NO. 2005-103

A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER AN INTERLOCAL AGREEMENT WITH THE CITY OF SHREVEPORT LOUISIANA FOR THE SALE OF TROLLEY VEHICLES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO owns certain trolley vehicles which are no longer in service and are surplus to METRO's needs; and

WHEREAS, the City of Shreveport, Louisiana wishes to purchase three (3) trolley vehicles from METRO; and

WHEREAS, it is appropriate that METRO and the City of Shreveport, Louisiana enter into an interlocal agreement for the sale of the trolley vehicles;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver an interlocal agreement with the City of Shreveport, Louisiana for the sale of three (3) trolley vehicles, and execute such other documents as are necessary to effectuate the transfer of titles.

Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST:

[Signature]
Assistant Secretary

[Signature]
David S. Wolff
Chairman
A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A MODIFICATION TO THE CONTRACT WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC. TO EXTEND THE PERFORMANCE PERIOD AND INCREASE THE MAXIMUM AUTHORIZED EXPENDITURES UNDER THE CONTRACT; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, in 2001, METRO entered into contract with Parsons Brinckerhoff Quade & Douglas, Inc. (hereinafter “Parsons Brinckerhoff”) for preparation of the federally-required Alternative Analysis and a Draft Environmental Impact Statement for the Southeast Corridor; and

WHEREAS, transit development of the Southeast Corridor has been approved, by referendum, by area voters, and

WHEREAS, as METRO proceeds with development of the Southeast Corridor, the federally-required analyses must be concluded; and

WHEREAS, it is necessary to modify the existing contract with Parsons Brinckerhoff to provide for completion of the Draft Environmental Impact Statement and preparation of the Final Environmental Impact Statement;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver a modification to the contract with Parsons Brinckerhoff to accommodate scope expansions for Southeast Corridor analyses, by extending the performance period and increasing the maximum authorized expenditures under the contract by an amount not to exceed $1.5 million.
Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST:

Assistant Secretary

David S. Wolff
Chairman
A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER A MODIFICATION TO THE CONTRACT WITH CARTER & BURGESS, INC. TO EXTEND THE PERFORMANCE PERIOD AND INCREASE THE MAXIMUM AUTHORIZED EXPENDITURES UNDER THE CONTRACT; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, in 2001, METRO entered into contract with Carter & Burgess, Inc. for preparation of the federally-required Alternative Analysis and a Draft Environmental Impact Statement for the North Corridor; and

WHEREAS, transit development of the North Corridor has been approved, by referendum, by area voters; and

WHEREAS, as METRO proceeds with development of the North Corridor, the federally-required analyses must be concluded; and

WHEREAS, it is necessary to modify the existing contract with Carter & Burgess, Inc. to provide for completion of the Draft Environmental Impact Statement and preparation of the Final Environmental Impact Statement for the North Corridor;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver a modification to the contract with Carter & Burgess, Inc. to accommodate scope expansion for North Corridor analyses, by extending the performance period and increasing the maximum authorized expenditures under the contract by an amount not to exceed $1.5 million.
Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST:

[Signature]
Assistant Secretary

[Signature]
David S. Wolff
Chairman
A RESOLUTION

AUTHORIZING THE PRESIDENT & CHIEF EXECUTIVE OFFICER TO TAKE IMMEDIATE ACTION TO TERMINATE OR SUSPEND A CONTRACTOR THAT HAS FAILED TO COMPLY WITH THE DAVIS BACON AND RELATED ACTS; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT

WHEREAS, the Davis Bacon Act, as amended, and codified in 40 USC 3141, et seq., requires that certain workers on public contracts be compensated at not less than the prevailing wage rates and fringe benefits for corresponding classes of workers employed on similar projects in the area; and

WHEREAS, METRO is required to ensure contractor compliance with Davis Bacon and related acts on contracts for which federal funding is to be received; and

WHEREAS, METRO requires its contractors to demonstrate compliance with Davis Bacon and related acts, and the regulations promulgated thereunder, by timely submission of certified payrolls showing the wages paid to workers employed on public contracts; and

WHEREAS, it is appropriate that METRO emphasize the importance of compliance with Davis Bacon and related acts, and clarify the consequences for non-compliance;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. By the authority granted herein, the President & Chief Executive Officer may immediately terminate any contract or suspend a contractor if the contractor has failed to comply with Davis Bacon and related acts, and/or has failed to comply with the applicable provisions of METRO's guidelines for contractor compliance with Davis Bacon and related acts.
Section 2. The President & Chief Executive Officer is authorized and directed to take such administrative action as necessary, in furtherance of the authorization stated herein, to effect contractor compliance with Davis Bacon and related acts.

Section 3. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of August December, 2005

ATTEST: METROPOLITAN TRANSIT AUTHORITY

Assistant Secretary

Chairman
A RESOLUTION

APPROVING A SMALL BUSINESS/DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND PROCEDURES FOR PROGRAM IMPLEMENTATION; AUTHORIZING THE PRESIDENT & CEO TO TAKE SUCH ADMINISTRATIVE ACTION AS NECESSARY TO IMPLEMENT THE PROGRAM AND ITS PROCEDURES; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO is committed to using sound procurement practices to obtain the best value in the acquisition of goods and services; and

WHEREAS, METRO is further committed to the use of contracting activities that provide full and equal business opportunities which promote the economic vitality of the service region; and

WHEREAS, since 1997, METRO has administered a Small Business Program to encourage the participation of small businesses in the markets in which METRO acquires goods and services; and

WHEREAS, changes to state laws now afford METRO additional methods of procurement of goods and services; and

WHEREAS, the success of any program depends upon the full and fair participation of all eligible segments of the region; and

WHEREAS, the selection of vendors must occur in a manner that does not discriminate against any person, firm, company or business on the basis of race, color, sex, religion, national origin, disability or veteran status; and

WHEREAS, METRO recognizes that special efforts must be made so that small businesses, including disadvantaged businesses, have equal opportunities to grow and compete effectively in the marketplace; and
WHEREAS, METRO will continue to use race and gender neutral means to ensure full small business participation;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The Board hereby approves the Small Business/Disadvantaged Business Enterprise Program, and approves Procedures to enhance opportunities for Small Businesses and Disadvantaged Businesses.

Section 2. The President & CEO is hereby authorized and directed to take such administrative action as necessary to implement the Program and Procedures.

Section 3. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST:

Assistant Secretary

David S. Wolff
Chairman
A RESOLUTION

AUTHORIZING AND DIRECTING THE PRESIDENT & CEO TO NEGOTIATE, EXECUTE AND DELIVER APPROPRIATE DOCUMENTS FOR THE SALE OF SURPLUS REAL ESTATE; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

WHEREAS, METRO currently owns a parcel of land located on Dart Street near the Katy Central Business District ramp, hereinafter ("the Property"); and

WHEREAS, by way of Resolution 2005-60, the Board of Directors declared the Property surplus to METRO's needs and authorized staff to undertake the sale of the Property; and

WHEREAS, the Property has been offered for sale, and sealed bids have been received which are comparable to the appraised value;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN TRANSIT AUTHORITY THAT:

Section 1. The President & CEO is hereby authorized and directed to negotiate, execute and deliver appropriate documents, and take such administrative action as necessary, to effect the sale of METRO's surplus real estate, located at 923 Dart Street, to Mohammed Ali, based upon the bid price of $90,100.00.

Section 2. This resolution is effective immediately upon passage.

PASSED this 15th day of December, 2005
APPROVED this 15th day of December, 2005

ATTEST:

Assistant Secretary

Chairman