



GoTriangle
Board of Trustees
January 31, 2022
12:00 pm-2:30 pm Eastern Time

Based on NC Safer At Home executive orders in response to COVID-19, the GoTriangle Board of Trustees will meet remotely on Monday, January 31, 2021, at 12:00 pm.

Click here to: Join Webex Meeting
Or dial: +1 415-655-0003
Access code: 2436 608 7036

I. Call to Order and Adoption of Agenda

(1 minute Sig Hutchinson)

ACTION REQUESTED: Adopt agenda with any changes requested.

II. Recognition

A. Board Member Appreciation

(5 minutes Sig Hutchinson)

B. New Board Member Welcome

(5 minutes Sig Hutchinson)

C. Employee Service Award

(5 minutes Charles Lattuca)

III. Public Comment

(Sig Hutchinson)

The public comment period is held to give citizens an opportunity to speak on any item. The session is no more than thirty minutes long and speakers are limited to no more than three minutes each. Speakers are required to sign up in advance with the Clerk to the Board at mdawson@gotriangle.org.

IV. Consent Agenda

(1 minute Sig Hutchinson)

Items listed on the consent agenda are considered as a single motion. At the request of any Board member, or member of the public, items may be removed from the consent agenda and acted on by a separate motion. Items pulled from the consent agenda will be placed at the beginning of the general business agenda for discussion and action. Any Board member wishing to remove an item from the consent agenda should advise staff in advance.

ACTION REQUESTED: Approve consent agenda.

A. Minutes | December 15, 2021

B. Minutes Closed Session | December 15, 2021

C. Contract to Construct Bus Stops

O&F RECOMMENDATION: Authorize the President/CEO to award and execute a contract with Whitley Contracting Inc., for construction, installation of bus stop amenities, and other related bus stop improvements at fourteen (14) GoDurham bus stop locations and one GoTriangle bus stop location in the amount of \$296,985, plus an additional \$29,700 for project contingency.

D. FY2022 Orange Transit Work Plan Amendment

O&F RECOMMENDATION: Approve the FY2022 Q3 Orange Transit Work Plan and adopt budget ordinance amendments 2022 0001 and 2022 0002.

- Project amendment request from Town of Carrboro
- Budget Change Impact
- O 2022 0001
- O 2022 0002

E. Kaplan Kirsch & Rockwell Contract

O&F RECOMMENDATION: Authorize the Chair to sign a letter waiving any conflict related to KKR's ongoing representation of GoTriangle and NCDOT.

- Ltr from KKR Conflict Waiver

V. General Business Agenda

Items listed on the general business agenda are for discussion and possible action. Such designation means that the Board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

A. Items Removed from the Consent Agenda

(1 minute Sig Hutchinson)

ACTION REQUESTED: Discuss and take action on any items removed from the consent agenda.

B. FY22 Work Plan | General Counsel

(15 minutes Byron Smith)

ACTION REQUESTED: Discuss and approve work plan.

C. Operations & Finance Committee Report

(5 minutes Renée Price)

VI. Other Business**A. President & CEO's Report**

(5 minutes Charles Lattuca)

- Contracts
- New Hires & Promotions

1. **Operations Update**
(5 minutes Patrick Stephens)
2. **Capital Projects Status Report**
Presentation
(10 minutes Katharine Eggleston)

B. **General Counsel's Report**
(5 minutes Byron Smith)

C. **Chair's Report**
(5 minutes Sig Hutchinson)

D. **Board Member Reports**

1. **CAMPO Executive Board Representative**
(5 minutes Will Allen III)
2. **Regional Transportation Alliance (RTA) Rep.**
(5 minutes Will Allen III)
3. **DCHC MPO Board Representative**
(5 minutes Michael Parker)
4. **NC Transportation Summit Report**
(10 minutes Will Allen, Sig Hutchinson, Vivian Jones)

VII. **Adjournment**
(Sig Hutchinson)



BOARD OF TRUSTEES
MEETING MINUTES | DRAFT

4600 Emperor Boulevard
 Suite 100
 Durham, NC 27703

Wednesday, December 15, 2021

12:00 p.m.

Virtual | Webex

Board members present | Will Allen III, Brenda Howerton, Sig Hutchinson, Valerie Jordan [left 12:44 p.m.], Vivian Jones, Renée Price, Charlie Reece, Jennifer Robinson [left 1:32 p.m.], Stelfanie Williams

Board members absences | Corey Branch, Michael Fox, Michael Parker [excused]

Chair Sig Hutchinson officially called the meeting to order at 12:07 p.m. A quorum was present.

I. Adoption of Agenda

Chair Hutchinson announced the addition of one item, RUS Bus Joint Development Agreement.

Action: On motion by Allen and second by Howerton the agenda was adopted as amended. Upon vote by roll call, the motion was carried unanimously.

II. Recognition

A. Employee Service Awards

President/CEO Charles Lattuca recognized Darrick Harris [15 years] and Joaquin De La Cruz [20 years] for their service to GoTriangle.

III. Public Comment

No comments.

IV. Consent Agenda

Action: On motion by Allen and second by Howerton the consent agenda was approved. Upon vote by roll call, the motion was carried unanimously.

The following consent agenda items were approved/adopted:

- November 17, 2021 – Regular Session Minutes
- November 17, 2021 – Closed Session Minutes
- Updated Triangle Regional Model Protocol
- Authorized President/CEO to execute a task order for bus stop design services with Ramey Kemp and Associates for on-call architectural and engineering consultant services for an amount not to exceed \$130,000
- Authorized staff to acquire the right of way needed for GoDurham bus stop improvements on behalf of the city of Durham
- FY2022 Durham Transit work plan and budget ordinance amendments
- Revised by-laws to clarify the definition of quorum for committee meetings
- Approved signing of financial performance indicator of concern letter to LGC
- Authorized President/CEO to execute agreements to extend the period of performance and to reallocate remaining funds from the FY2018 Wake Transit Work Plan project funding allocations

The updated Triangle Regional Model Protocol, locations for GoDurham right of way acquisitions, revised by-laws, Durham Transit budget change impact and budget ordinances, response letter to LGC and Wake Transit projects to be extended are attached and hereby made a part of these minutes.

V. General Business Agenda

A. Items Removed from Consent Agenda

None.

B. Operations & Finance Committee Report

Vivian Jones.

C. Planning & Legislative Committee Report

Will Allen reported that the Committee received a report from HR&A, Greater Triangle Commuter Rail Regional Economic Impact Analysis, which looked at the interconnected impacts of commuter rail on quality of life, employment connectivity, smart development and job growth. He encouraged all Board members to review the presentation. Allen stated that comments from Committee members were related to honing and focusing the data on what's in it for the individual and why someone should support commuter rail. He stated that more information would be provided at the February work session on commuter rail.

The second item was discussion of a legislative agenda, which will come back to the Committee in more detail.

D. RUS Bus Development

1. Closed Session | RUS Bus Agreements

Action: On motion by Allen and second by Williams the Board entered into Closed Session at 12:28 p.m. pursuant to NCGS §143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Upon vote by roll call, the motion was carried unanimously.

Action: The Board returned to open session at 1:19 p.m.

2. RUS Bus Joint Development Agreement

Katharine Eggleston's presentation is attached and hereby made a part of these minutes. She reviewed the project, a transit facility with a joint development mixed-used high-rise private overbuild on property owned by GoTriangle and adjacent to Raleigh Union Station, a multi-modal facility developed by NCDOT and the city of Raleigh in 2018. The \$20 million BUILD grant received from the federal government to support the public portion of this project includes a ground floor transit center, pedestrian bridge to the train station, wayfinding and accessibility enhancements, West Street improvements, BRT infrastructure, traffic signal upgrades and funds for

low/no emission rolling stock. GoTriangle currently is working with Hoffman & Associates to advance design of these elements.

In addition to the federal grant, the project includes almost \$18 million in additional from the state and local sources. The start of construction and demolition is planned for the spring of 2022, with a completion date of summer 2025.

The private development includes 500,000 square feet across two high-rise buildings that will house 350 apartment units [10% affordable units], 200 hotel rooms, 18,000 square feet of retail and 550 parking spaces.

Jeff Bandini explained the key terms of the primary agreements for to the project:

- **Joint development services agreement** provides for the developer of the property, Hoffman, to act as a project and construction manager for GoTriangle to build out the public improvements of the project.
 - Project controls for scope, schedule, budget and change management
 - Project management fee and construction management fee
 - BUILD grant agreement and FTA compliance
 - DBE not less than 12%
- **Joint development agreement** provides for the construction of the private overbuild next to and over the public facilities
 - Private overbuild project schedule and completion deadline
 - GoTriangle review and approval for design
 - Private overbuild financing plan
 - Conditions to execution of ground lease at closing
 - FTA compliance
 - "To the greatest extent commercially practicable, Developer shall advertise contracts and consider bids from minority-owned businesses, woman-owned businesses and historically underutilized businesses in connection with the development of the Private Overbuild project."
- **Ground lease** agreement provides for the long term lease of the property, the ground and air rights, to allow the private developer to build on the site.
 - 99-year term
 - Ground rent \$375,000 per year at the start of the fourth year after rent commencement date. Ground rent is abated 75%, 50% and 25% for the first three years, respectively.
 - Ground rent escalator 2% every year beginning fifth year after rent commencement date.
 - Structure for development of sub-components [retail, hotel, residential] to be developed.
 - Affordable housing the greater of 20 units or 10% of total residential units for 15 years after certificate of occupancy issued.

Action: On motion by Allen and second by Price the Board authorized the President/CEO to finalize negotiations and enter into a Joint Development Agreement with RB Vertical LLC, a special purpose entity owned and controlled by Hoffman & Associates, to allow for development of the Private Overbuild co-located with the RUS Bus Transit Facilities. Upon vote by roll call, the motion was carried unanimously.

VI. Other Business

A. President and CEO's Report

A list of contracts approved by the president and CEO is attached and hereby made a part of these minutes.

Lattuca also reported on a recent organizational change which was the addition of an executive vice president position below the President/CEO. He stated that Scott Thomas was moved from Chief Communications Officer into the new position. He said this change is in preparation for the planned large capital projects that GoTriangle will be leading and is the first of additional changes that will occur. Allen asked for an updated organizational chart.

1. Operations Update

The monthly report is attached and hereby made a part of these minutes.

2. Covid-19 Vaccination & Testing Update

Carolyn Lyons reported that GoTriangle's vaccination and testing program officially launched this past Friday and over half of GoTriangle's employees already have provided proof of vaccination. She said the program is modeled after the programs implemented in Durham and Orange counties and uses the same platform, Coverified, to manage and to track vaccination verifications. She said weekly testing of unvaccinated employees would be required beginning in January. Lyons added that all employees who provide proof of vaccination by the end of the calendar year are eligible to receive a \$400 bonus in January.

3. Capital Projects Status Report

The capital projects status report and presentation on major project updates is attached and hereby made a part of these minutes.

Eggleston reported that the joint board group met on November 30 and good progress is being made on the capacity modeling study. She said some preliminary results of the study have tracked with what GoTriangle has seen in its own modeling. She stated recommendations for modifications to infrastructure are expected next month and the GoTriangle team also is working on modifications and will be prepared to respond to their recommendations.

Eggleston shared activities related to the top risks to the project:

- Railroad coordination - The capacity modeling study is ongoing.

- Local buy-in - Staff is in discussion with the municipalities to plan public and elected official engagement once the feasibility study results are available. Staff also is engaging with institutional partners such as Duke University.
- Cost-sharing discussions - Staff is engaging with the counties and the MPOs. Our finance team is working with the counties and their financial consultants to evaluate model inputs. Durham County is advancing work on their preferred scenario as part of the update to the Durham Transit Plan to consider commuter rail along with other high priority investments in Durham County.
- Feasibility in key areas - Work has focused on downtown Durham and downtown Cary to ensure engineering solutions for laying additional track.
- Federal funding eligibility - Updates are being made to the ridership model.

Upcoming work includes finalizing recommendations on the project definition which will include findings from our work in Durham and Cary and the infrastructure recommendations from Norfolk Southern's capacity modeling study. Also expected in the next months is the final report from TJCOG on land use analysis and updated ridership and cost estimates. Staff also is planning for public engagement activities for 2022.

Liz Raskopf reported that there were 606 registrants for the recent commuter rail webinar and attendees plus post-presentation views totaled 575. The presentation included images and photographs of commuter rail systems throughout the country to show what a typical station could look like regarding lighting, safety features and platforms. Each station in the corridor was discussed. There were over 100 questions submitted by participants. The recording of the webinar has been posted on the website and YouTube. Raskopf stated that signup for the Commuter Rail Insider email group has increased by 25% since the webinar.

B. Office of the General Counsel Report

General Counsel Byron Smith stated that he has been meeting with the legal staff and the executive team since coming onboard and learning more about the RUS Bus project. Tom Henry noted that the legal team is involved in the ongoing governance study in Orange and Durham counties.

C. Chair's Report

Chair Hutchinson offered the following comments:

- Congratulations to Commissioners Howerton and Price for being re-elected chairs of their respective boards of commissioners and stated that with himself from Wake County it is the first time all three county commission chairs have served together on the GoTriangle Board.
- Welcome to new General Counsel Byron Smith.
- Praised staff efforts on the recent commuter rail webinar.
- At some point next year meetings will return to in-person. Hutchinson said he is interested in what Board members think and in making sure members are comfortable.

- There is interest in keeping service fare free since being implemented as a result of the Covid-19 pandemic. He suggested a study to look at efficiencies and how financial savings might offer an opportunity to continue fare free service.
- Offered thanks to the team of attorneys working on the RUS Bus project.

D. Board Member Reports**1. CAMPO Executive Board Representative**

Will Allen III stated the updated draft 2050 MTP was approved unanimously.

2. Regional Transportation Alliance (RTA) Representative

No report.

3. DCHC MPO Board Representative

No report.

VII. Adjournment

Action: Chair Hutchinson adjourned the meeting at 2:03 p.m.

Sig Hutchinson, Chair

Attest:

Michelle C. Dawson, CMC
Clerk to the Board

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*Connecting all points of the Triangle*

MEMORANDUM

TO: GoTriangle Board of Trustees Operations & Finance Committee
FROM: Katharine Eggleston, Chief Development Officer
DATE: January 17, 2022
SUBJECT: Authorization to Execute Contract to Construct Bus Stops

Strategic Objective or Initiative Supported

2.4 Ensure an attractive and accessible transit environment

Action Requested

Staff requests that the Operations & Finance Committee recommend the Board of Trustees authorize the President/CEO to award and execute a contract with DBE certified general contractor, Whitley Contracting Inc., for construction, installation of bus stop amenities, and other related bus stop improvements at fourteen (14) GoDurham bus stop locations and one GoTriangle bus stop location in the amount of \$296,985. Staff also requests authorization of a total contract budget in the amount of \$326,685 in order to include \$29,700 for project contingency.

Background and Purpose

The adopted Durham County FY20 and FY21 work plans include funding for GoTriangle to contract for construction of bus stop improvements on the GoDurham system. The first group of sixteen GoDurham bus stop improvements were completed in April 2021. A second group of seventeen (17) bus GoDurham bus stop improvements were completed in November 2021.

The current Wake Transit Plan includes funding for construction of GoTriangle bus stop improvements in Wake County. A group of twelve (12) GoTriangle bus stop improvements located in Wake County were completed in December 2021.

This contract is for construction of a third group of GoDurham bus stop improvements at fourteen (14) bus stop locations; and one (1) GoTriangle bus stop improvement in Wake County, funded by the Wake Transit Plan.



The Invitation for Bids (IFB), released on November 9, 2021, included construction opportunity notifications transmitted to over 40 certified DBE contractors. The IFB closed on December 7, 2021, and GoTriangle received four responsive and responsible bids as listed below:

1. **Whitley Contracting Inc. (DBE)** **\$296,985**
2. White Oak Construction Co. Inc. \$307,480
3. Browe Construction Co. (WBE) \$467,810
4. Lanier Construction Co. Inc. (DBE) \$471,131

Financial Impact

The adopted FY21 Durham County Transit work plan includes \$2,500,000 for design, construction, real estate, and purchase of amenities for GoDurham bus stop projects over a multi-year period. The Wake Transit Plan includes \$745,000 for design, construction, real estate and amenities for GoTriangle bus stop projects over a multi-year period.

Attachments

None

Staff Contacts

- Willie Reid, (919) 314-8751, wreid@gotriangle.org
- Richard Major, (919) 485-7483, rmajor@gotriangle.org
- Katharine Eggleston, (919) 485-7564, keggleston@gotriangle.org





Connecting all points of the Triangle

MEMORANDUM

TO: GoTriangle Board of Trustees Operations & Finance Committee
FROM: Finance & Administrative Services
DATE: December 23, 2021
SUBJECT: FY2022 Q3 Orange Transit Work Plan/Budget Amendment

Strategic Objective or Initiative Supported

This item supports initiative 1.2, "Pursue service improvement and expansion opportunities."

Action Requested

Staff requests that the Committee recommend to the Board of Trustees the approval of the FY2022 Q3 Orange Transit Work Plan amendments. A total of two (2) amendments have been included for recommendation for a total financial impact of \$285,000.

Background and Purpose

Two (2) amendments

1. South Greensboro Street Sidewalk project (Town of Carrboro) – The funding request is predominantly due to the increase in cost compared to the original project that was adopted as part of the FY2018 transit work plan. Since that time, additional costs for the South Greensboro Street sidewalk project have been identified. The additional local funding will be used as the local share to leverage anticipated additional federal funding.
2. NC 54 Pedestrian Signal project (Town of Carrboro) – The funds are desired to act as the local match to leverage federal funds. The project includes three existing Chapel Hill Transit stops along NC 54 that regularly have high ridership. The completion of this project will greatly enhance safe access to the existing stops and facilitate north-south pedestrian crossings. In addition, these connections will greatly improve access to future phases of the Morgan Creek Greenway in both Carrboro and Chapel Hill, and provide a safe way for residents living south of NC 54 to connect to the downtown areas. The funding for this project is currently programmed in the future years of the Orange Transit Plan. If approved, the FY2022 financial impact will be \$150,000 but the amendment will result in no additional impact to the overall transit plan.

At the time of the GoTriangle Operations and Finance Committee receiving this item, the Orange Staff Working Group will have already reviewed and recommended the listed amendments to the GoTriangle Board of Trustees.

Financial Impact

The proposed amendment, if recommended by this committee and approved by the Board of Trustees, will increase the Orange Transit Work Plan by \$285,000.

Attachments

- Detailed Project Amendment Request
- Budget change impact

Staff Contacts

- Steven Schlossberg, Budget and Finance Mgr., (919) 485-7590, sschlossberg@gotriangle.org
- Sandra Freeman, CFO, (919) 485-7415, sfreeman@gotriangle.org





TOWN OF CARRBORO
NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: ☒ *HAND* ☐ *MAIL* ☐ *FAX* ☒ *EMAIL*

To: Aaron Cain, DCHC MPO
Jennifer Hayden, GoTriangle

From: Tina Moon, Planning Administrator
Zachary Hallock, Transportation Planner

Date: November 23, 2021

Subject: Modification to 18TOC_CD5 - Request for Additional Funding

The Town of Carrboro is requesting additional funds for the South Greensboro Street Sidewalk project (18TOC_CD5), one of the Town's original capital projects.

In August 2020, the Town of Carrboro requested additional funds to pay for design costs needed to readvertise the Morgan Creek Greenway (18TOC_CD4) for construction. The request was based on a scope of work prepared by the Town Engineer to complete design modifications identified in consultation with NCDOT. Since the Town Engineer was not the engineer of record, the additional costs were not eligible for reimbursement.

Due to the uncertainty of incoming revenues at that time, the Orange County Transit Plan SWG delayed a decision on the request. In April 2021, the Town requested a revenue neutral reallocation of transit funds from the South Greensboro Street sidewalk (18TOC_CD5) to the Morgan Creek Greenway to cover the redesign costs to allow the greenway project to move forward.

Since that time, additional costs for the South Greensboro Street sidewalk project have been identified. Carrboro would like to resubmit the request for \$135,000 and apply the funds toward the South Greensboro Street sidewalk project to leverage an application for federal funding.

Please let us know if additional information is needed. Thank you for your consideration of this request.



TOWN OF CARRBORO
NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: ☐ *HAND* ☐ *MAIL* ☐ *FAX* ☒ *EMAIL*

To: Aaron Cain, DCHC MPO
Jennifer Hayden, GoTriangle

From: Zachary Hallock, Transportation Planner
Tina Moon, Planning Administrator

Date: November 23, 2021

Subject: Request to Program NC 54 Pedestrian Signal (HAWK) Project for FY22

The purpose of this memo is to request an amendment to the FY22 Orange County Transit work plan to include the NC 54 Pedestrian Signal (20TOC_CD1) for funding in the upcoming year.

The NC 54 Pedestrian Signal (HAWK) project for Carrboro was included in the 2017 Orange County Transit Plan but has not yet been programmed into an annual work plan. The project was originally intended to provide a signalized pedestrian crossing at either NC 54 and Abbey Lane or NC 54 and Westbrook Drive to facilitate safe pedestrian access to transit stops.

The 2019, NC 54 Pedestrian and Bicycle Corridor Safety Study, recommended a crossing at both locations along with a third location at NC 54 and the Kingswood Apartments/Laurel Ridge Apartments in Chapel Hill. Carrboro staff have been working with NCDOT and the Town of Chapel Hill and Chapel Hill Transit to collaborate on a single project that would include the improvements at all three locations. The remaining amount of funding was secured this spring and design is now underway. NCDOT has offered to manage the project, including the design process, advertisement for bid and construction management, with construction tentatively scheduled for FY23.

The total project cost is estimated at \$1.5 Million. Carrboro's allocation of approximately \$150,000 of transit funds (20TOC_CD1) will contribute to the required local match.

Please let us know if additional information is needed.

REQUEST #
20TOC_CD1

FY 2022
Orange Transit Work Plan
Request Form
Operating and/or Capital

FY START DATE
2020
Total Project Cost
\$ 1,602,500

Project Name	Requesting Agency	Project Contact	Orange Transit Estimated Operating Cost	
Pedestrian HAWK Signal at NC 54	Town of Carrboro	Carrboro Chapel Hill Transit NCDOT	Base Year*	\$ 150,000
			FY 2023	\$ 1,360,500
			Cumulative	\$ 1,510,500
Estimated Start Date	Estimated Completion	Notes	Orange Transit Estimated Capital Cost	
FY21	FY23	Design is underway.	Base Year*	\$ 210,000
			Cumulative	\$ 1,602,500
Project Description/Scope	Enter below a summary of the project that may later be used as the project description in the FY 2022 Work Plan.			
<p>Signalized pedestrian crossings at three locations along NC 54 West: NC 54 & Westbrook Drive, NC 54 & Abbey Lane, and NC 54 & Kingswood/Laurel Ridge. The projects were identified in NC 54 Pedestrian and Bicycle Corridor Safety Study (2019); NCDOT engaged VHB to conduct the study at the request of Carrboro, Chapel Hill and Chapel Hill Transit. Project locations were identified as transit stops with high ridership, where patrons often cross NC 54 without any safety infrastructure rather than wait for the bus to reach the other side of the highway on the return trip. NCDOT has offered to manage the design, bid and construction of the project; Chapel Hill Transit has offered to handle the grant administration.</p>				
Project Justification / Business Case	Provide responses to <u>EACH</u> of the questions below. Answer the questions as fully as possible. Enter Not Applicable (N/A) as appropriate.			

1. Is this a New Project, Scope Change or Financial Change?

See Instructions for definitions

New ☐ Scope ☐ Financial ☐

1a. If Scope Change or Financial Change - Indicate previous project ID

2. Is this project Operating, Capital or Both?

Operating ☐ Capital ☒ Both ☐

3. Is this a one-time request?

Yes ☒ No ☐

4. What is the timeframe for the request? Are you requesting a full year of funds in FY22 or a partial year to be annualized in future fiscal years?

The anticipated project timeline: Design FY21, ROW FY22, Construction FY22 or FY23.

5. Where is this project located, who will this project serve and how will it improve service or overall implementation of the Orange Transit Plan?

The project includes three existing Chapel Hill Transit stops along NC 54 that regularly have high ridership. The completion of this project will greatly enhance safe access to the existing stops and facilitate north-south pedestrian crossings. In addition, these connections will greatly improve access to future phases of the Morgan Creek Greenway in both Carrboro and Chapel Hill, and provide a safe way for residents living south of NC 54 to connect to the downtown areas.

6. Is this project programmed in the adopted Transit Plan FYs 2022-2029 Multi-Year Operating Program or CIP?

Yes ☒ No ☐

8. What is the expected outcome(s) if this request is funded? What is the alternative if the request is not funded?

☐

☐

The project represents a collaboration between NCDOT (HSIP-Spot funds); Chapel Hill and Chapel Hill Transit and the Town of Carrboro, and involves funding from multiple sources include: HSIP (SPOT Safety); STBG (competitive); STBG-DA. The Transit funds would be used as required local match to leverage federal funds. A 20TOC_CD1 was programmed for funding in the 2017 Orange County Transit Plan. If the project is not funded in the upcoming work plan the project could be delayed until another source of funds, that can be used as local match, could be identified.

10. For bus operating projects, please provide:

a) Target Start Date				
b) Assets Used (Vehicles, etc.)				
c) Geographic Termini				
d) Major Destinations Served				
e) Annualized Revenue Hours				
f) Span of Service		Weekday	Saturday	Sunday
g) Frequency	<u>TIME PERIOD</u>	Weekday	Saturday	Sunday
	AM Peak			
	Midday			
	PM Peak			
	Evening			

11. If this is a bus operating project, which organization will operate the service?

--

12. If applicable, describe proposed responsibilities and duties for new staffing requests. Provide each major intended function, and the percentage of time devoted to each function.

--

13. List any other relevant information not addressed.

--

14. Please enter estimated revenues below. If there are other revenues besides Orange County Tax Revenue to support this request, please enter the anticipated revenue amounts next to the appropriate funding source for each fiscal year shown below.

Revenue							
Tax Revenue	FY22	FY23	FY24	FY25	FY26	FY27	FY28

Orange County Transit Tax Revenue	150,000	1,360,500	-	-	-	-	-
Other Revenue							
Federal	-	-	-	-	-	-	-
State	210,000	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Subtotal Other	210,000	-	-	-	-	-	-
TOTAL REVENUE	360,000	1,360,500	-	-	-	-	-

15. For Non Orange County Tax Revenue (federal, state, other), who is the proposed recipient(s) and who will be in charge of applying for the revenue(s)? Please provide status of other revenues (Application submitted, Committed, Awarded, Other).

NCDOT will be administering HSIP funds. It is anticipated that Chapel Hill Transit may handle grant administration for the federal STGBDA, and STBG (competitive) funds. Chapel Hill will provide the local match for the STGBDA funds. Transit funds are anticipated to be used toward the local match for the STBG competitive funds, along with the remaining state HSIP funds. It will be determined during the development of the necessary agreements between the parties whether Carrboro or CHT should handle the administration of the transit funds.

16. Please enter estimated appropriations to support expenses. Enter FY 2022 and the estimated annualized cost in FY 2023 using the 2.5% growth factor, if applicable. The spreadsheet will calculate 2024 and beyond by 2.5%. If your project is not expected to have recurring costs in FY 2023 and/or beyond, delete the calculation(s) in columns E-H.

Cost Break Down of Project Request							
OPERATING COSTS	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Growth Factors		2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Salary & Fringes			-	-	-	-	-
Contracts			-	-	-	-	-
Bus Operations:							
Estimated Hours			-	-	-	-	-
Cost per Hour			-	-	-	-	-
Estimated Operating Cost	-	-	-	-	-	-	-
Bus Leases			-	-	-	-	-
Park & Ride Lease			-	-	-	-	-
Other			-	-	-	-	-
Other			-	-	-	-	-
Subtotal: Bus Operations	-	-	-	-	-	-	-
Other (Describe)			-	-	-	-	-
Other (Describe)			-	-	-	-	-
Other (Describe)			-	-	-	-	-
TOTAL OPERATING COSTS	-	-	-	-	-	-	-

17. Please enter Operating category that best represents the project above (This will be reviewed during Work Plan development)

Bus Operations ☐ Transit Plan Administration ☐ Tax District Administration ☐

18. Please enter estimated appropriations to support contractual commitments and other expenses related to proposed capital projects.

CAPITAL COSTS	FY22	FY23	FY24	FY25	FY26	FY27	FY28
Design	175,000						
Construction		1,310,500					
Equipment							
Land - Right of Way	35,000	50,000					
Other							
TOTAL CAPITAL COSTS	210,000	1,360,500	-	-	-	-	-

Transit Infrastructure ☒ Vehicle Acquisition ☐ BRT ☐ CRT ☐ Other ☐

Assumptions for Costs and Revenues Above:

21. Please state any assumption(s) used to calculate the capital and operating dollars and revenues shown above.

The total construction costs have been rounded up to increase the project budget from \$1,560,00 to \$1,570,500.

FY22 Budget Change Impact - Orange Transit Plan

	<u>Revenue</u>	<u>Expenditures</u>	<u>Reserve/Cash Impact</u>	<u>Fund Affected</u>	<u>Comments</u>
FY22 Approved Budget	\$ 14,211,271	\$ 13,220,973	\$ 990,298		
Town of Carrboro	0	285,000	(285,000)	42	Two capital amendments (NC 54 pedestrian signal and South Greensboro Street sidewalk)
Amended FY22 Budget (Jan 2022)	\$ 14,211,271	\$ 13,505,973	\$ 705,298		
Changes from Amendments	\$ -	\$ 285,000	\$ (285,000)		

2022 0001

**GOTRIANGLE
FISCAL YEAR 2022
TRIANGLE TAX DISTRICT – ORANGE OPERATING FUND
BUDGET ORDINANCE AMENDMENT**

BE IT ORDAINED by the Research Triangle Regional Public Transportation Authority Board of Trustees:

Section 1. It is estimated that the following revenues will be available in the **Triangle Tax District Orange Operating Fund** for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

	Original	Revised
Article 43 ½ Cent Local Option Sales Tax	\$4,411,600	\$4,126,600
Vehicle Rental Tax	432,400	432,400
\$7 County Vehicle Registration Tax	786,600	786,600
\$3 Vehicle Registr Transfer from Dur/Orange Special Tax District	<u>337,000</u>	<u>337,000</u>
Total	\$ 5,967,600	\$ 5,682,600

Section 2. The following amounts hereby are appropriated in the **Triangle Tax District Orange Operating Fund** for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

	Original	Revised
Tax District Administration	\$ 251,800	\$ 251,800
Transit Administration	0	0
DCHC MPO	58,200	58,200
GoTriangle	479,100	479,100
Bus Operations	0	0
Chapel Hill Transit	2,377,565	2,377,565
Orange County Public Transit	759,935	759,935
GoTriangle	1,050,700	1,050,700
Transfer to Triangle Tax District - Orange Capital Fund	<u>990,300</u>	<u>705,300</u>
Total	\$ 5,967,600	\$ 5,682,600

Section 3. The FY22 Orange Transit Work Program reflects ongoing projects that remain vital to providing service to current transit customers and new projects that address immediate needs during a transition year to a new Transit Plan with updated priorities. The current project budgets identified are those that are deemed time-sensitive ongoing efforts or involve time-sensitive external grant sources as part of their overall funding mechanism. DCHC MPO, GoTriangle and

Orange County will consider amendments to the FY22 Orange Transit Work Program as priorities are identified in the new Transit Plan.

Section 4. Copies of this Budget Ordinance shall be furnished to the Clerk to the Board of Trustees and to the Budget Officer of this Authority to be kept on file for their direction in the disbursement of funds.

ADOPTED THIS THE 31ST DAY OF JANUARY 2022.

Sig Hutchinson, Board of Trustees Chair

ATTEST:

Michelle C. Dawson, Clerk to the Board

2022 0002

**GOTRIANGLE
FISCAL YEAR 2022
TRIANGLE TAX DISTRICT – ORANGE CAPITAL FUND
BUDGET ORDINANCE AMENDMENT**

BE IT ORDAINED by the Research Triangle Regional Public Transportation Authority Board of Trustees:

Section 1. It is estimated that the following revenues will be available in the **Triangle Tax District – Orange Capital Fund** for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

	Original	Revised
Article 43 ½ Cent Local Option Sales Tax	<u>\$2,990,500</u>	<u>\$3,275,500</u>
Total	\$ 2,990,500	\$ 3,275,500

Section 2. The following amounts hereby are appropriated in the **Triangle Tax District – Orange Capital Fund** for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

	Original	Revised
Transit Infrastructure		
Town of Carrboro	\$205,000	\$490,000
GoTriangle	20,000	20,000
Town of Hillsboro	50,000	50,000
Vehicle Purchase	0	0
GoTriangle	903,000	903,000
BRT	0	0
Chapel Hill Transit – NS-BRT	<u>1,812,500</u>	<u>1,812,500</u>
	\$ 2,990,500	\$ 3,275,500

Section 3. The FY22 Orange Transit Work Program reflects ongoing projects that remain vital to providing service to current transit customers and new projects that address immediate needs during a transition year to a new Transit Plan with updated priorities. The current project budgets identified are those that are deemed time-sensitive ongoing efforts or involve time-sensitive external grant sources as part of their overall funding mechanism. DCHC MPO, GoTriangle and Orange County will consider amendments to the FY22 Orange Transit Work Program as priorities are identified in the new Transit Plan.

Section 4. Copies of this Budget Ordinance shall be furnished to the Clerk to the Board of Trustees and to the Budget Officer of this Authority to be kept on file for their direction in the disbursement of funds.

ADOPTED THIS THE 31ST DAY OF JANUARY 2022.

Sig Hutchinson, Board of Trustees Chair

ATTEST:

Michelle C. Dawson, Clerk to the Board



Connecting all points of the Triangle

MEMORANDUM

TO: GoTriangle Board of Trustees Operations & Finance Committee
FROM: Thomas Henry, Associate General Counsel
DATE: December 30, 2021
SUBJECT: Kaplan Kirsch & Rockwell Contract

Strategic Objective or Initiative Supported

Action Requested

Staff requests that the Operations & Finance Committee recommend to the Board of Trustees that the Board Chair sign a letter waiving any conflict or appearance of conflict that may arise from KKR's ongoing representation of both GoTriangle and NCDOT. A copy of the waiver letter is attached.

Background and Purpose

In September 2020, GoTriangle entered into a 2-year contract with the law firm of Kaplan Kirsch & Rockwell LLP ("KKR") for the provision of specialized legal services within the scope of railroads, railroad properties, and projects within or adjacent to railroad corridors.

In November 2021, KKR advised GoTriangle that, in addition to representing GoTriangle, KKR is also representing NCDOT in its efforts to acquire the S-Line from CSX as well as other railroad segments in North Carolina.

KKR has requested that its two clients – GoTriangle and NCDOT – acknowledge and consent to ongoing representation by the firm, while waiving any actual or perceived conflict between GoTriangle's and NCDOT's interests. KKR has indicated that NCDOT has already consented to this arrangement by signing a waiver letter.

Even if GoTriangle agrees to sign the requested waiver letter, the scope of the waiver is limited: KKR would not be authorized to represent GoTriangle or NCDOT in any matter where the two clients might be directly negotiating or litigating with each other.



According to existing written policy, addressing legal conflicts is a matter reserved for the Board of Trustees. Staff recommends that the Board agree to ongoing representation by KKR, notwithstanding the existence of any actual or perceived conflict. Staff believes that KKR can continue to provide valuable legal services to GoTriangle as GoTriangle focuses on commuter rail negotiations with North Carolina Railroad Company and Norfolk Southern.

Financial Impact

None.

Attachments

- Letter from KKR

Staff Contact

- Thomas Henry, 919-485-7589, thenry@gotriangle.org





WASHINGTON, DC
BOSTON
DENVER
NEW YORK
SAN FRANCISCO

November 30, 2021

VIA E-MAIL

Thomas Henry
Go Triangle
Post Office Box 13787
Research Triangle Park, NC 27709

Re: Waiver of Conflict

Dear Tom:

As you know, Kaplan Kirsch and Rockwell represents both Go Triangle and the North Carolina Department of Transportation (NCDOT) on separate projects in North Carolina. We represent Go Triangle in connection with the planning, financing, design, construction, operation, and maintenance of public transportation projects or services occurring within or adjacent to railroad corridors; and the acquisition, ownership, utilization, and disposition of property within or adjacent to railroad corridors. We represent NCDOT in its efforts to acquire the S-Line from CSXT which in North Carolina runs from Ridgeway, North Carolina south to Raleigh, NC and continues through Raleigh to the south, as well as other lines and line segments currently owned or controlled by CSXT, Norfolk Southern or the North Carolina Railroad Company. Go Triangle commuter rail project will run from Durham, NC along the east-west alignment of the North Carolina Railroad right of way to Garner, NC.

At the inception of the engagement for Go Triangle, the core team representing Go Triangle on rail issues, including federal grant issues, consisted of T. Byron Smith, Lead Counsel, Chuck Spitulnik, Allison Fultz, Christian Alexander and Suzanne Silverman. At the inception of the engagement for NC DOT, the core team representing NCDOT consisted of Charles Spitulnik, Lead Counsel, Suzanne Silverman and Katherine Bourdon.

The configuration of the Team representing Go Triangle has changed due to the departures of Allison Fultz to the FRA and Byron Smith who will become Go Triangle's General Counsel on December 1, 2021.

At the inception of our representation of Go Triangle, Go Triangle's and NCDOT's interests were aligned. NCDOT and Go Triangle had already executed a Memorandum of Understanding (MOU)

Thomas Henry
November 30, 2021
Page 2

in which NCDOT pledged support of Go Triangle's commuter rail efforts and that MOU remains today.

There may now be a potential conflict in our representation of both Go Triangle and NCDOT with respect to an approximately 51.69-acre segment of the former S-Line that Go Triangle purchased from CSXT in 2003 utilizing funds obtained, in part, from the Federal Transit Administration (FTA). The 51.69-acre tract was to be utilized by Go Triangle to support its efforts to create a light rail system in the Research Triangle Park, NC. Now, NCDOT wants to use the right of way to support an infrastructure improvement project along the S-Line and must reach agreement with Go Triangle regarding the use. As a result of the federal funding, the FTA obtained a 55.7 % interest in the property. Because the light rail system was never created, the FTA has recently requested that Go Triangle reimburse it for its federal share. Go Triangle has requested that the FTA allow it to retain the property or transfer it from Go Triangle to NCDOT. In either case, federal approval will be required. The FTA has not yet responded to Go Triangle's request. In order for Go Triangle to transfer the property to NCDOT, the two parties may be adverse if Go Triangle has to reimburse the FTA and then seek contribution from NCDOT.

Other than the adversity outlined above, it appears that Go Triangle and NCDOT remain aligned with respect to the commuter rail project and Go Triangle does not appear to have any fundamental objections to the transfer as stated in an April 7, 2021 letter to the FTA Region IV Administrator. Therefore, we believe that we can continue to represent Go Triangle's interest with respect to the commuter rail project, except where Go Triangle and NC DOT become adverse. Our representation of NC DOT involves providing representation to it in its negotiations with freight railroads and Amtrak in furtherance of its efforts to improve freight and passenger service in the State. Thus, we request that Go Triangle waive any conflict as described above, except where Go Triangle and NC DOT would be required to negotiate or otherwise become adverse to each other. That is, the Firm could continue to represent Go Triangle and NCDOT on all matters except any matter in which Go Triangle and NCDOT are directly negotiating or litigating with each other. For example, if NCDOT elected to engage Go Triangle to be the commuter service provider on any of the lines that NCDOT may acquire, the Firm would not be allowed to represent either party in the negotiation of that arrangement but the Firm would not be precluded from representing and advising NCDOT and Go Triangle on any other matters.

By signing this letter, GoTriangle acknowledges that the Firm represents and advises [North Carolina Department of Transportation] on certain matters related to negotiation with freight railroads and Amtrak and to implementation of improved freight and passenger services in the State. GoTriangle confirms that it waives any conflict or any appearance of conflict that may arise as a result of the Firm's representation of NCDOT. Notwithstanding the foregoing, this waiver does not apply to any issue or matter that involves a negotiation or other dispute between GoTriangle and NCDOT, and GoTriangle and the Firm hereby agree that the Firm's lawyers will not represent either GoTriangle or NCDOT in any such matter.

Thomas Henry
November 30, 2021
Page 3

Please indicate your consent to this arrangement by signing in the space provided below and returning one original of this letter to me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles A. Spitulnik", with a long horizontal flourish extending to the right.

Charles A. Spitulnik

AGREED:

Sig Hutchinson
Board of Trustees Chair
GoTriangle



GENERAL COUNSEL WORK PLAN FOR T. BYRON SMITH

JANUARY 2022

1. MAIN PURPOSE OF THE JOB

As General Counsel, this position is responsible for all legal proceedings and affairs of the Authority and shall have general supervisory professional responsibility for all the Authority's legal affairs as delegated by the Authority and have all the power and authority delegated in accordance with the law.

- **PROVIDE SUPPORT AND ADVICE TO THE BOARD OF TRUSTEES**

Assist and support Board of Trustees for Board meetings, committees and legal issues as they arise. Provide written and verbal advice and counsel to the Authority on all legal matters, researching law and facts as necessary, and reviewing agency operations and activities.

Goal: Respond to Board inquiries in a timely manner with as much information as possible.

- **PROVIDE SUPPORT AND ADVICE TO THE GoTRIANGLE PRESIDENT/CEO AND GoTRIANGLE STAFF.**

Provide written and verbal advice and counsel to the President/CEO and his Executive Staff on all legal matters, researching law and facts as necessary, and reviewing agency operations and activities.

Goal: Ongoing Activity

- **CONTRACTS.**

- a. Draft, review and negotiate contracts and agreements between GoTriangle and various federal, State and local governmental agencies and private organizations for Go Triangle projects, operations, and responsibilities' particularly those contracts necessary to support the **RALEIGH UNION STATION BUS TRANSIT CENTER PROJECT** and the **Greater Triangle Commuter Rail Project**.

Goal: Ensure that all contracts meet state and federal requirements and conform to legal form and sufficiency.

- b. Manage outside counsel and Identify issues that require outside counsel.

Goal: Manage quality of work and expenses.

- **Procurement**

Review solicitation to ensure that the solicitation specifications are clear and unambiguous.

Goal: Mitigate against bid protest



- **Agency Policies Review**

Draft and review agency rules, regulations, policies, and legislative proposals; review proposed legislation for impact on GoTriangle.

Goal: Assist with identifying obsolete policies and updating such policies.

- **Public Relations**

- a. Respond to citizen inquiries on a variety of matters, conducting necessary research, and preparing written responses. Provide advice on requests for public information.
- b. Establish a stakeholder engagement plan, list of stakeholders for the agency and specific to individual projects. Assist and advise the president and CEO on key partnership issues. Develop and maintain relationships with elected officials, advocacy organizations and community partners.

- **Personnel Matters**

- a. Supervise General Counsel Personnel, including providing guidance on legal matters and strategy in litigation and negotiations.
- b. Advise GoTriangle on personnel matters, including hiring, disciplining and assuring compliance with GoTriangle policy and procedures and state and federal employment law.
- C. Ethics/training: Advise GoTriangle board and staff on ethical issues and opinions. Will provide feedback and support on other workplace employee issues that may arise. Will work with Talent Services to schedule additional trainings as necessary.



**BOARD OF TRUSTEES
OPERATIONS & FINANCE COMMITTEE
MEETING MINUTES | DRAFT**

4600 Emperor Boulevard
Suite 100
Durham, NC 27703

Thursday, January 6, 2022

8:30 a.m.

Remote | Microsoft Teams

Committee members present | Corey Branch, Sig Hutchinson, Renée Price, Stelfanie Williams

Committee members absent | Valerie Jordan, Jennifer Robinson

Other board members present | Will Allen

Committee Chair Renée Price officially called the meeting to order at 8:30 a.m. A quorum was present.

I. Adoption of Agenda

II. Approval of Minutes

Action: A motion was made by Branch and seconded by Hutchinson to adopt the agenda and approve the minutes of December 2, 2021. Upon vote by roll call, the motion was carried unanimously.

III. Authorization to Execute Contract to Construct Bus Stops

Willie Reid's presentation is attached and hereby made a part of these minutes. He requested authorization for the President/CEO to award and execute a contract with Whitley Contracting Inc. for construction, installation of bus stop amenities and other improvements at 14 GoDurham and one GoTriangle bus stop locations for \$296,985. He also requested an additional \$29,700 in the project budget for contingency.

Reid shared a history of GoTriangle's relationship with the City of Durham and stated that GoTriangle completed 47 bus stop improvement projects in 2021, 33 of those for GoDurham. He added that since 2019, and including this request, DBE contractors have completed 87% of the bus stop improvement contracts.

8:36 GoTriangle really has tried to concentrate on its partnership with DBEs. Two years ago opportunity for contractors to complete seven of 8 construction pkgs. This contract will increase the percent of work completed by DBEs from 83% to 87%, with 20.6% awarded to black DBE firms and 66.8% awarded to white female DBE firms.

Reid then shared strategies staff is using to improve DBE participation:

- Communication | conduct post-bid follow-up meetings to identify and implement creative methods and promising practices
- Contractor training | provide support and training in estimating, scheduling and bid package preparation
- Information | continue conducting Minority Business Conferences
- Marketing | promote opportunities on social media and websites and participate in the North Carolina Construction Conference

- Procurement | provide smaller, more frequent bid packages and furnish bid tabulations

Branch asked if the proposed budget includes right-of-way acquisition costs. Reid responded yes, although for this group the right-of-way has been acquired already.

Hutchinson asked about bicycle and pedestrian connectivity to bus stops. Eric Simpson said that the stops are connected to the nearest sidewalk or ramps and in many cases are improved if not up to standard.

Price asked why some black contractors are not able to provide lower bids. Rick Major replied that the team is very focused on that and in post-bid calls learned that labor shortages, supply chain issues and material costs are impacting bids.

Action: A motion was made by Williams and seconded by Branch to recommend that the Board of Trustees authorize the President/CEO to award and execute a contract with Whitley Contracting Inc., for construction, installation of bus stop amenities, and other related bus stop improvements at fourteen (14) GoDurham bus stop locations and one GoTriangle bus stop location in the amount of \$296,985, plus an additional \$29,700 for project contingency. Upon vote by roll call, the motion was carried unanimously.

IV. **FY2022 Q3 Orange Transit Work Plan & Budget Amendment**

Steven Schlossberg's presentation is attached and hereby made a part of these minutes. He stated that the two work plan amendments were submitted by the Town of Carrboro

- **South Greensboro Street Sidewalk project** - Cost increase since first adopted in FY2018 transit work plan. The additional local funding of \$135,000 will be used as the local share to leverage anticipated additional funding.
- **NC 54 Pedestrian Signal project** - Funds are for local match for federal grant. The project includes three existing high ridership Chapel Hill Transit stops along NC 54, which were identified in the Bicycle Corridor Safety Study in 2019. This project will enhance safe access to existing stops and facilitate north-south pedestrian crossings. Additionally, these connections will improve access to future phases of the Morgan Creek Greenway in Carrboro and Chapel Hill and provide a safe way for residents living south of NC 54 to connect to the downtown areas. Project funding is programmed in future years of the transit plan and if approved will not increase the total Orange Transit Plan.

The Orange staff working group recommended approval of these amendments, which have a total impact of \$285,000 in FY2022, but only \$135,000 to the plan as a whole.

Action: A motion was made by Branch and seconded by Hutchinson to recommend that the Board of Trustees approve the FY2022 Q3 Orange Transit Work Plan and budget ordinance amendments. Upon vote by roll call, the motion was carried unanimously.

V. Kaplan Kirsch & Rockwell Contract

Thomas Henry explained that GoTriangle has a contract with Kaplan Kirsch & Rockwell to provide legal services related to the commuter rail project and KKR is concurrently representing NCDOT on its planned acquisition of CSX's S-line. KKR notified GoTriangle and NCDOT about this potential conflict, or perception of conflict, and is requesting that both clients acknowledge and waive the potential conflict. NCDOT has agreed to waive the conflict. GoTriangle staff recommends that GoTriangle sign the waiver. Henry added that this waiver would not include future potential matters where GoTriangle and NCDOT were directly negotiating or litigating against each other. He also said that GoTriangle could reconsider its legal representation at any point.

Action: A motion was made by Hutchinson and seconded by Branch to recommend that the Board of Trustees authorize the Chair to sign a letter waiving any conflict of interest related to Kaplan Kirsch & Rockwell's ongoing representation of GoTriangle and NCDOT. Upon vote by roll call, the motion was carried unanimously.

VI. Adjournment

Action: Chair Price adjourned the meeting at 9:03 a.m.

Prepared by:

Michelle C. Dawson, CMC
Clerk to the Board of Trustees

Contract Work Orders – December 2021 (< \$100K)

Contract #	Contractor (or subject if no contractor listed)	Contract Amount	Subject	Comments	Date Executed
21-100	CoVerified	\$5,800	Master Services Agreement	CoVerified License Agreement to track and manage vaccine testing results. The initial implementation cost is \$1,000 and the recurring monthly cost is \$800. The term shall be from effective date and shall continue until either party terminates.	12/06/2021
18-041C	A1 Consulting Group, Inc.	\$44,950	Task Order No. 5	This agreement provides for Task Order No. 5 with A1- Consulting Group, Inc.; a Geotechnical and Environmental firm to assist with providing an asbestos report for the existing buildings located at the RUS Bus project site. The compensation shall be \$44,950.00 with a not to exceed amount of \$50,000.00. All tasks are to be completed no later than Dec 15, 2021	12/10/2021
21-103	Canon Solutions America, Inc.	\$18,533.16	Canon Printer Upgrade	This Contract provides for the Printer Upgrade in Suite 101 with Canon. The lease agreement term is for 36 months with a cost of \$18,533.16.	12/21/2021
19-088	CAMPO	\$0	Amendment No. 3 Special Operating Agreement	This Amendment No.3 to Special Operating Agreement is made by and between Research Triangle Regional Public Transportation Authority, d/b/a GoTriangle and the Capital Area Metropolitan Planning Organization ("CAMPO").	12/21/2021
18-023	CAMPO and Town of Cary	\$0	Amendment No. 3 Special Capital Funding Agreement	This Amendment No. 3 to Special Capital Funding Agreement is made by and between Research Triangle Regional Public Transportation Authority, d/b/a GoTriangle the Town of Cary and the Capital Area Metropolitan Planning Organization ("CAMPO").	12/23/2021
17-043	CAMPO and Town of Cary	\$0	Amendment No. 2 General Capital Agreement for Bus Infrastructure	This Amendment No. 2 to General Capital Agreement for Bus Infrastructure is made by and between Research Triangle Regional Public Transportation Authority, d/b/a GoTriangle the Town of Cary and the Capital Area Metropolitan Planning Organization ("CAMPO").	12/28/2021
18-041B	MBP Carolinas, Inc.	\$60,600	Task Order No. 8 Agreement: Construction Management Manual	This Task Order No. 8 Agreement provides for the Construction Management Manual, that will promote consistent management and administration of construction contracts by engineers, construction managers and inspectors on GoTriangle managed projects. The amount shall not exceed \$60,600.00. GoTriangle forecasts performance of this work: Dec 2021 - Jun 2022.	12/28/2021

HR Board Report – January 2022

NEW HIRES

Erika Faucette – Talent Acquisition Coordinator

Robert Hayes – Wake Transit Strategic Communications Coordinator

PROMOTIONS

Anna Putney, Bus Operator II to Bus Operator III

Terri Strozier, Bus Operator I to Bus Operator II

SERVICE AWARDS

Brian Fahey – 20 Years

RECRUITING

Bus Operator I

Compliance Specialist – EEO/DBE/Title VI

Diesel Mechanic

Human Resources Business Partner

Manager of Transit Design & Construction

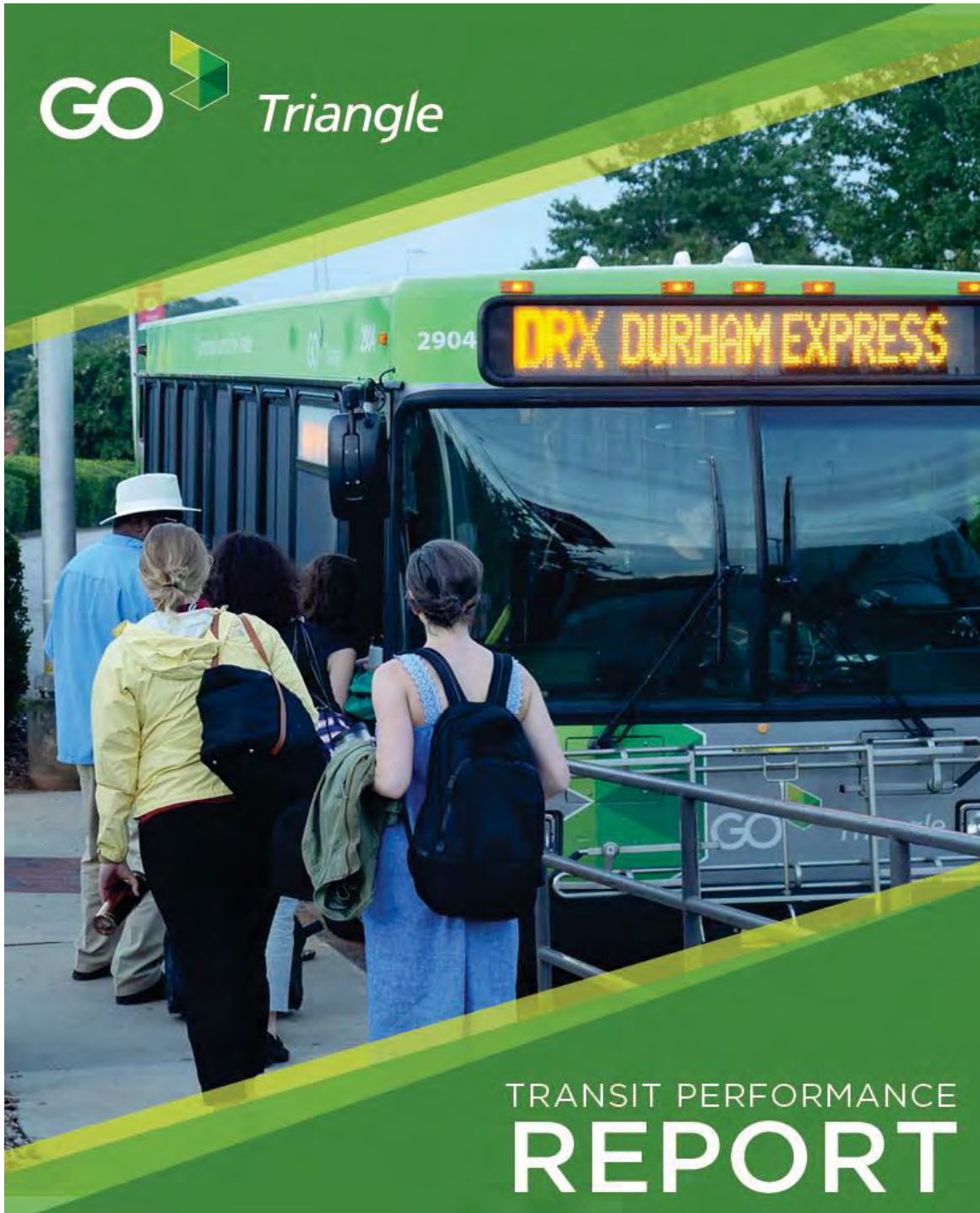
Paratransit Operator I

Public Engagement Specialist

Senior Customer Information Specialist - Bilingual Spanish

Senior Financial Analyst

Service Attendant



December
2021

TRANSIT PERFORMANCE
REPORT



Fixed Route

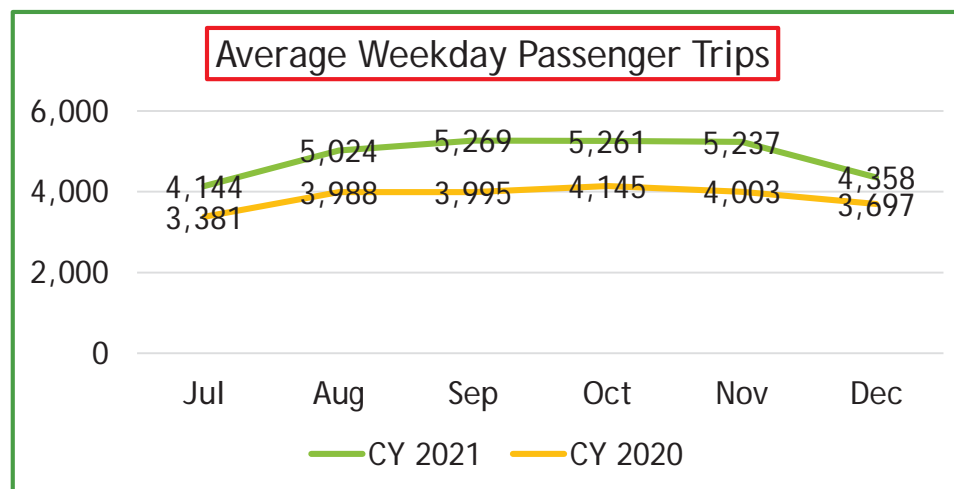
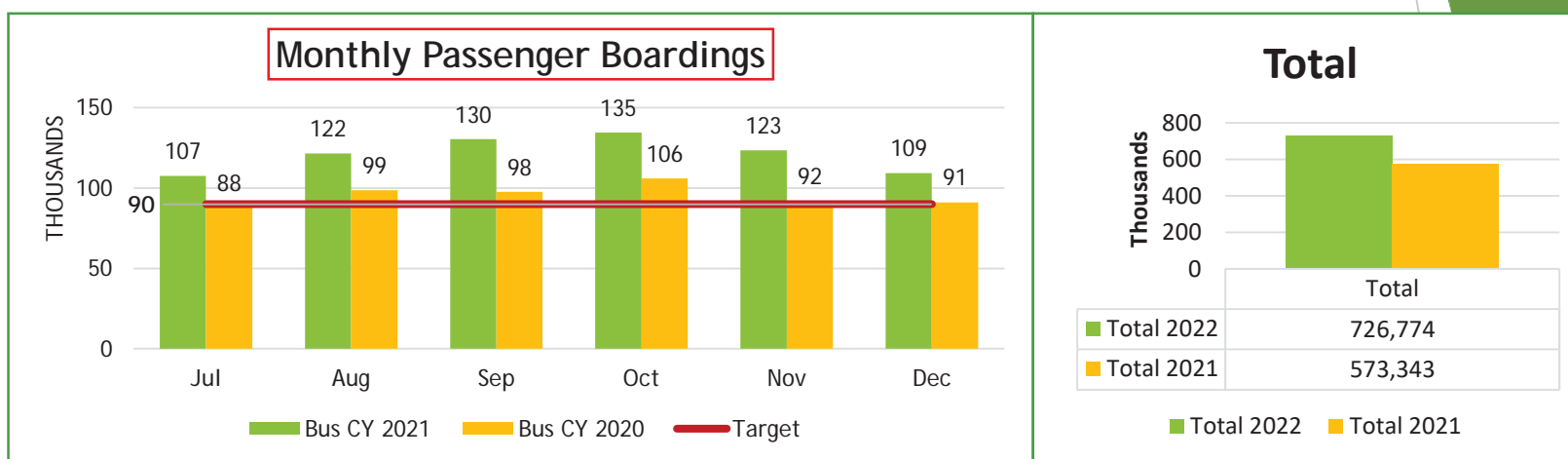
Consists of vehicles operating
along a defined route on a
consistent schedule

Fixed Route Year-to-Year Summary

	YTD 2022	YTD 2021	Dec 2021	Dec 2020
Passenger Boardings	726,774	573,343	109,383	91,159
Passengers/Revenue Hour	12.8	7.6	12.0	8.2
On-Time Performance	85.4%	92.7%	0.0%	89.6%
Total Mechanical Failures	99	167	15	15
Mean Distance Between Failures	55,677	45,301	69,896	83,579
Bus Total Miles	1,169,214	1,630,838	209,688	250,737
Collisions per 100,000 Revenue Miles	0.84	0.47	0.00	1.01
Verified Complaints per 100,000 Passengers	1.7	1.2	0.0	1.1

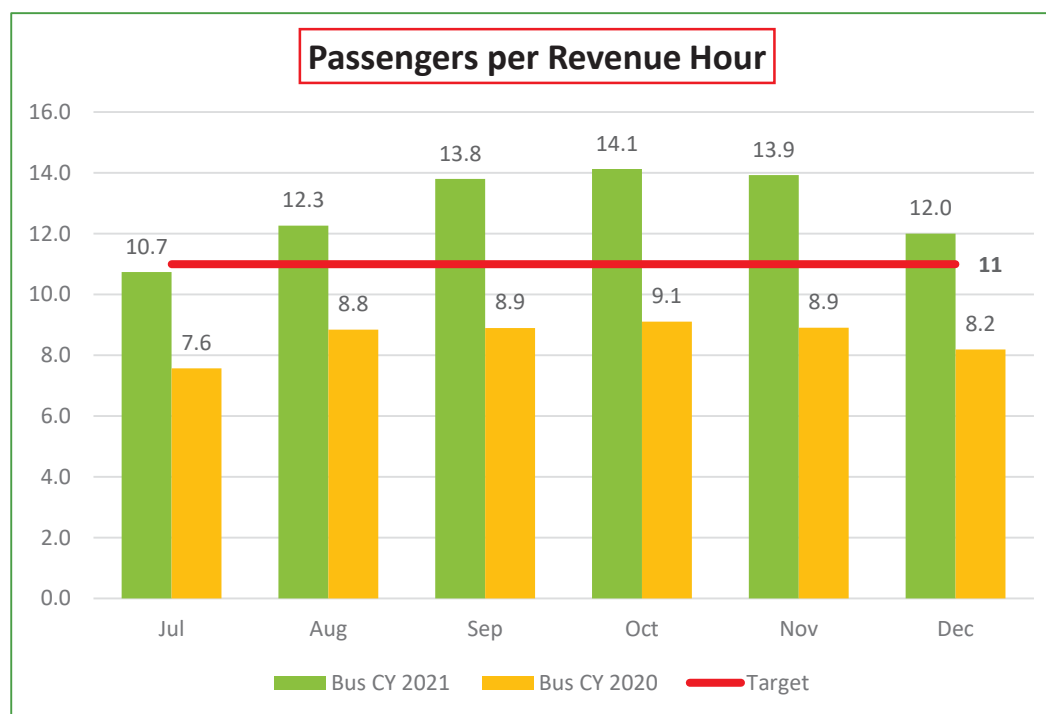
Passenger Boardings

- ▶ Defined as the number of times passengers board public transportation vehicles
- ▶ All years shown are the fiscal year of the latest month



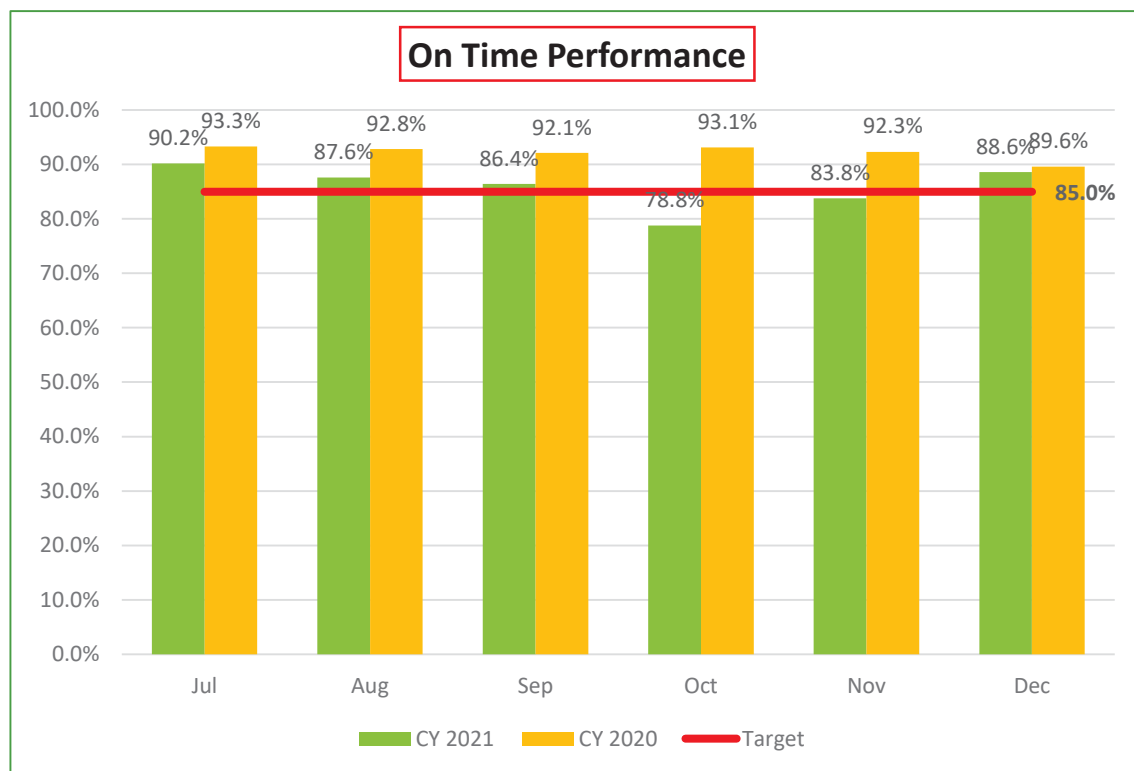
Passengers per Revenue Hour

Measures total fixed route bus ridership, divided by total fixed route bus revenue service hours



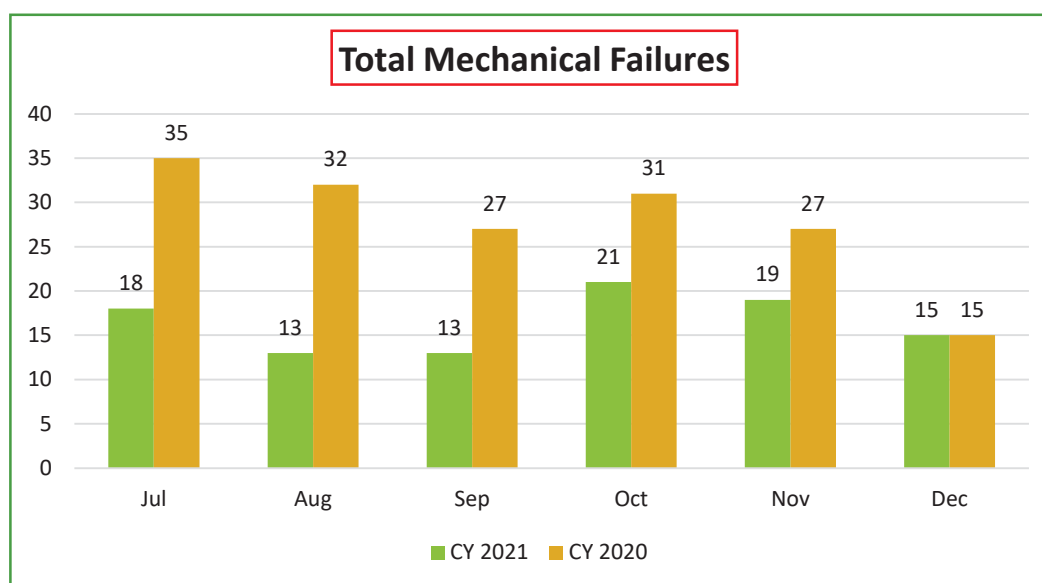
On-Time Performance

Measures on-time performance of fixed route bus service. On-time is defined as bus arrival at the stop between one minute early and five minutes late.



Mechanical Failures

Measures the total number of mechanical failures, major and other, of the bus fleet.

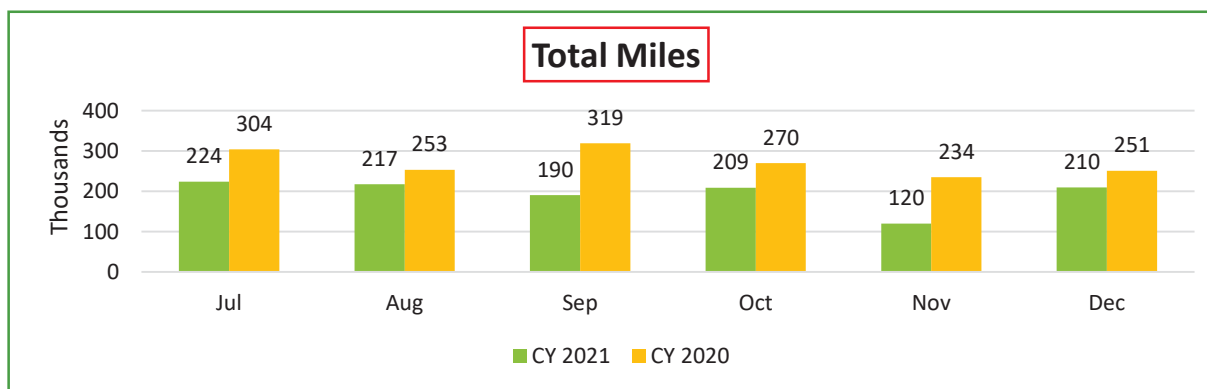
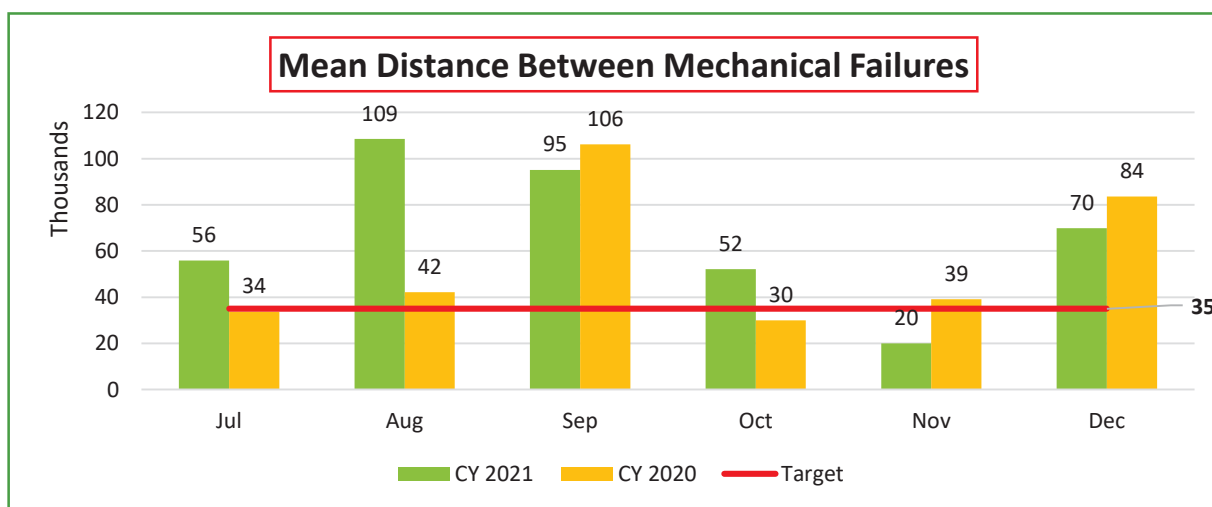


CY 2021						
	Jul	Aug	Sep	Oct	Nov	Dec
Major	4	2	2	4	6	3
Other	14	11	11	17	13	12
Total	18	13	13	21	19	15

CY 2020						
	Jul	Aug	Sep	Oct	Nov	Dec
Major	9	6	3	9	6	3
Other	26	26	24	22	21	12
Total	35	32	27	31	27	15

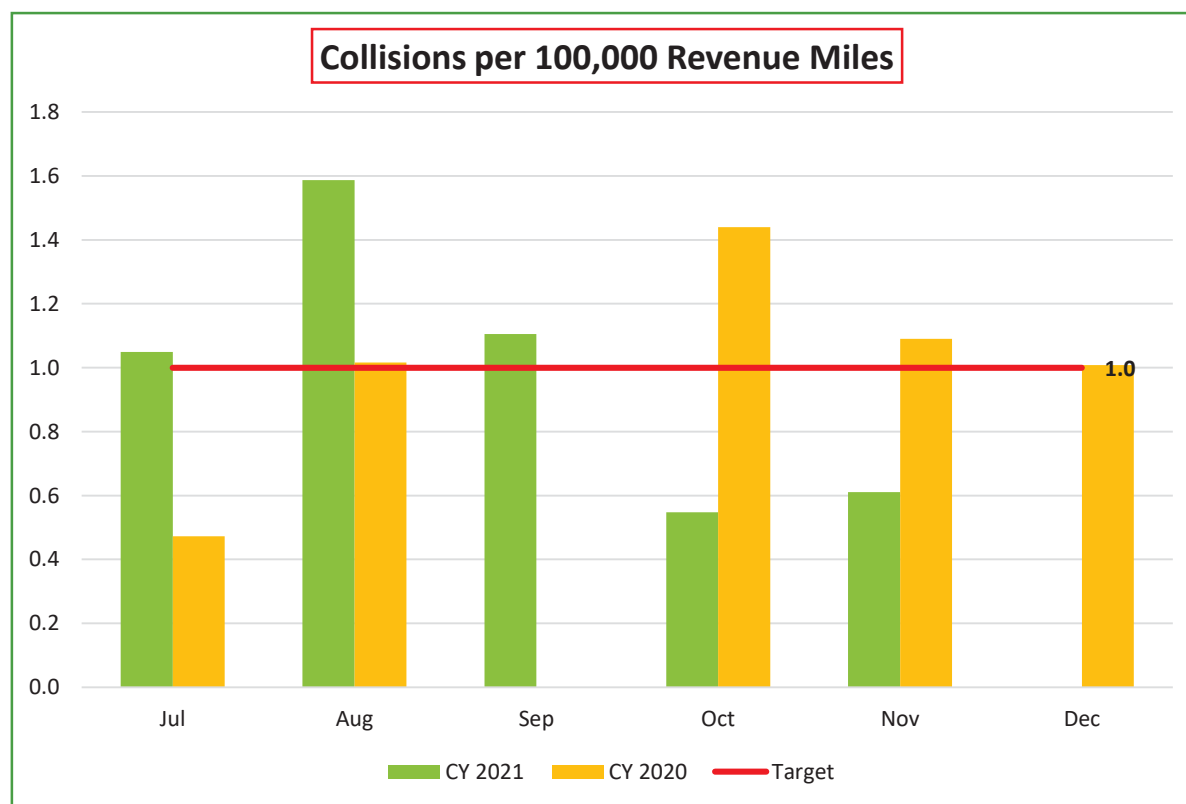
Mean Distance Between Failures

Measures the miles between major mechanical failures on the fixed route fleet (Note: Higher Bus Mean Distance Between Failures is better.)



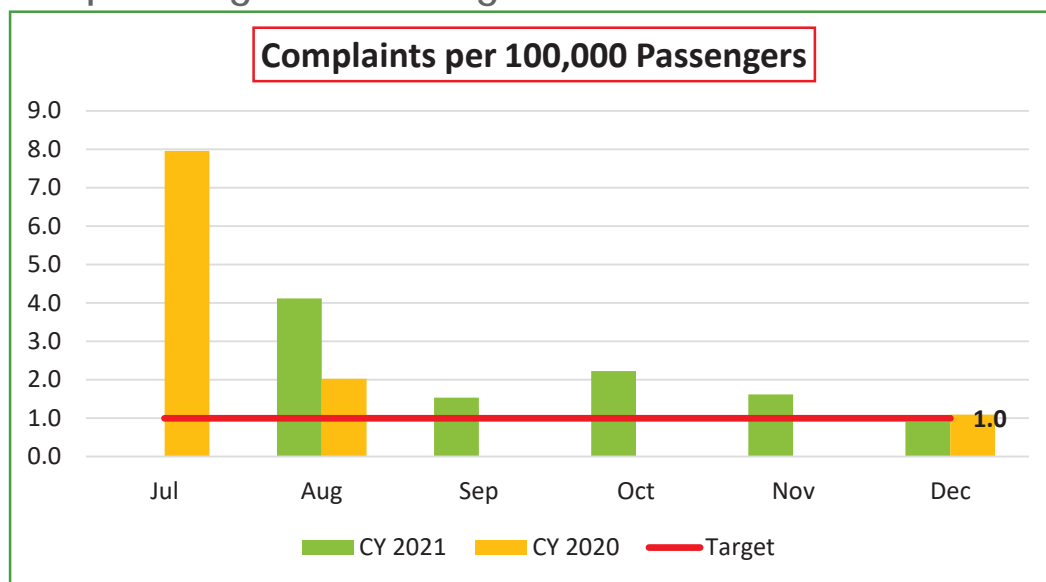
Collisions per 100,000 Revenue Miles

Measures the number of preventable collisions involving bus service per 100,000 miles.



Customer Satisfaction

Measures verified customer complaints about bus service per 100,000 bus passenger boardings.





Paratransit

ADA service where passengers request trips and vehicles respond to the request.

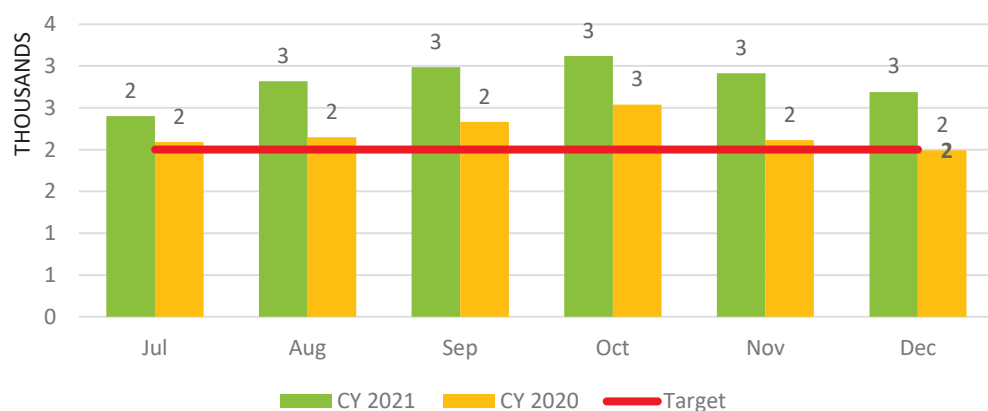
Paratransit Year-to-Year Summary

	Dec 2021	Dec 2020	YTD 2022	YTD 2021
Passenger Boardings	2,689	1,990	16,924	13,211
Passengers/Revenue Hour	1.9	2.1	2.1	2.2
On-Time Performance	90.9%	94.2%	88.5%	93.7%
Total Mechanical Failures	0	0	1	0
Mean Distance Between Failures	No failures	No failures	No failures	No failures
ACCESS Total Miles	46,068	38,628	267,696	280,257
Collisions per 10,000 Revenue Miles	0.0	0.0	0.0	0.00
Verified Complaints per 10,000 Passengers	0.0	0.0	0.0	0.00

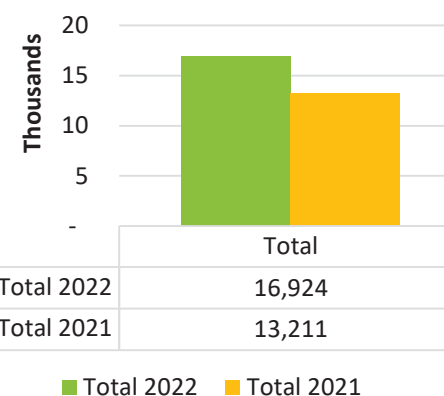
Passenger Boardings

Defined as the number of times passengers board public transportation vehicles

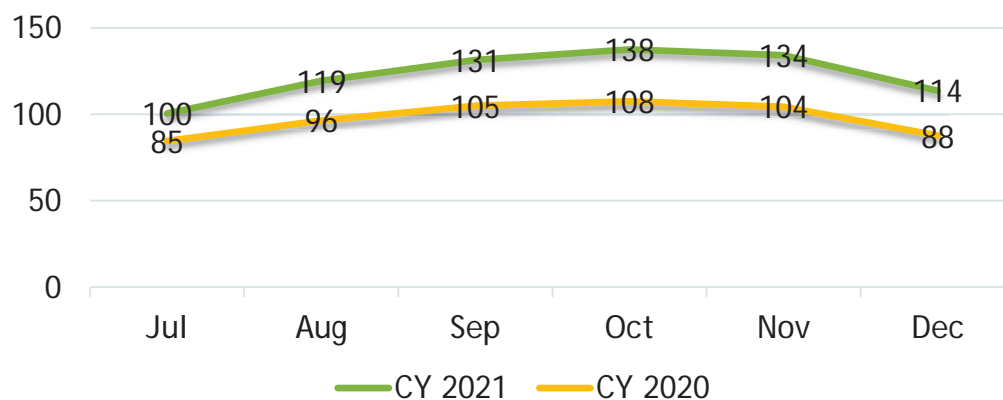
Monthly Passenger Boardings



Total

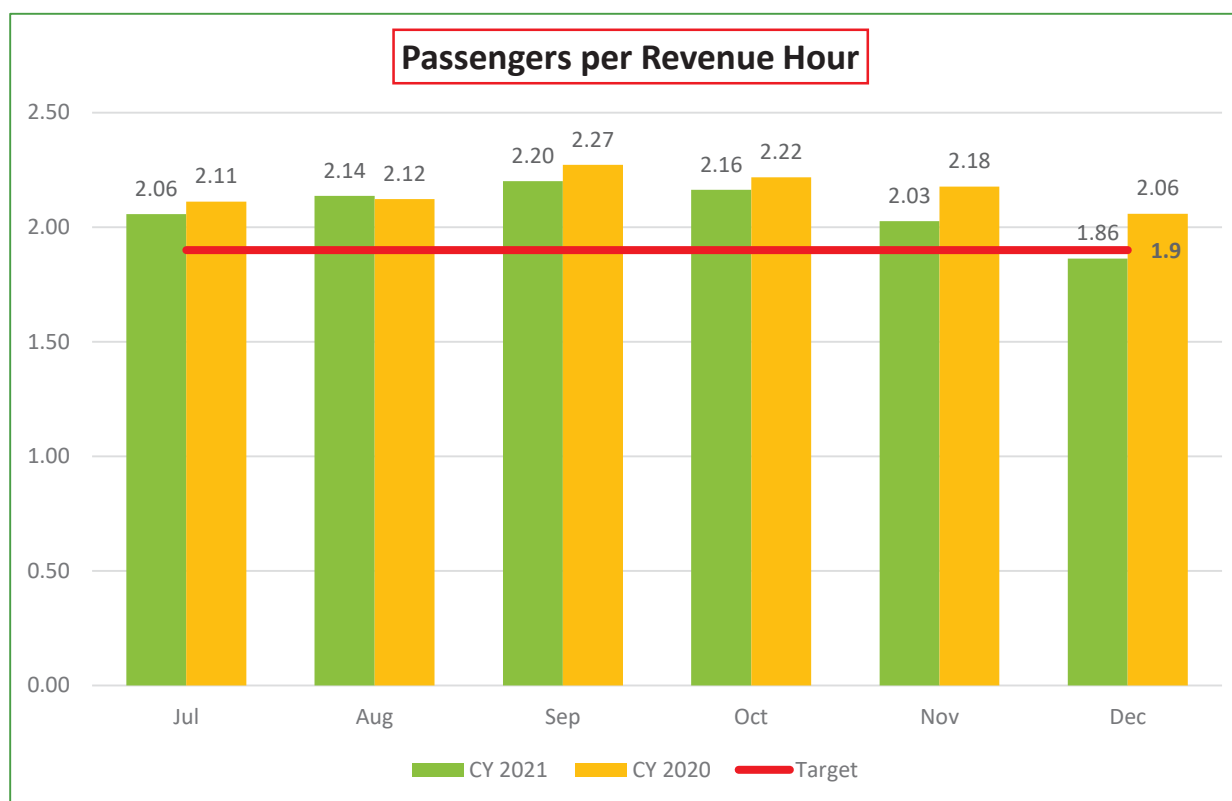


Average Weekday Passenger Trips



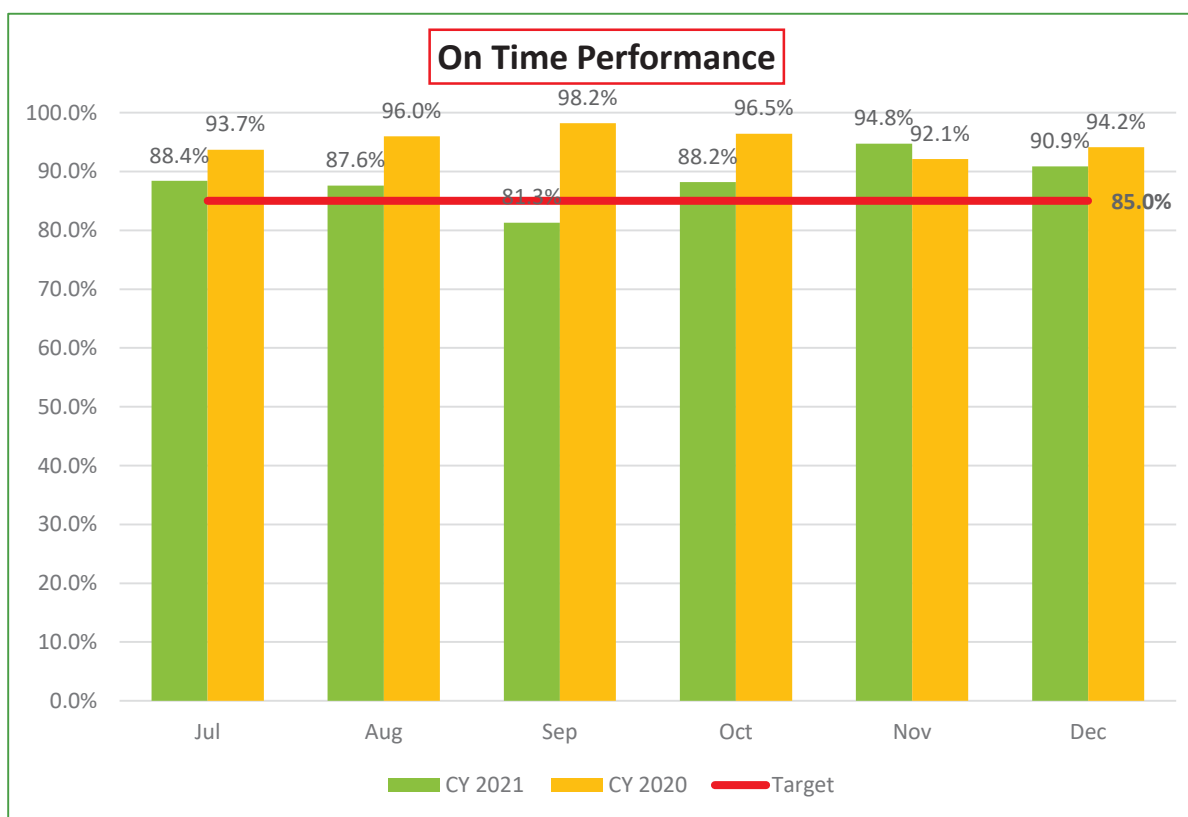
Passengers per Revenue Hour

Measures total ridership, divided by total service hours.



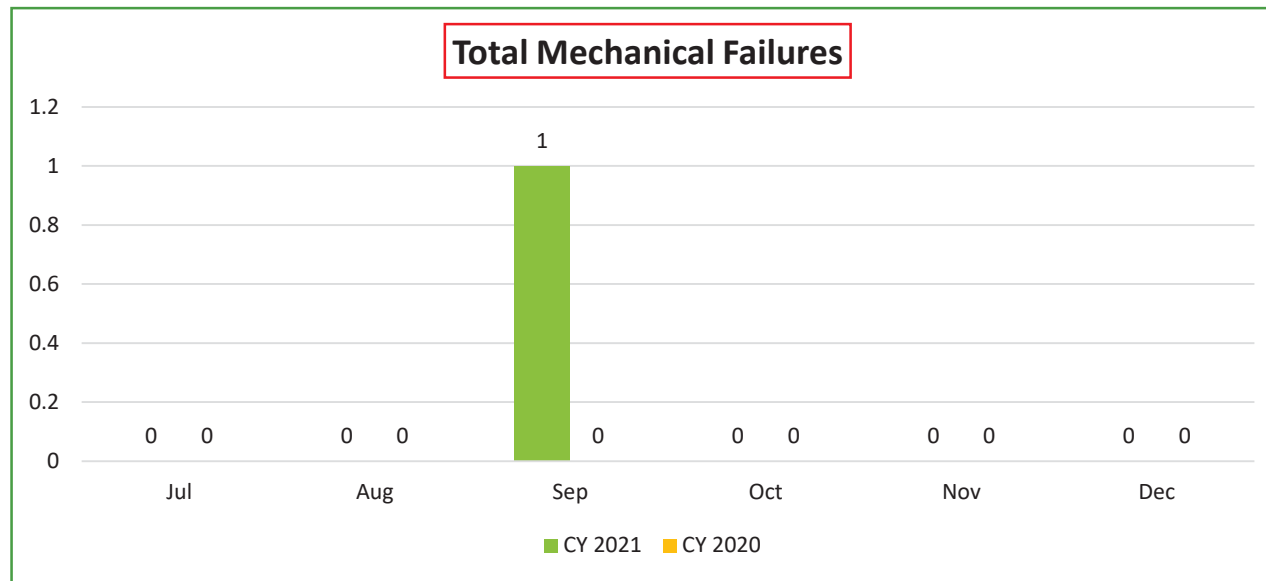
On-Time Performance

Define as being picked up within 30 minutes of requested pickup time.



Mechanical Failures

Measures the total number of mechanical failures, major and other, of the paratransit fleet.

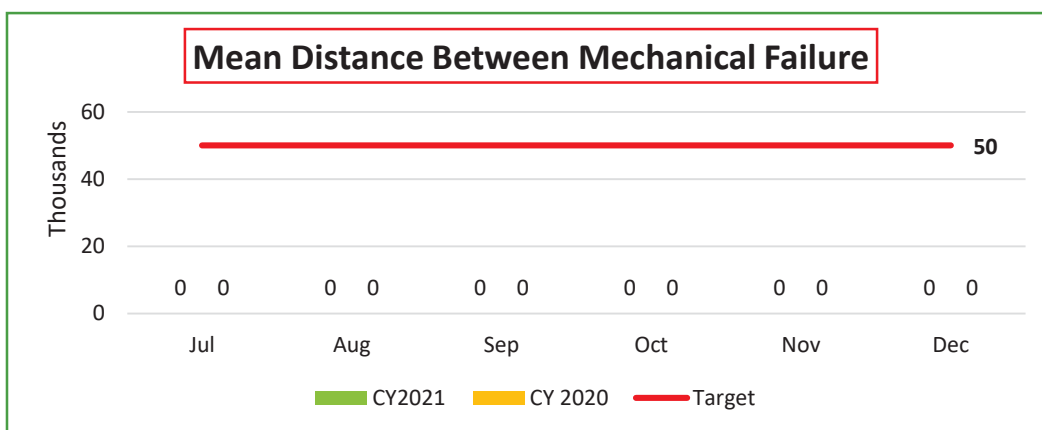


CY 2021						
	Jul	Aug	Sep	Oct	Nov	Dec
Major	0	0	0	0	0	0
Other	0	0	1	0	0	0
Total	0	0	0	0	0	0

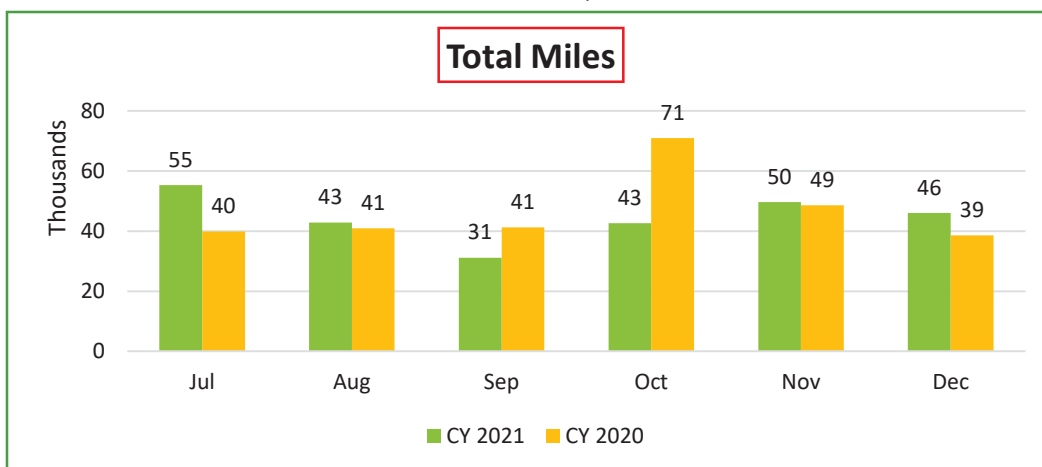
CY 2020						
	Jul	Aug	Sep	Oct	Nov	Dec
Major	0	0	0	0	0	0
Other	0	0	0	0	0	0
Total	0	0	0	0	0	0

Mean Distance Between Failures

Measures the miles between major mechanical failures on the Paratransit fleet. (Note: Higher Mean Distance Between Failures is better.)

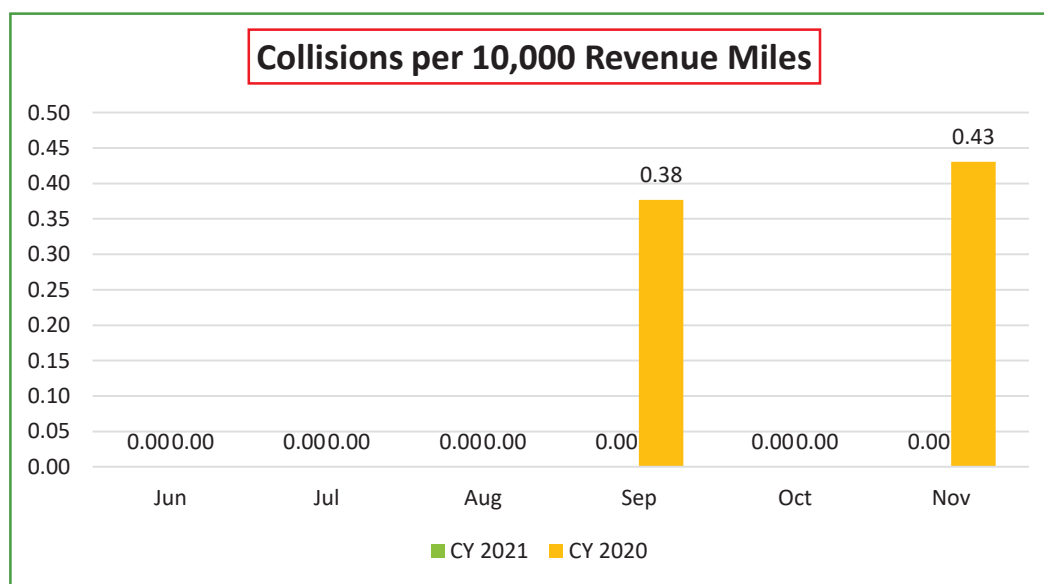


(0 indicates no mechanical failures for the month. There were no failures for November.)



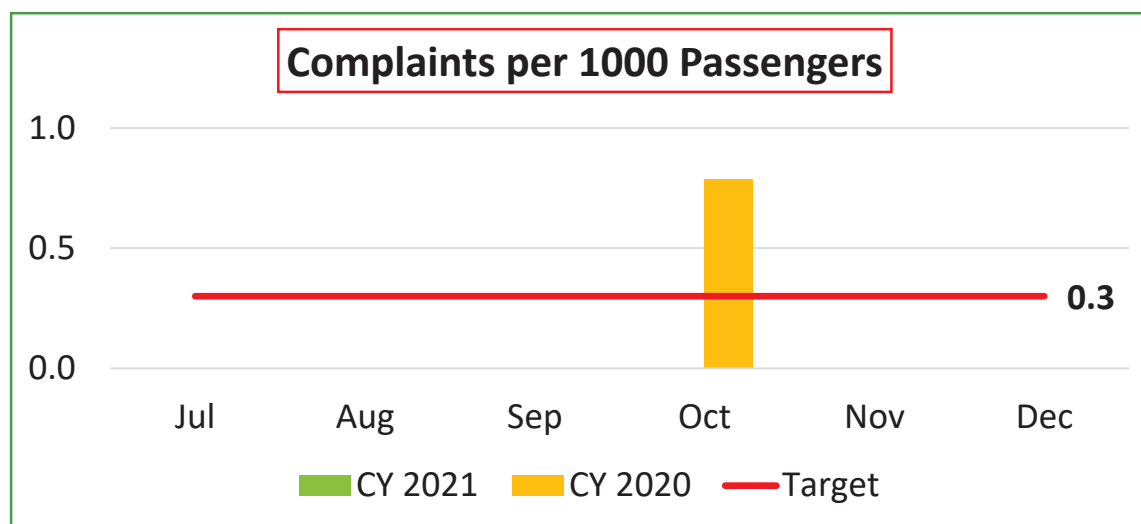
Collisions per 10,000 Revenue Miles

Measures the number of preventable collisions involving paratransit service per 10,000 miles.



Customer Satisfaction

Measures verified customer complaints about paratransit service per 1,000 passenger boardings.



MEMORANDUM

TO: GoTriangle Board of Trustees [or Committee]
FROM: Planning and Capital Development
DATE: January 20, 2022
SUBJECT: Capital Projects Status Report

Strategic Objective or Initiative Supported

2.4 Ensure an attractive and accessible transit environment

Action Requested

None

Background and Purpose

The Wake, Durham, and Orange transit plans and the GoTriangle Capital Improvement Program include funds to support planning, development, and delivery of transit capital infrastructure projects ranging from bus stop amenities to commuter rail infrastructure. This report includes a brief snapshot of the status, upcoming activities, and notable risks to on-time/on-budget delivery for active capital projects. The report is organized into the following sections:

- Bus Passenger Facilities
- Bus Operations and Maintenance Facilities
- Rail Transit Infrastructure Development

This report is updated monthly. New/updated information from the previous month's report is shown in underlined green text.

Financial Impact

None

Attachments

- None

Staff Contact(s)

- Katharine Eggleston, 919-485-7564, keggleston@gotriangle.org

Bus Passenger Facilities

Projects Under Construction

Bus Stop Improvements in Durham County (various)

Description – This project includes site selection, design, and construction of passenger amenities at GoDurham and GoTriangle bus stops in Durham County. The current pipeline of funding provides for construction of 50-75 stops per year.

Status – Since the start of FY20, GoTriangle has completed construction of improvements at 57 stops, and is proceeding with design, permitting, and construction of an additional [96](#). Feasibility analysis for prioritization is underway for a further [41](#) candidate locations, [with candidate locations being evaluated on a rolling basis.](#)

Upcoming Activities – Prioritization, design, plan approval, right-of-way acquisition, and construction activities will continue. Staff is evaluating opportunities for further process streamlining to accelerate delivery.

Bus Stop Improvements In Wake County (various)

Description – The Wake Transit Plan includes funding for improvements at existing and new GoTriangle bus stops throughout Wake County. GoTriangle has also secured supplemental federal funding through CAMPO's Locally Administered Projects Program for this project.

Status – In Wake County, since the start of FY20, GoTriangle has completed construction of improvements at 9 stops, and is proceeding with design, permitting, and construction of an additional 18. Feasibility analysis and environmental review is underway for a further 37 candidate locations.

Upcoming Activities – Prioritization, design, plan approval, right-of-way acquisition, and construction activities will continue. Staff is evaluating opportunities for further process streamlining to accelerate delivery.

Projects in Design

Patterson Place Improvements (18GOT_CD4)

Description – Nearly 200 riders per day board buses at the existing transfer point and park-and-ride served by GoTriangle route 400 and GoDurham routes 10 and 10A. This project includes new and additional concrete shelter pads and shelters at Witherspoon Boulevard and McFarland Drive. Improvements include: landscaping, curb-radius improvement to allow buses to turn right from southbound Witherspoon Boulevard onto westbound McFarland Drive to reduce bus travel time and serve additional future park-and-ride spaces.

Status – Signed plans have been obtained from the City of Durham. Easement exhibits [have been prepared and real estate acquisition activities are imminent. Staff is preparing the construction bid package.](#)

Upcoming Activities – GoTriangle will [complete](#) necessary right-of-way acquisition activities and schedule the project for construction.

Hillsborough Park-and-Ride (18GOT_CD8)

Description – This project includes site selection, real estate acquisition, design, and construction of a permanent park-and-ride for GoTriangle route ODX in Hillsborough. Park-and-ride utilization at the current leased lot for the ODX in Hillsborough is approximately 15 spaces per day. The original plan for the new lot included 35-50 spaces across two parcels of land; right-of-way for the full facility was acquired, however due to increased construction cost estimates, the scope was reduced to 31 spaces to allow for some growth in utilization while deferring full build-out to a future phase.



Status – Staff and outside counsel have identified the need for additional real estate agreements related to use of property that had previously been identified as an existing undeveloped right-of-way within the site. [Orange county staff has concurred with GoTriangle’s procedural steps to resolve.](#) The design is currently awaiting to advance through the plan approval process with Orange County once the property issue resolution is complete. The Real Estate consultant is preparing for acquisition of necessary easements and resolution of property issues with the undeveloped right-of-way.

Upcoming Activities – [The design consultant is preparing to develop necessary property acquisition exhibits and update site design to align with real estate modifications.](#)

Schedule Risks – As noted above, a need for additional real estate agreements was identified during site plan review. Coordination with Orange County to resolve this is ongoing. The schedule for plan approval and turnover of the project to Orange County for construction is dependent on resolution of the real estate issue.

GoTriangle Bus Stop Improvements in Orange County (18GOT CD12)

Description – This project includes site selection, design, and construction of passenger amenities at up to 10 bus stops in the GoTriangle system within Orange County.

Status – Designs for four stops are complete and have been turned over to Orange County for construction, which is now underway. Design of an additional six stops is under review by Town of Chapel Hill, UNC and NCDOT.

Upcoming Activities – Orange County will complete construction on the initial group of four. GoTriangle expects to complete design and permitting for [at least four of](#) the additional six stops in the coming months.

Park-and-Ride Improvements in Wake County (Short-Term) (TC002-K)

Description – The Wake Transit Plan includes funding for short-term improvements to existing park-and-ride locations, in anticipation of more substantive investments that may be identified through the park-and-ride feasibility study.

Status – Permitting of the Bent Tree Plaza Park and Ride is underway; table top review [is complete and formal site plan submittal to the City is imminent.](#)

Upcoming Activities – Formal plan [approval by](#) City of Raleigh for the Bent Tree location is anticipated in the coming months; [following plan approval real estate activities will commence.](#)

Raleigh Union Station Bus Facility (TC002-A)

Description – This project includes publicly-funded design and construction of an eight-bay off-street bus facility and related transit access improvements adjacent to Raleigh Union Station in downtown Raleigh, in conjunction with a privately-funded mixed-use development above the bus facility. The project was awarded a \$20 million BUILD grant from the US Department of Transportation (USDOT).

Status – GoTriangle and the preferred developer are progressing in the Interim Design/Administrative Site Review process. The initial ASR package was submitted to the City on August 2, the second package was submitted on October 19. The NEPA/Section 106 process is complete. The developer agreements are progressing and are [nearing completion.](#) Coordination with FTA, City of Raleigh, SHPO, NCDOT and other stakeholders is ongoing to confirm third-party requirements affecting the project definition.

[GoTriangle is preparing a white paper to submit to FTA describing proposed modifications to the grant scope, schedule, and budget breakdown.](#) Monthly federal oversight meetings are continuing with the PMOC assigned to the project, and the first quarterly meeting with FTA was held on November 1, 2021. [A draft Environmental Management Plan is under review by NCDEQ and a brownfields agreement is being developed.](#) [Weekly preconstruction meetings are ongoing with the developer team.](#) [Documentation for Phase 1 construction is being developed to support two construction permits, for mass grading/erosion control and demolition.](#)

Upcoming Activities – Completion of the developer agreements, [design progression and additional submittals to the City of Raleigh](#), coordination activities, management meetings, and agreement negotiations will continue on the project. [Formal request for grant agreement](#) modification will be submitted to FTA. The project schedule and cost estimates continue to be evaluated and updated. [Phase 1 construction is scheduled to begin by April 2022.](#)

Schedule Risks – The structure of the delivery approach for the project is complex, and will require coordination and partnership with FTA region IV and headquarters staff to ensure grant requirements are appropriately met and documented as the contracting process with the development partner progresses. [Finalization](#) and execution of the development agreements are critical.

Cost Risks – Continued design advancement is critical to begin advancing design to obtain a more detailed basis to refine cost estimates and obtain a clear cost risk profile for the project. Key cost risk areas include unknown geotechnical conditions, joint development project structure and negotiations, design details, [and materials and labor price fluctuations.](#)

I-540 Bus On Shoulder (TC002-BC)

Description – This project will design, purchase, and install signage along the northwest leg of I-540 to facilitate Bus on Shoulder implementation. GoTriangle's NRX route would benefit by the ability to use the shoulder during times of heavy traffic.

Status – [Sign installation is underway.](#)

Upcoming Activities – [Project completion is anticipated this month.](#)

Priority Bus Stop Safety Improvements in Durham (21GOT CD02)

Description – This project provides funding for design and construction of improvements to GoTriangle bus stops serving a high volume of passengers located on high-speed NCDOT roadways. Improvements could include, but are not limited to, construction of bus stop ADA pads, shelters, benches, bus pullouts and appropriate tapers, sidewalk, curb and gutter, curb ramps, crosswalks, pedestrian median refuge islands, appropriate safety signage, pedestrian signal heads and complimentary traffic signal modifications, and other complimentary or supporting roadway modifications. An initial pilot location has been identified on NC 54 west of the I-40 interchange.

Status – [The GoTriangle board authorized the design task order in December.](#)

Upcoming Activities – Consultant will coordinate with NCDOT and GoTriangle and advance design.

Projects in the Planning Phase

Park-and-Ride Improvements in Wake County (Short-Term) (TC002-K)

Description – The Wake Transit Plan includes funding for short-term improvements to existing park-and-ride locations, in anticipation of more substantive investments that may be identified through the park-and-ride feasibility study. One such improvement is currently in the planning phase; this project includes signs, markings, and passenger amenities at a new/replacement leased park-and-ride for GoTriangle route WRX at a new location to be determined.

Status – A kickoff meeting for a study to identify a new location in Wake Forest was held November 19, 2021 and the study is underway. [A stakeholder meeting was held on January 13, 2022.](#)

Schedule Risks – The nature of short-term leased/licensed park-and-rides and associated property owner coordination contributes to obstacles for scoping and delivering improvements. Efficient and timely development of high-quality facilities for short-term use requires strong partnerships with host property owners.



Regional Transit Center Feasibility Study (TC002-N)

Description – The Regional Transit Center (RTC) is the primary hub for GoTriangle regional bus services connecting Wake, Durham, and Orange Counties. The current location of the RTC on Slater Road in Durham creates overlapping routes leading to inefficiency. This feasibility study is evaluating location options that improve route efficiency and improve passenger amenities.

Status – The consultant has initiated development of documentation necessary for FTA environmental review and the Wake Transit Concurrence process, and GoTriangle submitted grant application materials for the FTA 53399(b) program in November 2021. Property owner engagement is being scheduled.

GoTriangle staff is preparing for potential additional grant-seeking activities.

Upcoming Activities – GoTriangle and the consultant will continue to progress pre-design activities.

Schedule Risks – The primary risk to continued progress is securing funding to implement the project.

Wake Transit Long-Term Park-and-Ride Feasibility Study (TC002-O)

Description – This feasibility study will assess potential locations for park-and-ride facilities throughout Wake County. Many municipalities within the county have expressed a desire for a park and ride facility to meet the long-term needs of residents. While many communities currently lease space in existing lots, mainly within commercial developments, their locations lack amenities and proximity to major thoroughfares. This study will determine the best location for park-and-ride lots in the county.

Status – The base study is complete. Wake Forest park-and-ride study is ongoing as reported above.

Upcoming Activities – Consultant will finalize study documentation.

Mebane Park-and-Ride Relocation Study (18GOT_CD11)

Description – This feasibility study will assess potential new permanent locations for the Mebane park-and-ride. The current facilities is undersized for growing demand, and operates under a short-term agreement with Cone Health. This study will establish site parameters and evaluation criteria for a 150-200 space park and ride to be shared by GoTriangle, PART, and Orange County Public Transit; identify up to five candidate sites; screen sites and select preferred site and an alternate site; develop conceptual design for a preferred location and a possible alternate.

Status – Study activities are progressing; GoTriangle has received feedback from [three](#) stakeholder meetings. [Concept design for a potential preferred location is complete and under review by GoTriangle staff.](#)

Upcoming Activities – [Consultant will complete the cost estimate and study documentation.](#)

GoDurham Tactical Bus Stop Amenities (21GOT_DC03)

Description – Purchase and installation of seating, solar lighting, and real-time arrival signs at locations identified through customer requests and staff analysis of bus stops with existing conditions suitable for quick implementation.

Status – A pre-bid meeting was held on January 10 with two potential bidders present. Staff is preparing responses to vendor questions.

Upcoming Activities – [Completion of procurement activities is expected in the coming months.](#)

Cost Risks – Budget is approximately \$100,000 per fiscal year. Unit costs are assumed to be around \$15,000 to \$20,000 per sign location, which would either limit the number of installation or require additional funding.



Bus Operations and Maintenance Facilities

Projects in the Design Phase

Paratransit Office Space Upfit (TC002-J)

Description – This project will upfit office space and the parking lot at the Plaza building to facilitate moving Paratransit operations from the Nelson Road Facility.

Status – [Construction is underway with a 140-calendar-day period of performance ending June 23, 2022.](#)

Upcoming Activities – [GoTriangle staff will continue to monitor construction progress.](#)

Projects in the Planning Phase

Regional Fleet and Facilities Study (CD-21-19 A)

Description – This study includes three components: (1) assessing fleet and maintenance facility needs for GoDurham and developing a conceptual design for these needs, (2) assessing fleet and maintenance facility needs for GoTriangle and developing a conceptual design for these needs, and (3) planning for potential regional electric bus charging infrastructure and other potential shared operations and maintenance resources for GoTriangle and partners in the region. The scope of services includes planning, conceptual design, and cost estimating to assess needs for expansion of existing maintenance facility sites and evaluate up to four alternative sites for new facilities for GoDurham and GoTriangle. The Study will identify potential expansions and alternatives to current utilization of existing facilities that will improve cost-efficiency and provide responsive services.

Status – Data gathering and initial study activities are complete. Immersion workshops were held in October with GoTriangle and GoDurham staff. Expansion approaches for Fay Street and Nelson Road facilities are confirmed. Consultant is preparing programming documents for Nelson Road and Fay Street expansions.

Upcoming Activities – The consultant will progress scenario/program development for expanded fixed route facilities. Site search and programming for paratransit facility to be initiated by consultant.

Rail Transit Infrastructure Development

Greater Triangle Commuter Rail Study (19GOT CO2/20GOT CD1/TC004-A)

Description – The current phase of study is evaluating the potential for new commuter rail service in the North Carolina Railroad Company (NCRR) corridor in Durham, Wake, and Johnston counties, and will refine the project definition; engage community members, municipalities, and institutional stakeholders; and better understand critical project success factors. In coordination with project partners, GoTriangle will conduct preliminary engineering analysis in areas of concern along the corridor, model rail traffic on the corridor with the inclusion of commuter rail to better define infrastructure needs, and better refine cost and ridership estimates.

Status and Upcoming Activities – As of April 6, 2020, all parties to the Memorandum of Understanding in Support of Continued Development of the GTCR Project, including Johnston county, had voted to proceed with further study. Authorizations for additional consultant support were approved by the GoTriangle Board in May 2020. Study activities across a range of tasks are ongoing:

- Railroad Coordination – GoTriangle and NCRR resolved initial discussions regarding liability, indemnification, and insurance. [Modeling is underway by Norfolk Southern and its consultant, with tentative completion scheduled for December 2022.](#)
- Technical Work Products – Work products from the technical tasks are continuing to be completed. The rolling stock accessibility study materials [were discussed with PMC in December.](#) [Corridor screening technical analysis and design concepts for downtown Cary and downtown](#)

Durham are being prepared for discussion with PMC in January, and accessibility and rolling stock technical analysis will be presented to the resource partners group.

- Engagement with “resource partners” including local governments, institutions, and other regional partners – GoTriangle is continuing meetings with municipalities individually and as a group with institutional partners on a monthly basis as needed. City of Durham and Town of Cary have provided comments on initial concept designs, and deliverables are being finalized by the consultant for presentation to municipal staff.
- Community Engagement – The project website launched in late April, and the website is being updated based on user feedback. Staff is engaged in education-focused public involvement throughout the project area, and held a well-attended webinar event in November. Planning for engagement activities in early 2022 is underway.
- Schedule Management – The initial baseline schedule is complete; GoTriangle and the consultant are meeting monthly to formally assess progress and manage interfaces between dependent tasks.

Schedule Risks – To date, primary risks to timely completion of the next steps are related to coordination with entities that are not party to the MOU (e.g. railroads, municipalities, affected major institutions), identification and resolution of competing/conflicting stakeholder goals, and satisfactory engagement with the public under COVID restrictions. These are key priorities with the next steps defined in the MOU, which indicates that the parties will confer to discuss potential extension by April 2022 if the activities are not complete at that time.

Cost Risks – To date, it appears that primary risks to setting a budget within the range of \$1.4B to \$1.8B identified during the earlier phase of study for the Durham-Garner project concept are related to the infrastructure requirements resulting from rail network modeling and related negotiation, design for engineering solutions to engineering constraints in downtown Durham, quantification of necessary levels of contingency required to address FTA risk management guidelines, and emerging interest in evaluation of additional off-peak service and level boarding. These are key priorities with the next steps defined in the MOU.

