

Central Florida Commuter Rail Commission

Meeting Minutes

Date: Friday, September 30, 2011
Time: 3:00 p.m.
Location: METROPLAN Orlando
315 East Robinson Street, Suite 355
Orlando, Florida 32801

- Call to Order – Chairman Buddy Dyer
 - Chairman Dyer called the meeting to order at 3:12 p.m.
- Pledge of Allegiance
- Confirmation of Quorum
 - Chairman Dyer
 - Commissioner Henley
 - Chairman Bruno
 - Mayor Jacobs and Commissioner Arrington were not in attendance.
 - A quorum was present.
- Agenda Review – FDOT District 5 Secretary Noranne Downs provided the agenda review.

ADOPTION OF MEETING MINUTES

1. Adoption of April 18, 2011 meeting minutes – Chairman Dyer
 - a. The meetings were adopted unanimously upon a motion by Chairman Bruno and a second by Chairman Henley.

CHAIRMAN'S REPORT

1. Project Status – Chairman Dyer
 - a. Chairman Dyer recapped FDOT Secretary Ananth Prasad's corridor tour on June 28th, noting that he visited six local jurisdictions, including Volusia, Seminole, Orange and Osceola counties, as well as the City of Orlando, and the city of Maitland. Chairman Dyer said he believed the Secretary came away very impressed with the amount of community support for SunRail, which he ultimately commented on to the Governor. Chairman Dyer said that the Governor was forthcoming shortly thereafter in announcing he would allow the project to move forward. A Full Funding Grant Agreement was signed on July 18th during ceremonies at Florida Hospital. U.S. DOT Secretary Ray LaHood, U.S. Representative Corrine Brown and U.S. Representative John Mica delivered remarks, among others. Chairman Dyer said it was through perseverance that we

were able to get to that day and that he hopes to have a groundbreaking ceremony sometime in the fall.

- b. Chairman Dyer presented golf shirts with the SunRail logo to Commission members, which he said were prepared as a courtesy by sponsors of the FFGA signing ceremony hosted by the City of Orlando.
- c. Chairman Dyer said that a packet of information about SunRail was sent to the Governor's office a couple of weeks prior to his decision that emphasized the Transit-Oriented Development potential of the project. He said that when the bigger picture as a whole is viewed and you recognize how many jobs are going to be created, it is "mind-boggling" and "pretty exciting".
- d. Chairman Dyer asked each Commissioner to provide a brief update with regard to Transit-Oriented Development activities at station stops within their jurisdictions.

PRESENTATIONS

1. Transit Oriented Development Update – Commission members
 - a. City of Orlando:
 - i. At the Full Funding Grant Agreement ceremony, Chairman Dyer said, Florida Hospital announced the construction of their new corporate headquarters right here in Central Florida. With SunRail, the Chairman said, the hospital won't have to build additional parking garages and can move forward with ancillary development on their campus.
 - ii. Chairman Dyer said that the SunRail station at Lynx Central Station has allowed Creative Village to move forward with development plans. He also said that a second development, at 400 North Orange Avenue, is expected to announce plans within the next month or so about moving forward with that project.
 - iii. Another direct benefit of SunRail's impact, Chairman Dyer said, is that the Orlando Magic will be moving forward with a \$100 million project near the Church Street station stop.
 - b. Volusia County
 - i. Chairman Bruno said that DeBary is moving ahead with Transit-Oriented Development plans, as well, and generating a great deal of excitement in that community.
 - c. Seminole County
 - i. Commissioner Henley said that Seminole County will host four SunRail station stops. The county has tried to help cities understand that Transit-Oriented Development (TOD) is not going to occur unless they have the densities there to support it. County leaders have been urging local communities to change densities in the immediate area around the stations, so that they can draw in retail business, as well as apartment complexes. Thus far,

Commissioner Henley said, Longwood, Altamonte Springs and Lake Mary all have been working on Transit-Oriented Development designs for each station, and have come through with the density request changes that need to be made. Chairman Henley said the county feels that they are in pretty good shape, is working closely with Sanford in unincorporated Seminole County to move forward, as well.

DISCUSSION ITEMS

1. Project Update –Tawny Olore
 - a. Re-organization
 - i. Secretary Downs said that George Lovett has resigned from the Florida Department of Transportation and that FDOT is in the process of filling his position as Director of Transportation Development. She said that Frank O’Dea, the district construction engineer, is currently the designated team leader for SunRail now that the project is in the construction phase. She said that Mr. O’Dea has the double-duty of making sure that SunRail is on time and on budget, as well as responsibility for the planning, design, right of way and survey needs for other D-5 projects. She said that Mr. O’Dea was a great guy who is fully capable of leading the Department’s SunRail efforts.
 - ii. Secretary Downs said that Tawny Olore will continue to be the Project Manager for Phase I and Phase II; and that Pete Turrell will continue on in his capacity as the Chief Operating Officer for SunRail.
 - b. CSX Transportation
 - i. Corridor closing/transition activities
 1. Ms. Olore said that the Department is preparing to take over and buy the CSX 61-mile corridor in early November, working closely with the Federal Railroad Administration (FRA), CSX and the Design-Build-Maintain contractor to make sure everything is ready. She said the Department’s number one priority remains safety, and that project team members are working very closely with all partners to ensure the corridor transition is safe and seamless.
 2. Ms. Olore said that a dispatch desk for the 61.5 mile SunRail corridor has been established with CSX. It is a separate desk that the Department is contracting with CSX to dispatch along the corridor when the state assumes operations and maintenance control in November.
 3. The Department is also preparing numerous plans and undergoing training for FDOT personnel, which CSX has assisted with, as well as assisting with hiring track

maintainers, signal maintainers and helping to set up the SunRail emergency control center.

c. Federal Railroad Administration

i. Safety and Security Update

1. Ms. Olore said that the Department meets with the FRA on a weekly basis. FRA representatives met with the SunRail contractor last week to talk about what still needs to be done in preparation for corridor takeover. She said that two federal agencies – the Federal Transit Administration and the FRA – are closely monitoring the project because the Department will be running an active railroad upon closing.
2. Ms. Olore said the Department is also meeting with local partners on safety and security issues to ensure that First Responders know what expectations are contained in interlocal agreements, and are aware of corridor operations.
3. Commissioner Henley noted that quite a few contracts are being advertised for SunRail, and asked how much input the Technical Advisory Committee has had in the procurement process. He said he was concerned about what the Central Florida Commuter Rail Commission might inherit when it takes over SunRail operations and maintenance from the Department in year 8 of operations. Specifically, he asked whether the contracts awarded contain “out clauses” if it were necessary to cancel those contracts for whatever reason in the future.
4. Ms. Olore said all of the contracts that will continue to be in existence following expiration of the FDOT funding period included technical advisors from the local funding partners, who provided input and advice before the contracts were awarded. Those contracts include the Public Involvement/Marketing contract and the Operations and Maintenance contract, which not yet been advertised. She said that Brett Blackadar from Seminole County was currently participating as a technical advisor on the Public Involvement contract, and is meeting with the Department to review and assess proposal responses. She said that the contracts do contain termination clauses, which is typical for all FDOT contracts.
5. Mr. O’Dea said that the Department also is involving technical advisors on the selection of contractors.
6. Commissioner Henley said he just wanted to ensure that the local governments will inherit financially affordable contracts.
7. Ms. Olore said that all contracts will be in keeping with the interlocal agreements.

d. Procurement activities

- i. DBM –Ms. Olore said that Archer Western/RailWorks is working on design issues, grade crossing upgrades, and is meeting with all the local municipalities as design plans proceed. She said that AW/RW received a Notice to Proceed on July 5 for maintenance mobilization of the corridor and for design services. She said that three Notices to Proceed were included in the contract. The second Notice to Proceed will be issued after FDOT closes on the corridor and AW/RW takes over maintenance responsibilities. The third Notice to Proceed will be for construction. At present, the contractor is designing corridor improvements such as double-tracking, the control center at Rand Yard, and a new signal system. The contractor will arrange meetings again with local governments when those plans have been advanced.
- ii. CEI – HNTB
 1. HNTB is now fully integrated into the project management and construction oversight team, Ms. Olore said.
- iii. Locomotives – Motive Power
 1. Ms. Olore said that Motive Power was issued a Notice to Proceed on July 6, 2011, and that FDOT is meeting with representatives on a bi-weekly basis to discuss issues moving forward. Seven locomotive cores have been inspected and accepted, Ms. Olore said, and the Department continues to review milestone production dates and coordinate with the contractor.
- iv. Coaches and Cab Cars – Bombardier
 1. Bombardier was issued a Notice to Proceed on July 14 and the Department is currently looking at interior design elements, in coordination with Jim Bockstall, the SunRail logo designer. The Department is also coordinating with Bombardier to meet contractual milestones, Ms. Olore said.
- v. Insurance Broker Services
 1. Ms. Olore said that the Department needs to have \$30 million of liability insurance to close on the corridor purchase and during the transition period. When SunRail operations begin, that insurance will increase to \$200 million, in accordance with state legislation that was approved in December of 2009. The contract to procure those insurance services was awarded to Arthur J. Gallagher, and proposals were anticipated on October 7, 2011.
- vi. Fare Collection Systems
 1. The Department posted an industry review for fare collection systems and is currently meeting with LYNX and VoTran to talk about fare policy. The goal is to ensure that fare collection systems for LYNX, Votran and SunRail

all work together, Ms. Olore said. Once agreements have been reached by staff, they will bubble up for approval to the appropriate governing boards, Ms. Olore said. Advertisement of the contract has been a little delayed as Votran is changing its farebox system to work with LYNX's system, and the Department is working with both agencies to address various outstanding issues.

vii. Public Involvement/Marketing

1. The Public Involvement/Marketing contract was advertised on September 2; the intended award is scheduled for October 13, and the start date is anticipated in November, Ms. Olore said.

viii. Station Finishes Construction contracts

1. Ms. Olore said that there will be two station finishes contracts – the first of which was advertised on September 20 for DeBary, Sanford, Lake Mary, Altamonte Springs, Florida Hospital and LYNX. Technical proposals are due November 7, and the contract is expected to be awarded December 2. She said that the Design-Build-Maintain contractor, AW/RW, will pour the platforms within the corridor. The station finishes contractor will put in all the canopies, benches, lights and other station amenities, as well as parking lots where planned. The second station finishes contract will include Longwood, Maitland, Winter Park, Church Street and Sand Lake Road, and is expected to be advertised next spring.

ix. Operations and Maintenance contract

1. Ms. Olore said that the Operations and Maintenance contract (O&M) is a big contract that will include running the system, maintaining the tracks and providing “back of the house” services. That contract is expected to be advertised for industry review within several months, and advertised in the Spring of 2012. Ms. Olore said that once industry review comments are received, the Department will solicit input from local partners.
2. Commissioner Henley asked when local funding partners will know the cost of these outstanding contracts.
3. Ms. Olore said the Department anticipates receipt of price proposals for the station finishes contract shortly after technical proposals are due on November 7. The Design-Build-Maintain contract, and the two vehicles contracts were within budget. She said the station finishes budget includes a 20 percent contingency. By the end of this year, Ms. Olore said, capital costs should be well in hand as about two-thirds of contracts will be complete.

4. Commissioner Henley requested a financial overview, which Ms. Olore said she would provide.
5. Chairman Dyer asked whether station designs were in the conceptual phase or at 100 percent design. Ms. Olore said they were at 100 percent design. She said the Department anticipates that it will have a good idea of costs associated with the Operations and Maintenance contract following the industry review.
6. Chairman Dyer said he thought there was a general misunderstanding that all of the work on SunRail has been awarded. He said it seems like the station construction work is something that local contractors could participate in with some additional outreach and partnering efforts.
7. Secretary Downs said the Department did quite a bit of outreach to DBE businesses on the first station finishes contract, but didn't get as much participation as hoped for. As such, Secretary Downs said the Department plans to "go back to the drawing board" and redouble outreach efforts to future contracts.
8. Mr. O'Dea explain that on Monday, the Department had a pre-proposal meeting for the first station finishes contract and sent an e-mail to all DBE companies registered in the state database, letting them know that prime contractors interested in bidding on the contract would be attending the pre-proposal meeting. He said the Department had a good turnout of contractors, but not as many DBE's showed up as expected. He said it was important to the Department to make those connections before the bids come in, and will do some additional outreach in the future to make sure we make those connections.
9. Chairman Dyer said that the City of Orlando performed extensive outreach for the arena construction, and ended up with 32 percent DBE participation. It was a lot of hard work in terms of the matching making, he said, because some of the DBE's and WBE's may not be as sophisticated as larger companies in the bidding process.
10. Mr. O'Dea said that price is a major component in the award of FDOT contracts, but that 25% of the technical proposal includes a management plan additional technical points are awarded for utilization of DBE contractors.
11. Mayor Dyer asked whether any follow-up meetings are planned. Ms. Olore said that additional meetings were planned for the station finishes contract.

e. Right-of-Way acquisition/certification

- i. Ms. Olore said that most of the right-of-way for Phase I has been acquired and certified. She said that Longwood certification is pending, because the city asked for extended possession to move its public works facility. She said there were “no red flags” but just extended possession.
- ii. Ms. Olore said that Maitland had inquired whether it could move its station and the Department met with staff and elected officials several times to explain the design and financial ramifications of a move. She said the City Council voted unanimously on Sept. 2 to keep the station where it is planned to be located.
- iii. Ms. Olore said that an Order of Taking was set for October 19 for the Church Street Station and in mid-November for the Sand Lake Road station.

2. Phase II activities – Ms. Olore

a. FTA.

- i. Ms. Olore said the Department has met with each of the local partners to start going over the design process for Phase II stations. The Department received some questions and comments back from the local entities, and is currently preparing all of the FTA submittal documents for entry into final design for Phase II South.
- ii. Ms. Olore said the Department currently contemplates two separate processes for Phase II development. Phase II South will pursue the traditional federal New Starts grant. Phase II north may be a Small Starts project, of a federally exempt process because it is not contiguous to the South and is a far more simplified than the New Starts process.

3. Alternatives Analysis Update – Susan Sadighi

- a. Ms. Sadighi said that the Department is reviewing two Alternatives Analysis studies for potential future connections to SunRail – refreshing an earlier study for east-west connections to the Orlando International Airport, as well as the U.S. 441 corridor. Early this week, she said, the Department met with local funding partners to go over the scope of services for the Orlando International Airport study and received some comments. The Department is finalizing the scope of services, and will send it back out for review by local partners. Once finalized, she said, it will require approval from local elected officials, execution of signed copies, and financial commitments. She said the Department hopes to advertise that study later this year.
- b. Ms. Sadighi said that the Department is waiting for comments from the Lake Sumter MPO on the U.S. 441 Corridor Study (Orange Blossom Express), and will follow the same process as the OIA study once comments are received and incorporated.

- c. Ms. Sadighi said the Department is also waiting to hear whether it received a federal grant application that would the state's 75 percent share of the study costs. Notification should be made this fall.
 - d. Ms. Sadighi said that an Alternative Analysis study usually takes about two years to complete and is followed by federally-required National Environmental Policy Act documentation – a two to three year study process. That is followed by Preliminary Engineering, which takes one to two years, and then Final Design, which takes an additional one to two years, and culminates in the award of a Full Funding Grant Agreement.
- 4. Technical Advisory Committee update – Jim Harrison, Vice Chairman
 - a. Mr. Harrison said that the TAC met three times since the Commission's April 18th meeting. He said the TAC spends a great deal of time reviewing interim steps for the Project Update that Commissioners received earlier in the meeting.
 - b. At the May 5, 2011 meeting, TAC members concentrated on providing on providing support to the Commission's efforts to work in Tallahassee with Gov. Scott to obtain approval of SunRail. Mr. Harrison also noted that Kevin Thibault and Nazih Haddad had resigned from the Florida Department of Transportation, and the TAC thanked them for their service, leadership and guidance. TAC members also spent time talking about Transit-Oriented Development and reviewed a new Transit-Oriented Development sketchbook.
 - c. At the August 10, 2011 meeting, TAC members celebrated award of the Full Funding Grant Agreement for SunRail; learned about the Department's reorganization of the SunRail team; discussed local safety and security briefings; and reviewed the project status and Transit-Oriented Development updates.
 - d. At the September 7, 2011 meeting, Mr. Harrison said that TAC members reviewed the draft SunRail construction schedule, the Public Involvement contract, the station finishes contracts and the Operations and Maintenance contract. The next meeting TAC meeting was scheduled for October 5.
- 5. Meritorious Service Awards – Chairman Dyer
 - a. Chairman Dyer said that the meeting marked the first time that the Commission has presented service awards. He said the Commission wanted to honor a retiring board member, former Orange County Mayor Rich Crotty, and Jerry McCollum, the retiring Seminole County engineer, whose last day of public service is today.
 - b. Chairman Dyer called Mayor Crotty to the podium, and said he couldn't begin to think of all the partnerships and projects we worked on together as elected officials – from establishing the Medical Village and UCF Medical School, to the Burnham Institute to the new sports and entertainment venues planned for downtown – and most especially SunRail. Chairman Dyer said that he has enjoyed the partnership, and recalled that when Mayor Crotty served in the State Legislature, he

sponsored legislation to advance rail even back then. He said that Mayor Crotty has obviously been a leader in transportation throughout the course of his public service career, thanked him for all of his efforts, and presented him with a plaque.

- c. Chairman Dyer said he had known Jerry McCollum since the 1980s, when they both worked at the same company. Commissioner Henley joked that Mr. McCollum has been leaving his job for more than a week, and was recognized by the Seminole County Commission earlier in the week with an appropriate resolution. Staff also organized a retirement party for Mr. McCollum. Commissioner Henley said that the people of Seminole County can't begin to appreciate all of the hard work Mr. McCollum performed on their behalf over the years, including 53 miles of trails, underground passages over highways, and so forth. Commissioner Henley said that Mr. McCollum had made a significant contribution throughout his public service career, and should be proud of what he has accomplished. Chairman Dyer also presented Mr. McCollum with a plaque.

BOARD MEMBER COMMENTS

1. Board member comments
 - a. Chairman Bruno apologized for being late.
 - b. Chairman Dyer recommended that the election of new officers be held at the Commission's next meeting.

PUBLIC COMMENTS

1. There were no public comments

ADJOURNMENT

1. The meeting was adjourned at 3:50 p.m.