

# LYNX Audit C mmittee Agenda

Central Florida Regional Transportation Authority

455 N. Garland Ave.

2nd Floor Board Room

Orlando, FL 32801

Board Date: 12/11/2008

Time: 9:30 AM









As a courtesy to others, please silence all electronic devices during the meeting.

## 1. Call to Order

## 2. Approval of Minutes

-  Minutes from the October 23, 2008 Audit Committee Meeting Pg 2

## 3. Audit Agenda Items


- A.  Review of Proposed Changes to Administrative Rule #4 - Procurement and Contract Administration and Administrative Rule #5 - Code of Ethics Pg 6  
  - Attachment     
- B.  Overview of FY2009 Amended Capital Budget Pg 17
- C.  Review of Electrical & Mechanical Improvements to the LYNX Operations Center (LOC)18

## 4. Review of Board Package: 12/11/2008

- A. Review and discussion of Consent Agenda Items
- B. Review and discussion of Action Agenda Items

## 5. Information Items

(For Review Purposes Only - No action required)

- I.  LYNX Board of Directors' 12-Month Rolling Calendar of Agenda Items Pg 20

**LYNX**  
**Central Florida Regional Transportation Authority**  
**Audit Committee Meeting Minutes**

**PLACE:** LYNX Central Station  
455 N. Garland Avenue  
Board Room, 2<sup>nd</sup> Floor  
Orlando, FL 32801

**DATE:** October 23, 2008

**TIME:** 9:32 a.m.

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**Members in Attendance:**

Seminole County Commissioner, Carlton Henley, Chair  
Osceola County Commissioner, Bill Lane, Vice Chair  
FDOT District 5, Susan Sadighi, Intermodal Systems Development Manager  
Orange County, Jim Harrison, Director of Growth Management  
City of Orlando, Roger Neiswender, Director of Transportation

**Members Absent:** FDOT District 5 Secretary, Noranne Downs, Secretary

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**1. Call to Order**

The Chairman, Commissioner Carlton Henley, called the meeting to order at 9:32 a.m.

**2. Approval of Minutes**

**Motion** was made and seconded to approve the Minutes of the April 24, 2008 Audit Committee meeting. The motion passed unanimously.

**3. Audit Agenda Items**

Chairman Henley announced that Audit Agenda Item A. was being pulled from the Agenda to be presented at a later date.

**B. Status of the Contract with the Florida Commission for the Transportation Disadvantaged to Continue to Provide Medicaid Non-Emergency Transportation Services**

The Chairman recognized Lisa Darnall, Chief Operating Officer, for presentation.

LYNX has a contract with the Florida Commission for the Transportation Disadvantage that administers the State's Medicaid Non-Emergency Transportation program. The current contract will expire on November 30, 2008 and the new contract which is expected to be implemented on December 1<sup>st</sup>, has not been finalized. In order to avoid

an 11-day contract gap between the expiration of the current contract and amendments and the approval of the new contract by the Board of Directors at the December 2008 meeting, staff is requesting authorization to execute the new contract when it is received. The new contract will be a standardized contract which will be funded at our current monthly allocation of \$476,893 which has been included in LYNX' FY2009 operating budget.

Without objection, the Audit Committee agreed to recommend approval to the Board of Directors.

**C. Review of Authorization to Increase the Contract Amount by \$200,000 for the Request for Proposal (RFP) General Consulting Services; Transportation and Financial Planning, Technical Studies, Urban Design and Implementing Geographic Information Systems**

The Chairman recognized Lisa Darnall, Chief Operating Officer, for presentation.

Staff requested the Board of Directors' authorization to release an RFP at the September 2008, meeting; it was approved for \$100,000, and the Board requested additional information and its next meeting.

General Consulting Services which are awarded through a competitive procurement process, are an extension of LYNX staff and utilized on an "as needed" basis for: Transportation and Financial Planning; Technical Studies; Urban Design; Implement Geographic Information Systems.

Staff is requesting to increase the contract amount by \$200,000 for a combined annual "not to exceed" amount of \$300,000 per year which is included in the FY2009 budget.

Without objection, the Audit Committee agreed to recommend approval to the Board of Directors.

**D. Update on Implementation of the Proposed Service Changes and Service Elimination Effective December 7, 2008**

The Chairman recognized Darrell Smith, Runways Transportation Company, for presentation.

Since the adoption of the FY2009 budget, staff has been working to meet the funding requirements. In order to eliminate the funding deficit, staff is recommending the following for implementation in two phases:

- December 7, 2008
  - › Discontinue Links 5, 12, 43, 52, 53, 414
  - › Reduce frequency of Links 13, 19, 20, 22, 24, and 51
  - › Adjust routes of Links 3, 6, 11, 18, 19/22, 21, 26, 51, 442
  - › Add new Links 313, 111 and new Poinciana North PickUpLine
  - › Add service to Links 10, 50, 56, 125

- April, 2009
  - › Add new PickUpLine serving Bitho and Ocoee
  - › Discontinue Links 27, 32
  - › Potential for new Seminole County service dependent on timing of new Service Development Grant
  - › Provides time for implement an expanded, privatized operation of PickUpLine/Flex Route services

Without objection, the Audit Committee agreed to recommend approval to the Board of Directors.

#### **E. Review of Request for Proposal (RFP) for the Operation of Flex Services**

The Chairman recognized Darrell Smith, Runways Transportation Company, for presentation.

Staff has studied each Link in the system and recognized that several community routes may be better served with a less expensive Flex service operated through a private transportation provider. The benefits of the more flexible “on demand” service which has been successfully provided in Poinciana would be of benefit to providing transit in areas that do not necessitate fixed route service operating full size buses. The recommended areas for implementation include: North Poinciana, Ocoee, Bithlo and possibly Oviedo.

The RFP will request bids with various options including: LYNX providing vehicles, facilities, fuel, maintenance, computer software and hardware, and for the services. Evaluation of the RFP will include a cost component for LYNX to determine the overall savings to the operating budget.

Discussion ensued regarding scope of service, availability of capital, public awareness efforts, the inclusion of an “out” clause in the contract, and annual cost differential of flex and fixed service.

Without objection, the Audit Committee agreed to recommend approval to the Board of Directors.

#### **F. Update on the Proposed Fare Adjustment, effective January 4, 2009**

The Chairman recognized Joel Rey, Tindale-Oliver & Associates, for presentation.

In order to determine the appropriate structure for the proposed fare increase as an option to support funding shortfalls in the Y2009 budget, Tindale-Oliver has worked with LYNX Staff to track and analyze the patronage and revenue shifts arising from the January 2008 fare adjustment to forecast future modifications, price sensitivity and fare media preferences, and a Peer Review Analysis to assess the comparability of LYNX’ proposed fare structure with similar transit agencies.

To support LYNX' policy of providing deep pass discounts with revenue increases, preserving ridership, and maintaining equity among fare categories for fixed route services, the recommended fare adjustments are as follows:

- Base Fare \$ 2.00
- Daily Fare \$ 4.50
- 7-Day Fare \$16.00
- Monthly Fare \$50.00
- Transfer Fare Free

It is also recommended that an increase in the ADA fare be implemented for equity with bus riders and for consistency with industry standards. The recommendation is to increase the ADA fare to \$4.00 for inside the three-quarter mile radius. Inasmuch as the recommendations from the Analysis proposed a fare of \$8.00 for outside the three-quarter mile radius, LYNX staff is recommending this increase be lowered to \$7.00.

Discussion ensued regarding dedicated funding and funding source of peer agencies.

Without objection, the Audit Committee agreed to recommend approval to the Board of Directors.

#### **4. Review of Board Package**

The Chairman recognized Linda Watson, Chief Executive Officer, to provide an overview of items that will come before the Board.

##### Consent Agenda:

1. Item 6.B.ii. Staff will request authorization to award a contract for the design and construction of the Bio-Diesel Blending Facility. The Source Evaluation Committee (SEC) did not recommend the proposal submitted by the lowest bidder due to deficiencies in addressing all issues within the proposal.

#### **5. Information Items**

Information Items are for review purposes only. No action is required.

**Meeting adjourned at 10:29 a.m.**

### Audit Committee Agenda Item #3.A

**To:** LYNX Board of Directors

**From:** Edward Johnson  
CHIEF OF STAFF  
Rich Bannon  
(Technical Contact)

**Phone:** 407.841.2279 ext: 6058

**Item Name:** Review of Proposed Changes to Administrative Rule #4 - Procurement and Contract Administration and Administrative Rule #5 – Code of Ethics

**Date:** 12/11/2008

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Pat Christiansen, LYNX General Counsel, will discuss with the Audit Committee proposed changes to Administrative Rule #4 – Procurement and Contract Administration. The proposed changes include language that allows the Chairman of the Board of Directors to authorize the Chief Executive Officer (CEO) to enter into certain agreements that require action prior to the Board of Directors next official meeting. These agreements will be limited to issues that would have a business or financial prudence that would otherwise limit the agency’s participation. He will also review short-term bus service agreements.

Additionally, Mr. Christiansen will discuss the amendment of Administrative Rule #5 – Code of Ethics to include Form 8B - *Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers*.

Bert Francis, LYNX Chief Financial Officer (CFO), will discuss proposed minor revisions to Administrative Rule # 4.4.6 and Rule #5.1.14 as a result of the recent procurement review conducted by the FTA.

Attached are the documents recommended for revision: 1) Financially Exigent Agreements; 2) Code of Ethics, Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers; 3) Short-Term Bus Services Agreement; 4) Procedures for Protest of Awards by Authority 4.14.6; 5) Code of Ethics 5.1.14.

**ADMINISTRATIVE RULE 4 (AMENDMENT)**

**SUBJECT: SHORT-TERM BUS SERVICE AGREEMENTS**

**EFFECTIVE DATE:**

**SCOPE:**

This amendment to Administrative Rule 4 permits the Chief Executive Officer or his designee to enter into short-term agreements to provide bus services to third parties.

**AUTHORITY:**

Authority for the establishment of this Administrative Rule is as follows:

Part II, Chapter 343, Florida Statutes

**AMENDMENT:**

**Amendment to Rule 4.**

(1) The following definition is hereby added to Section 4.1 of Administrative Rule 4:

**Short-Term Bus Service Agreement** means an agreement entered into in accordance with Section 4.4.12.

(2) The following is hereby added to Administrative Rule 4 as Section 4.3.2.P and the remainder of Section 4.3.2 is hereby renumbered:

P. Short-Term Bus Service Agreements

(3) The following Section 4.4.12 is hereby added to Administrative Rule 4:

4.4.12 **Short-Term Bus Service Agreements.** The Chief Executive Officer or his designee may enter into an agreement to provide bus services to a third party, without first obtaining the approval of the Governing Board, if all of the following four conditions A, B, C and D are met:

A. The Chief Executive Officer or his designee determines that the agreement must be entered into before the next regularly scheduled meeting of the Governing Board;

B. In exchange for providing the services, the Authority will receive its standard hourly rate for bus services that it charges to third parties;

C. The term of the agreement does not exceed six months; and

- D. The dollar value of the agreement does not exceed \$500,000 or if the Chairman of the Governing Board first consents to the entry into the agreement, then, in that case, there shall be no dollar limitation.

The Chief Executive Officer will advise the Governing Board of the agreement or the renewal, as applicable, at the next regularly scheduled meeting of the Governing Board.

- (4) The following is hereby added to the chart set forth in Section 4.4.1 of Administrative Rule 4:

	<u>Amount of Contract</u>	<u>Required/Permitted Approval</u>	<u>Rule Reference</u>	<u>Ability to Delegate Approval Authority</u>	<u>Who Can Execute</u>
7	Short-Term Bus Service Agreement  <b>NOTE:</b> Any such agreement shall be reported to the Governing Board at its next scheduled meeting.	CEO if the dollar value of the agreement does not exceed \$500,000.  Chairman of the Board if the dollar value of the agreement exceeds \$500,000.	4.4.12	Yes.	CEO or its designee.



**ADMINISTRATIVE RULE 4 (AMENDMENT)**

**SUBJECT: FINANCIALLY EXIGENT AGREEMENTS**

**EFFECTIVE DATE:**

**SCOPE:**

This amendment to Administrative Rule 4 permits the Chief Executive Officer to enter into an agreement or renew an existing agreement, which would otherwise first require the approval of the Governing Board, if waiting for the Governing Board to approve the entry into the agreement or the renewal of the existing agreement at a regularly scheduled meeting would cause a grant or other funding device to or for the benefit of the Authority to expire or terminate or would otherwise subject to the Authority to a financial or opportunistic loss.

**AUTHORITY:**

Authority for the establishment of this Administrative Rule is as follows:

Part II, Chapter 343, Florida Statutes

**AMENDMENT:**

**Amendment to Rule 4.**

- (1) The following definitions are hereby added to Section 4.1 of Administrative Rule 4:

**Financially Exigent Situation** means a situation whereby a grant or other funding device to or for the benefit of the Authority will terminate or whereby the Authority will otherwise suffer a financial loss or opportunistic loss.

**Financially Exigent Agreement** means an agreement entered into or renewed in accordance with Section 4.4.13.

- (2) The following is hereby added to Administrative Rule 4 as Section 4.3.2.Q and the remainder of Section 4.3.2 is hereby renumbered:

Q. Financially Exigent Agreement

- (3) The following Section 4.4.13 is hereby added to Administrative Rule 4:

4.4.13 **Financially Exigent Agreement.** The Chief Executive Officer may enter into an agreement or renew an existing agreement, notwithstanding the fact that entering into the agreement or renewing the existing agreement would otherwise require the prior approval of the Governing Board, if both of the following conditions A and B are met:

- A. A Financially Exigent Situation will be created as a result of waiting for the next regularly scheduled meeting of the Governing Board to approve the agreement or approve the renewal of the existing agreement; and
- B. Either (i) the dollar value of the agreement or the renewal is less than \$150,000 or (ii) if the dollar value of the agreement is \$150,000 or more, then the Chairman of the Governing Board first consents to the entry into the agreement or the renewal of the existing agreement.

The Chief Executive Officer will advise the Governing Board of the agreement or the renewal, as applicable, at the next regularly scheduled meeting of the Governing Board.

(4) The following is hereby added to the chart set forth in Section 4.4.1:

	<u>Amount of Contract</u>	<u>Required/Permitted Approval</u>	<u>Rule Reference</u>	<u>Ability to Delegate Approval Authority</u>	<u>Who Can Execute</u>
8	Financially Exigent Agreement  <b>NOTE:</b> Any such agreement shall be reported to the Governing Board at its next scheduled meeting as an information item.	CEO if the agreement or renewal, as applicable, is less than \$150,000.  Chairman of the Governing Board if the agreement or renewal, as applicable, is \$150,000 or more.	4.4.13	No.	CEO.

**ADMINISTRATIVE RULE 5  
CODE OF ETHICS**

**SCOPE:**

This Administrative Rule shall apply to all officers, managers, employees, or agents of the Authority and Members of the Governing Board.

**AUTHORITY:**

Authority for the establishment of this Administrative Rule is as follows:

Part II, Chapter 343, Florida Statutes

**Rule 5: Code of Ethics**

5.1.14 Award and Administration of Contracts involving Federal Funds. Notwithstanding anything to the contrary set forth herein, no employee, officer, agent, immediate family member, or Board member of the Authority shall participate in the selection, award, or administration of a contract supported by FTA funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the Person selected for award:

- i. the employee, officer, agent, or Board member;
- ii. any member of his/her immediate family;
- iii. his or her partner; or
- iv. an organization that employs, or is about to employ, any of the above.

4.14.6 **Procedure for Protest of Awards by Authority.** This Subsection provides a procedure for a resolution of protests arising from the Procurement process. Contracts not subject to formal invitation to bid (including micropurchases and Minor Contracts), RFP or Contracts awarded pursuant to an emergency declaration or other emergency procedures are not subject to this Subsection. The Authority reserves the right to waive any minor informalities or irregularities, which do not go to the heart of the Procurement or prejudice other Bidders or Proposers and/or to reject any and all Bids or Proposals submitted in response to any Invitation to Bid or Request for Proposals. Conditional Bids or Proposals or those that take exception to the specifications may be considered non-responsive and may be rejected by the Procurement/Contracts Manager. The protest process shall be as follows:

- A. Any actual Bidder or Proposer who is aggrieved in connection with the solicitation or proposed award shall timely protest in writing to the Procurement/Contracts Manager. Vendors that have not so timely submitted a Bid or Proposal on the Procurement, shall not have standing to protest.
- B. The Purchasing and Contracts Division shall Post a recommendation of award. A formal written protest must be filed no later than 5:00 p.m., local time, five (5) business days after the Posting date of the award recommendation. The Bidder or Proposer has the responsibility to contact the Authority and request the award recommendation results. Failure of the Bidder to so contact the Authority shall be grounds for the Authority to reject the protest. The time limits in which protests must be filed as specified herein may be altered by specific provisions in an Invitation to Bid or Request for Proposals. A formal written protest is considered filed with the Authority when it is received by the Procurement/Contracts Manager. Accordingly, a protest is not timely filed unless it is received by the Procurement/Contracts Manager within the times specified herein. Failure to file a formal written protest within the time period specified shall result in waiver of all rights of protest by the protesting party and abrogation of any further Bid protest proceedings.
- C. The formal written protest shall: identify the protesting party and the solicitation involved; include a clear statement of legally sufficient grounds on which the protest is based; refer to the statutes, laws, ordinances, or other legal authorities which the protesting party deems applicable to such grounds; and, specifically request the relief to which the protesting party deems itself entitled by application of such authorities to such grounds. The protesting party shall mail a copy of the formal written protest to the recommended awardee and shall provide the Purchasing and Contracts Division with the original letter.
- D. These protest procedures shall be the sole remedy for challenging an award of Procurement. Bidders and Proposers are prohibited from

attempts to influence, persuade or promote through any other channels or means. Such attempts may be cause for suspension as herein provided.

- E. With respect to all protest proceedings under this Subsection the judicial rules of evidence shall not apply and the decision shall be based on such information adduced in the course of the proceeding upon which reasonable prudent persons rely on the conduct of their affairs.
- F. Upon receipt of a formal written protest, which has been timely filed, the solicitation or Contract award process shall be suspended until the subject of the protest is resolved by final Authority action, unless the Chief Executive Officer makes a determination for the record that the award of a contract, without delay, is necessary to protect substantial interests of the Authority.
- G. The Procurement/Contracts Manager shall attempt to settle or resolve the matter, with or without a hearing at the option of the Procurement/Contracts Manager. The Procurement/Contracts Manager shall have the authority to settle and/or render a final written decision within thirty (30) business days from the date of receipt of the protest.
- H. The Procurement/Contracts Manger's decision shall be final and conclusive unless within five (5) business days of receipt of the written decision, the protesting party delivers a formal written appeal to the Procurement/Contracts Manager. The written request shall state with specificity the grounds for the appeal and also the action requested.
- I. In case of competitive Bids, an appeal committee shall attempt to settle or resolve the matter, with or without a hearing at the option of the appeal committee. The appeal committee shall be comprised of the Chief Administrative Officer, the user department director or designee, and an independent third party within the Authority as appointed by the Chairperson, plus the Procurement/Contracts Manager as a (non-voting) member.
- J. In the case of competitive sealed Proposals, the SEC shall attempt to settle or resolve the matter, with or without a hearing at the option of the SEC.
- K. The Authority's legal counsel will support the Procurement/Contracts Manager, the appeal committee or SEC, as applicable, in an advisory capacity. The appeal committee or SEC, as applicable shall have the authority to settle and/or render a final written decision within thirty (30) business days from the date of filing the written appeal.
- L. Nothing in this Subsection is intended to affect the existing powers of the Governing Board to settle actions pending before the courts.

M. In the event of a court upholding the protesting party's claim, the court awarded damages on behalf of the protesting party shall be solely limited to Bid/Proposal preparation costs, and reimbursement of the amount of the protest bond as stipulated herein.

N. The Authority shall notify the FTA of any protests related to procurements involving Federal funds and shall keep the FTA informed of the status of any such protests.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, \_\_\_\_\_, hereby disclose that on \_\_\_\_\_, 20 \_\_\_\_\_:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

\_\_\_\_\_  
Date Filed

\_\_\_\_\_  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**Audit Committee Agenda Item #3.B**

**To:** LYNX Board of Directors

**From:** Bert Francis  
CHIEF FINANCIAL OFFICER  
Blanche Sherman  
(Technical Contact)

**Phone:** 407.841.2279 ext: 6047

**Item Name:** Overview of FY2009 Amended Capital Budget

**Date:** 12/11/2008

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On October 23, LYNX staff presented the amended Capital Budget for FY2009 in the amount of \$29,427,445. Further revisions are required to reflect the additional \$2,000,000 in Federal preventative maintenance funding and adjustments related to carryover expenses. The amended Capital Budget will be in the amount of \$27,173,872.

LYNX staff will make a full presentation of the revisions at the Audit Committee meeting.

### Audit Committee Agenda Item #3.C

**To:** LYNX Board of Directors

**From:** Bert Francis  
CHIEF FINANCIAL OFFICER  
Lisa Darnall  
(Technical Contact)

**Phone:** 407.841.2279 ext: 6047

**Item Name:** Review of Electrical & Mechanical Improvements to the LYNX Operations Center (LOC)

**Date:** 12/11/2008

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LYNX received a certificate of occupancy for Building “A” at the LYNX Operations Center (LOC) in August of 2007. Although the building was substantially complete at that time, there were several outstanding construction and design issues that needed to be corrected. These consisted of both electrical and mechanical improvements. Staff will review the need for and nature of the improvements required.

Because of the degree of difficulty in resolving construction issues under the original construction contract, LYNX avoided issuing change orders to the construction contractor, Collage to correct design problems. Grant funds to support the required design changes were allocated and the work delayed until the construction contract was closed out.

The electrical design problems are highlighted by the method in which LYNX maintenance staff has to complete their daily activities. The automotive lifts used to repair support vehicles and the air conditioning recovery machines used to service buses can only be operated by connecting them to small portable electric generators for power. In the original design there were no provisions made for electrical power to operate the automotive lifts and there are no electric panels located in this area. Although the air conditioning recovery machines will plug into a normal 120 volt outlet, there is a 35% drop in voltage due to the distance from the power panel (over 300 feet). The supervisor’s office is presently being used as the Electronics Shop, because the requirements to support the Electronics Shop activity were not included in the original design.

## LYNX Board Audit Committee Agenda

In the original building design, all electric panels were located in the center of the building and the individual branch circuits were run from this point. Any sizable electrical load located beyond the mid-point of the building suffers a drop in voltage and will cause damage to the equipment.

The compressed air is supplied from a single air compressor located in the center of the building. The line pressure drops by over 30% if there is a high usage in certain sections of the shop.

The tire shop equipment, brake lathe, fabrication shop equipment, battery charging room equipment, electronics shop equipment, training equipment and portable bus post lifts can not be installed until the required electrical power and compressed air supplies are available.

The building's carbon monoxide ventilation system and the vehicle exhaust ventilation system were installed as designed by the construction contractor. However, the systems' designs were incomplete and these systems are presently non-functional.

The CoRayVac radiant heat system is not effective in producing heat and is not efficient. Portions of the system also interfere with raising a bus on a lift to a normal height to complete work. LYNX staff has asked for an engineering review and the feasibility of converting this system to a forced hot air system.

The Material Control Division computers are connected by means of extension cords that are run across the floor in high traffic areas. Additionally, this group does not have the ability to recharge the electric forklift truck in this area.

The work resulting from this IFB will correct the following problem areas:

- Voltage and power distribution
- Ability to connect shop equipment in various parts of the building
- Air pressure
- Vehicle exhaust system
- Building carbon monoxide ventilation system
- Radiant heat
- Set up the electronics shop

**Audit Committee Information Item #.I**

**To: LYNX Board of Directors**

**From: Edward Johnson  
CHIEF OF STAFF**

**Phone: 407.841.2279 ext: 6058**

**Item Name: LYNX Board of Directors' 12-Month Rolling Calendar of Agenda Items**

**Date: 12/11/2008**

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**LYNX Board of Directors  
12-Month Rolling Calendar of Agenda Items  
December 2008**

January 2009

- Authorization to exercise second option year with the Barracuda Building Corporation for the Installation of Passenger Shelters & Amenities

February 2009

- Authorization to exercise the first option year with B & L Investments of Orlando for the Maintenance of Shelters and Bus Stops

March 2009

- Authorization to accept year-end financial audit

April 2009

- Authorization to exercise the first option year with The J. D. Allen Group for the Employee Assistance Program.
- Authorization to issue an IFB for Ultra Low Sulfur Diesel Fuel
- Authorization to issue an IFB for Unleaded Gasoline
- Authorization to exercise the first option year with VPSI for the Operation of the Vanpool Program

# LYNX Board Audit Committee Agenda

## May 2009

- Work Session on Transit Development Plan (TDP)
- Authorization to submit FDOT Service Development Grant Application

## June 2009

- Preliminary discussion on the development of the FY2010 Operating and Capital Budget
- Adoption of the updated Transit Development Plan (TDP)
- Authorization to execute a Transportation Disadvantaged Trip Grant Agreement
- Authorization to execute a Rural Capital Assistance Grant Agreement
- Approve Transportation Regional Incentive Program Grant
- Authorization to exercise option year 1 with B & L Investments of Orlando for the Removal of Trash at Bus Stops, Shelters and Super Stops
- Authorization to exercise option year 1 with B & L Investments of Orlando for the Lawn Maintenance of Shelters and Bus Stops
- Authorization to exercise option year 1 with JEJ & Associates and Gray Robinson for State Consulting Services

## July 2009

- Authorization to dispose of fixed assets

## August 2009

- Approval of LYNX' DBE goal
- Authorization to submit TRIP fund applications to FDOT
- Authorization to exercise option year one with MV Transportation for Paratransit Services
- Authorization to exercise option year two (2) with Spencer Fabrications for the manufacturer of Passenger Shelters and Amenities.

## September 2009

- Authorization to execute local funding agreements
- Annual Board of Directors' selection of officers
- Adoption of the Title VI Program
- Authorization to execute agreement between LYNX and VOTRAN for the Link 200

## October 2009

- Acceptance of the Chief Executive Officer's (CEO) annual appraisal
- Authorization to exercise option year 2 with Drummond Press for the printing of LYNX System Maps

## November 2009

- No Activity

## December 2009

- No Activity