

LYNX Board Agenda

Board Date: 8/24/2006

Time: 1:00 PM

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LYNX Offices
455 N. Garland Ave.
Orlando, FL 32801

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

1. Call to Order & Pledge of Allegiance

2. Approval of Minutes

-  Approval of the July 27, 2006 Board of Directors minutes (pgs 4-7)

3. Recognition




















- American Council of Engineering Consultants Award for LCS
- Florida Institute of Consulting Engineering (FICE) Award for LCS

4. Public Comments


- Citizens who would like to speak under Public Comments shall submit a request form to the Assistant Secretary prior to the meeting. Forms are available at the door.

5. Chief Executive Officer's Report

6. Consent Agenda

- A.  Authorization to amend Contract #99-005C1 with EarthTech Architect and Engineers for general consulting services for the LYNX Operations Center (LOC) (pgs 8-9)
- B.  Approval of LYNX' Disadvantaged Business Enterprise Goal for Fiscal Year 2006/2007
- C.  Adoption of Administrative Rule #9 - Public Records (pgs 12-22)
 - Attachment   
- D.  Authorization to issue a Request for Proposals (RFP) for professional services to develop LYNX' procurement policies and procedures (pgs 23-24)
- E.  Authorization to exercise the first option year of the interlocal agreement with Orange County for "THE CLUB" Program (pg 25)
- F.  Authorization to extend contract #01-004, "Installation of LYNX Passenger Amenities" with T&G Constructors (pgs 26-27)
- G.  Authorization to renew the interlocal agreement with VOTRAN to continue the commuter bus service between Volusia County and Downtown Orlando (pgs 28-41)
 - Attachment 
- H.  Authorization to revise the fiscal impact of the July 2006 amendment to the LYNX Operations Center (LOC) and amend the proposed FY2007 Capital Budget (pgs 42-43)
- I.  Authorization to exercise the first option period of the fuel contract with Terrell Industries (pgs 44-45)
- J.  Authorization to exercise the first option period of the fuel contracts with Mansfield Oil Company (pgs 46-47)
- K.  Authorization for the Chief Executive Officer (CEO) or designee to retire and sell surplus items as listed at a public auction. (pgs 48-49)
 - Attachment 
- L.  Authorization to ratify action taken by the LYNX Chief Executive Officer (CEO), Linda Watson authorizing the execution of the LYNX Operations Center (LOC) Change Order #56
 - Attachment  (pgs 50-55)
- M.  Authorization to submit a request to the Florida Department of Transportation (FDOT) for Transportation Regional Incentive Program (TRIP) funding for Fiscal Year 2008 (pgs 56-57)


7. Action Agenda

- A.  Authorization to ratify action taken by the LYNX Board of Director's Acting Chairman to suspend Section 4.4 of Administrative Rule #4, Contract Administration (pg 58)

8. Other Business

9. Information Items

(For Review Purposes Only - No action required)

- I.  Monthly Employee Travel Report (pg 59)
- II.  Ridership Report for June 2006 Final (pgs 60-65)
- Attachment 
- III.  Monthly Financial Reports (pgs 66-70)
- Attachment 
- IV.  Government Affairs Update (pgs 71-73)
- V.  Marketing Report (pgs 74-77)
- VI.  Planning Report for August 2006 (pgs 78-80)

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he will need a record of the proceedings, and that, for such purposes, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Tirado at 455 N. Garland Ave, Orlando, FL 32801 (407) 841-2279, extension 3012, not later than three business days prior to the meeting. If hearing impaired, contact LYNX at (407) 423-0787(TDD).

LYNX
Central Florida Regional Transportation Authority
Monthly Board Meeting

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

DATE: **July 27, 2006**

TIME: **1:00 p.m.**

Members in Attendance:

Seminole County Chair, Carlton Henley, Vice Chair
City of Orlando, Mayor Buddy Dyer
Interim FDOT District 5 Secretary, Kevin Thibault

Not in Attendance:

Osceola County Commissioner, Bill Lane
Orange County Commissioner, Homer Hartage

1. Call to Order and Pledge of Allegiance

LYNX Vice Chairman, Carlton Henley called the meeting to order at 1:00 p.m. Mayor Dyer led the Pledge of Allegiance.

2. Approval of Minutes

Mayor Dyer moved to approve the minutes of the June 22, 2006 Board meeting. Secretary Thibault seconded the motion. The motion passed unanimously.

3. Recognition

Desna Hunt, Human Resource Manager, recognized William W. Scott, Willie Nichols, Todd G. King, George M. Moy and C. Mike Boyer for 20 and 25 years of service to LYNX.

4. Public Comments

None

5. Chief Executive Officer's Report

Linda Watson, CEO of LYNX, reported on the following items:

1. LYNX received a special recognition from the City of Orlando for LYNX' best business practices and methods in handling hazardous and regulated waste. The City started a new program called "Green Business", which is designed to make all businesses operating in the vehicle maintenance, landscaping/lawn care, and restaurant fields aware of industry best practices. Specifically, the program is sponsored through the City's Streets and Storm Water Division, which is charged with preserving the water quality of Orlando's lakes.

LYNX has been working hard over the last seven years to operate within the vehicle maintenance industry's best practices. In fact, LYNX has dropped from being categorized as an EPA large generator of regulated waste product to a small generator. This has been accomplished through the use of recycling programs versus traditional waste generation and disposal. Additionally, LYNX has been very pro-active to prevent discharges into our local storm water system.

Because of our excellent business practices the Green Business Program wants to use LYNX as an example of best industry practices.

2. Workforce Central Florida will not continue funding 50% of the operating cost for the Link 45 serving the Lake Mary One Stop Career Center. The reason is budgetary reductions. Additionally, only about 10% of the ridership on that route uses the service, and there are no other public/private partnerships to offset the costs of non-WCF customers using the service. However, Seminole County approved continuing the service.

6. Consent Agenda

- A. Resolution No. 06-005 authorizing the re-appointment of Blanche Sherman as a Management Trustee to the Amalgamated Transit Union (ATU) Local 1596 Pension Plan**
- B. Authorization for the Chief Executive Officer (CEO) to execute Change Order No. 054 to the LYNX Operations Center (LOC) Contract No. 03-019**
- C. Authorization for the Chief Executive Officer (CEO) to execute Change Order No. 055 to the LYNX Operations Center (LOC) contract No. 03-019**
- D. Authorization to amend the Fiscal Year 2005-2006 Service Funding Agreement between Seminole County and LYNX**
- E. Authorization to amend the project budget for the LYNX Operations Center (LOC) and amend the proposed FY2007 Capital Budget, accordingly**
- F. Authorization to award a contract to Ontira Communications Inc. for an Advanced Travel Information System (ATIS) for LYNX services**
- G. Authorization for LYNX staff to negotiate a final lease agreement with Ford Motor Company for four hydrogen vehicles on terms acceptable to the Chief Executive Officer (CEO) and authorization for the CEO or designee to execute said lease agreement in final form as found appropriate**
- H. Authorization to execute a second amendment to the contract with the Florida Commission for the Transportation Disadvantaged to continue providing Medicaid Non-Emergency Transportation through June 30, 2007**
- I. Authorization to award a contract to B&L Commercial Cleaning for trash pick-up at LYNX bus stops and shelters**
- J. Authorization to execute a first year extension to the Allied Barton Security Services Contract No. 03-0113**
- K. Authorization to include optional bid items in the Paratransit MDT/CAD/AVL procurement for paratransit vehicles – This item has been pulled from the Consent Agenda. It will be discussed under Action Agenda Item C.**

Motion: Mayor Dyer moved to approve consent items A – J. Secretary Thibault seconded the motion. The motion passed unanimously.

7. Action Agenda

A. Resolution No. 06-006 Appointing Commissioner Bill Lane as LYNX Board of Directors' representative on the MetroPlan Orlando Board of Governors

Motion: Mayor Dyer moved to approve Resolution No. 06-006. Secretary Thibault seconded the motion. The motion passed unanimously.

B. Authorization to include optional bid items in the Paratransit MDT/CAD/AVL procurement for paratransit vehicles

Lisa Darnall, Chief Operating Officer, reported that this item was originally a Consent Agenda Item but it has been moved to an Action Agenda Item because staff failed to include a \$4,400 expense in the Board write-up. Mentor's original proposal for the MDT/CAD/AVL included some optional bid items that could be considered at a later date. Staff has considered this optional bid items and is moving forward with them. Staff has also secured the majority of the grant funding for those optional bid items. Included in the quote Mentor gave LYNX to cover the magnetic stripe card readers, the vehicle navigation software, and the mobile manager software, they indicated that there would be a one-time charge that would be used for developmental costs to allow the functionality between the Trapeze software and the Mentor Mobile Data Terminal. That one-time cost is a maximum of \$4,400. As indicated in the Board item, grant funding in the amount of \$65,000 to cover the optional bid items and the balance which changed from \$7,200 to \$11,622 will be taken out of the Paratransit Operations budget.

Motion: Mr. Thibault moved to approve the optional bid item. Mayor Dyer seconded the motion. The motion passed unanimously

C. Resolution No. 06-007 to adopt the National Incident Management System (NIMS)

Ms. Darnall reported that the National Incident Management System (NIMS) provides a National system-wide approach for Federal, State and Local governments, private sector and non-governmental organizations to work together to prevent, prepare, respond and recover from domestic incidences including acts of terrorism, natural disasters and other types of emergencies. It is based in part on the recommendation of the National Commission on Terrorist attacks for adoption of a standardized incident command system. Homeland Security Presidential Directive Number 5 directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System. This was issued by DHS on March 1, 2004.

Adoption of NIMS by State and Federal organizations is a condition of federal preparedness assistance through grants, contracts and other activities. By adopting NIMS, LYNX will remain eligible for Homeland Security Grants.

Motion: Mayor Dyer moved to approve Resolution No. 06-007. Mr. Thibault seconded and the motion passed unanimously.

8. Work Session

A. Presentation on Proportionate Share

Wyatt Bowers with Post Buckley Schuh & Jernigan (PBS&J) provided the Board with an update on the Proportionate Fair Share Model.

Mr. Bowers explained that concurrency (adequate public facilities) ensures that the adequate infrastructure is in place when the impacts of development are expected. Hard concurrency is committed improvements that must be scheduled within 3 years (was 5 years for FIHS), transportation facilities must be in place or under construction within 3 years, new “de minimum” requirements (these are small developments that are assumed not to have any measurable impact on the transportation system) and encourages coordination of level of service standards and methodologies for multi-jurisdictional facilities.

Mr. Bowers went on to explain that potential strategies include transportation concurrency exception areas (“TCEA’s”), long-term transportation concurrency management areas (“TCMAs”) and multi-modal transportation districts (“MMTD”).

Senate Bill 360 allowed proportionate share in certain instances. DOT contracted with CUTR to come up with a model ordinance which was available in January 2006. Local governments must adopt the model ordinance or their own proportionate share ordinance by December 2006. The proportionate share mitigation can be used to meet transportation concurrency requirements but only under certain conditions. Proportionate share mitigation shall be applied as a credit to transportation impact fees where used to address some improvements.

Proportionate share may be used to advance an improvement that significantly benefits the transportation system. These funds may be used for PD&E, design, ROW acquisition/donation and construction.

While the LOS and capacity approach makes sense for most infrastructure services (schools, sewers, storm water), when applied to roads the capacity approach may be counterproductive to creating sustainable communities.

The next steps involve meeting with local government staff to discuss transit and model proportionate fair-share, as well as create a model transit ordinance for component for LYNX funding partners.

9. Other Business

None

Meeting adjourned at 1:25 p.m. Executive Session began at 1:30 p.m.

10. Executive Session

Consent Agenda Item #6.A

To:	LYNX Board of Directors
From:	Bert Francis CHIEF FINANCIAL OFFICER Joseph Sperty (Technical Contact) Blanche Sherman (Technical Contact)
Phone:	407.841.2279 ext: 3047
Item Name:	Authorization to amend Contract #99-005C1 with EarthTech Architect and Engineers for general consulting services for the LYNX Operations Center (LOC)
Date:	8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization to add additional funding in the amount of \$680,000 to Contract #99-005C1 with Earth Tech Corporation for continuing construction management of the LYNX Operations Center (LOC), which is now expected to be completed by Collage around December 31, 2006.

BACKGROUND:

Contract #99-005C1 was awarded competitively to EarthTech on June 5, 1999 for General Architect-Engineering Consulting Services. Before the five-year expiration date of this contract, tasks were assigned that required EarthTech to provide construction management of the LYNX Operations Center (LOC) construction contract with Collage. That construction contract is now expected to run through the end of FY2006, and the construction management services of EarthTech must continue through the end of FY2006 as well.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

EarthTech has stated and agreed it will work with the Authority's Disadvantaged Business Enterprise (DBE) Officer to ensure a good faith effort to contract with DBE's to meet the DBE goal on this contract.

FISCAL IMPACT:

The extension of these A&E support services by EarthTech will require an additional \$680,000. These funds were approved in the FY2007 LYNX Operations Center project budget by the Board of Directors at its July 2006 meeting.

AVAILABLE FUNDING SOURCES	
\$ 340,000	SIB
\$ 340,000	FDOT
\$ 680,000	Total

Consent Agenda Item #6.B

To: LYNX Board of Directors

From: Edward Johnson

Phone: 407-254-3058

Item Name: Approval of LYNX' Disadvantaged Business Enterprise Goal for Fiscal Year 2006/2007

Date: 8/24/2006

ACTION REQUESTED

Staff is requesting the Board of Directors' approval of the LYNX' Disadvantaged Business Enterprise (DBE) overall annual goal of 10.5% for FY 2006/2007.

BACKGROUND

As a grant recipient of Federal Transit Administration (FTA) funds, LYNX must ensure that disadvantaged business enterprises as defined in Title 49 Code of Federal Regulations (CFR) Part 26, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds. As a condition of receiving Department of Transportation (DOT) financial assistance, LYNX developed and implemented a Disadvantaged Business Enterprise Program ("DBE Program") that was approved by FTA on June 22, 2000.

FTA requires that LYNX set its overall goal based on demonstrable evidence of the relative availability of ready, willing and able DBEs in the areas from which LYNX obtains contractors. Federal regulations define a DBE as a for-profit small business concern, that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals.

It also provides that any individual owning a business may demonstrate that he/she is socially and economically disadvantaged, even if that individual is not a woman or a minority. In addition, the individual net worth of each owner (excluding primary residence and interest in business) must not exceed \$750,000 and the average annual receipts over the firm's previous three fiscal years must not exceed \$17.4 million.

The chart below has been developed to show the goal and actual performance for the past few years.

LYNX DBE PARTICIPATION (LAST 4 YEARS)

<i>Year</i>	<i>DBE Goal</i>	<i>Total \$ Awarded</i>	<i>\$ to DBE's</i>	<i>% DBE Participation</i>
<i>FY 2002 – 2003</i>	11.15%	18,137,605	2,153,257	12%
<i>FY 2003 – 2004</i>	11.75%	20,179,736	3,266,426	16%
<i>FY 2004 - 2005</i>	12.25 %	25,206,158	3,653,874	14%
<i>FY 2005 - 2006</i>	12.25%	16,538,648	2,254,064	14%

LYNX awards contracts that fall under three categories. The categories are: (i) Professional Services (i.e., architect, engineering and legal); (ii) Goods/Services; and (iii) Construction. The majority of contracts awarded by LYNX are in the Professional Services category.

There are primarily two reasons for the significant decrease in the DBE goal for FY2007. First, the United States Department of Transportation (USDOT) modified its standards for acceptable certification procedures. The certification process no longer rests in the custodianship of the grantee, but now each prospective DBE vendor must certify with the State Department of Transportation. This has resulted in fewer DBEs eligible to participate in future projects. Second, over the past few years, LYNX has been in a major construction mode. LYNX will recognize a drop in major construction related activities at the completion of the new LYNX Operations Center (LOC) scheduled for the end of calendar year 2006. Accordingly, the opportunity for large dollar DBE contracts will decrease.

While the goal may have decreased based on the approved formula for calculating the goal, LYNX will exercise diligence to ensure fair and equitable contracting opportunities for small businesses. Additionally, LYNX will partner with various agencies who also are required to use the State DOT's database to encourage small business owners to certify their agencies with the State DOT. Also, LYNX will host informational sessions to promote the opportunities it will have available during FY2007. The target groups will include small and minority-owned businesses.

The LYNX DBE Officer is responsible for implementing all aspects of the DBE program. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations of LYNX in its financial assistance agreements with the DOT.

Consent Agenda Item #6.C

To: LYNX Board of Directors

From: Linda Watson
CHIEF EXECUTIVE OFFICER
Edward Johnson
(Technical Contact)

Phone: 407.841.2279 ext: 3017

Item Name: Adoption of Administrative Rule #9 - Public Records

Date: 8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Directors to adopt Administrative Rule #9 – Public Records.

BACKGROUND:

Article 24, Section 1 of the Florida Constitution grants every person the right to inspect and copy any public record made or received in connection with the official business of any public body, such as LYNX; provided, however, that the Legislature may pass a law exempting certain information from disclosure. Further, Section 119 of the Florida Statutes, known as the Public Records Act, establishes the policy that all state, county, and municipal records are open for personal inspection and copying by any person. Moreover, the Public Records Act mandates that providing access to public records is a duty of each agency.

As such, it is important for LYNX to have a policy in place to affirm the public's right to access agency records, and to set forth the procedures that will facilitate accessibility of information to members of the public, and to establish fees to be levied by LYNX to cover the cost of responding to public records request. For that purpose, the Board is requested to approve and adopt Administrative Rule 9 – Public Records, the Instructions for Requesting Public Records, and the Public Records Request form.

FISCAL IMPACT:

The Public Records Act permits LYNX to collect its actual cost for materials and supplies used to duplicate records. In addition, LYNX may collect a reasonable service charge when the request requires the extensive use of information technology resources and/or the extensive use of clerical or supervisory assistance. Administrative Rule 9 provides for collection of such fees and charges from the party requesting the records as a condition to receiving requested documents. As such, there is no fiscal impact to LYNX.

**ADMINISTRATIVE RULE 9
PUBLIC RECORDS**

EFFECTIVE DATE: August 24, 2006

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 establishment of this Administrative Rule is as follows:

Article 1, Section 24, Florida Constitution

Chapter 119, Florida Statutes

Rule 9: Public Records

Section 9.1. Public Access to Records. Public records held by LYNX, except those specifically protected from disclosure by a statutory exemption, shall be available, in any form and format used by LYNX, to all persons for inspection or copying under the supervision of the records custodian (or designee) during LYNX's normal business hours (generally 8:00 a.m. – 5:00 p.m. Eastern Time, Monday through Friday).

Section 9.2 Definition of Public Records. "Public Records" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by LYNX.

Section 9.3 Format of Records. Copies of records shall be made available to the public in the format requested, provided that such records are stored in that format. Copies of records shall be available for a fee as specified by law or, if none is specified, for such fee, not to exceed the actual cost of duplication, as may be in effect at LYNX from time to time. If a person wishes a photocopied page to contain a certification that it is a true and correct copy of the original, there may be an additional charged imposed. If the nature or volume of records to be inspected or copied is such as to require extensive use of LYNX information technology resources or extensive clerical or supervisory assistance by LYNX personnel, an additional service charge will be imposed. This charge shall be reasonable and shall be based on the cost incurred for such extensive use of the information technology resources or the actual labor cost of the personnel providing such assistance.

Section 9.4 Public Records Office. All public records requests should immediately be referred to the LYNX Public Records Office. That office may respond to the request, or relay it to the correct department for response, then act as the conduit for the release of the information and receipt of payment for any fees or charges.

- i. Each LYNX department should identify the records and parts thereof in their custody which are exempt from inspection, examination, and copying under the Public Records Law. The Public Records Office will answer any related questions or refer you to the appropriate legal authority.
- ii. Managers and supervisors should be knowledgeable of records inspection and copying activities occurring within their area of responsibility.
- iii. Managers and supervisors should ensure that the actual cost of duplication and/or extensive use charges are applied to records requests in a consistent manner and communicated to the Public Records Office.

Section 9.5 Public Records Requests.

9.5.1 Form of Request. Requests for records may be made in writing, by electronic mail, telephone, fax or letter, or in person. Preferably, however, to assist in defining and documenting facts necessary for complying with records requests, a requesting party should complete the Public Records Request Form provided on the LYNX web page in accordance with the accompanying Instructions for Requesting Public Records. Requestors are not required to identify themselves or state the reason they desire the records.

9.5.2 Business Hours. Requests for records should be accepted and records made accessible for inspection or duplication during normal LYNX business hours. Inspection and examination should be allowed as soon as reasonably possible after receiving the records request.

9.5.3 Response to Requests. Requests for public records must be filled as soon as reasonably possible after the request is received. If a request is insufficient to identify the documents sought, the requestor shall be notified by mail or in person as soon as reasonably possible after the request is received that more information is needed in order to produce the records. It is the responsibility of LYNX and not the requestor to follow up on any request for public records. If necessary, LYNX staff shall assist the requestor in making a request that describes sufficiently identifiable records. The document custodian shall notify the requestor by mail or in person as soon as reasonably possible after the request is received if the request seeks copies of public records which are not in the possession of or prepared, owned, used, or retained by LYNX and/or otherwise not subject to disclosure, including whether any records requested have been deemed confidential or otherwise exempt from disclosure by the source of the record. If the search for records finds the records voluminous, the requestor must be notified as soon as reasonably possible after the request is received of the approximate number of pages and/or length of time it will take to process the request. If the request is to review records, rather than

receive copies, the documents custodian shall notify the requestor once the records are gathered, and an appointment shall be made with the requestor for review at LYNX business offices.

Section 9.6 Public Records Fees and Charges.

9.6.1 Costs for Duplication of Records. The Public Records Law allows LYNX to collect its actual cost for materials and supplies used to duplicate records. In addition, LYNX may collect a reasonable service charge when the request requires the extensive use of information technology resources and/or the extensive use of clerical or supervisory assistance. LYNX considers records requests taking more than 30 minutes to access the record, copy the record, delete or excise therefrom any confidential material, to have appropriate LYNX staff supervise the review of the record, or to otherwise make available the requested material, as a diversion of resources which will result in extensive use charges.

9.6.2 Multiple Requests. When multiple requests are made by one individual, they may be considered as one request and extensive use charges may be applied after the first 30 minutes of staff or resource time. Costs totaling less than \$1.00 will be waived, as it is not cost effective to process payment for such an amount.

9.6.3 Fee Standards. The following fee/charge standards and guidelines are designed to ensure that LYNX is consistent in its application of the Public Records Law, which allows the recovery of actual duplication costs and extensive use charges. Applicable fees and charges will be adjusted from time to time to account for inflation.

- i. Actual Duplication Costs – Actual duplication costs shall be applied uniformly by LYNX in compliance with the following guidelines. The records custodian should consult with the Public Records Office to determine the actual cost of duplication when records are duplicated using a medium other than those listed below. However, LYNX is not required to create a record in a particular medium if the record is not maintained in such medium in the normal course of business.
 - (a) Paper copies – The cost for one-sided and double-sided paper copies, and any additional charge for a certified copy of a record, shall be published in the Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu. The cost for such copies shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies.
 - (b) Shipping – U.S. postage or other shipping costs incurred in the delivery of records shall be included in the actual duplication costs charged to the requestor.

- (c) Audio Tapes – The cost of an audio tape shall be published in the Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu. The cost for an audio tape shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies. LYNX will accept a tape of the same length from the requestor for duplication, in which case the cost of the tape will not be included in the final charges.
 - (d) Video Tapes – The cost of a video tape shall be published in the Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu. The cost for a video tape shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies. LYNX will accept a tape of the same length from the requestor for duplication, in which case the cost of the tape will not be included in the final charges.
 - (e) Diskettes and CD's – The cost of a computer diskette and compact disc shall be published in the Instructions for Requesting Public Records, available at www.golynx.com, under the "Public Records" menu. The cost for a computer diskette and compact disc shall include and be increased by the amount of any staff/information technology resource time in excess of 30 minutes. All such charges shall be adjusted and republished from time to time to reflect the actual cost to LYNX of producing such copies. LYNX will not accept external diskettes brought in by a requestor due to the possibility of contracting a computer virus.
- ii. Extensive Use Charges – Extensive use charges shall be applied uniformly in compliance with the following guidelines. Departments shall use the fees set forth in this policy when charging for extensive use of staff time or information technology resources. When the use of a particular technology is not specifically stated herein, the department should consult with the Public Records Office to determine a fair charge.
- (a) Labor Costs – When more than 30 minutes of clerical and/or supervisory time is spent in the inspection or duplication of a record, the special service charge shall be calculated from the prorated hourly cost of the salary of the employee(s) required to fulfill the request. If the employee is not paid hourly, then the

hourly cost will be the prorated cost of the annual salary of the employee.

- (b) Information Technology Resource Costs – Information technology resources include use of personal computers, microfiche readers, or other office machinery. A special service charge shall be collected if the time reasonably required to produce or display the record is over 30 minutes. The special service charge shall be based on a prorated amount to be determined by the department providing the record.

iii. Fee Collection and Processing -

- (a) When all allowable fees/charges applicable to a particular records request can be calculated in advance, they will be collected in advance.
- (b) When actual duplication costs and extensive use charges cannot be calculated with certainty in advance, the department responding to the request shall estimate the charges and collect one-half of the estimated amount in advance. Providers should use their best efforts to ensure that the estimates are accurate within 25% of the final cost. If the requestor accepts the estimate and prepays half the cost estimate, the district will then fill the request and furnish the records upon receipt of the balance due.
- (c) Should the requestor fail to pay the total duplication costs and/or extensive use charges incurred to fulfill the request, the Public Records Office shall refer the bill to the Accounts Payable department for collection. Future records requests by such an individual will not be filled without payment of all past due amounts and a deposit of at least one-half the estimated cost of the new request.
- (d) No sales tax is currently charged on public records request fees.
- (e) All requests and payments must be reported to the Public Records Office. All payments are processed through the Finance Department.

9.7 Public Records Exemptions. LYNX is responsible for protecting information defined as confidential or as otherwise exempt from public inspection or copying under the Public Records Law, and each department is responsible for knowing what information is exempt. A specific listing is available in Section 119.07, Florida Statutes, and the Government in the Sunshine Manual prepared annually by the Florida Attorney General's Office. Confidential information shall be deleted or excised from records prior to inspection, examination, or

distribution of copies of the nonexempt portions. Charges for the use of district/staff resources to extract the information may be levied according to the above guidelines. Questions relative to these guidelines should be directed to the Public Records Office, 455 N. Garland Avenue, Orlando, Florida 32801, phone (407) 841-LYNX.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

INSTRUCTIONS FOR REQUESTING PUBLIC RECORDS

(Florida Public Records Law, Chapter 119, Florida Statutes)

1. In order to expedite your public records request, requests for records should be in writing, and requests will be processed in the order in which they are received. You may request that a Public Records Request Form be faxed to you by calling (407) 841-2279, extension 3170. Such form is also available on the LYNX web page at www.golynx.com. Select the "Public Records" menu. Requests may be submitted by facsimile to (407) 254-6137, or by e-mail to publicrecords@golynx.com.
2. Requests must be for records in the possession of or prepared, owned, used, or retained by LYNX, and requests should be for sufficiently identifiable records. Copies will not be provided if the information is confidential or otherwise exempt from public inspection or copying under the Public Records Law. Confidential information shall be deleted or excised from records prior to inspection, examination, or distribution of copies of the nonexempt portions.
3. Your request will be filled as soon as reasonably possible after receipt of the request. If a request is insufficient to identify the documents sought, you will be notified as soon as reasonably possible after the request is received that more information is needed in order to produce the records. If necessary, LYNX staff will assist you in making a request that describes sufficiently identifiable records. You will be notified as soon as reasonably possible after LYNX receives your request if your request seeks copies of public records which are not in the possession of or prepared, owned, used, or retained by LYNX and/or otherwise not subject to disclosure. Such notice will indicate if the records you requested have been deemed confidential or otherwise exempt from disclosure by the source of the record. If the search for records finds the records voluminous, you will be notified of the approximate number of pages and/or length of time it will take to process your request.
4. If your request is to review records, rather than receive copies, LYNX will notify you once the records are gathered, and an appointment will be made with you for review at LYNX business offices.
5. Charges for the cost of duplication are as follows: Paper copies, \$0.15 per one-sided copy and \$0.20 per two-sided copy (additional \$1.00 charge for certified copy); data on copied CD, \$2.00 each; data on copied diskette, \$2.00 each; data on copied audio tape, \$3.00 each. An invoice will accompany your records when completed. Payment in full shall be made prior to release of the requested documentation. There may be additional charges for extensive use of staff time or information technology resources. These rates shall be adjusted from time to time for inflation. If a person wishes a photocopied page to contain a certification that it is a true and correct copy of the original, there may be an additional charge imposed.
6. For further clarification please refer to the Florida Public Records Law (Florida Statutes, Section 119.01 et seq.) and the LYNX Policy for Implementing the Florida Public Records Law. The policy is available on the LYNX website at www.golynx.com.

If you have questions pertaining to the submittal of a Public Records Request, you may contact the Public Records Office, (407) 841-2279, extension 3170, Monday through Friday, 8:00 a.m. to 5:00 p.m. Our Fax number is (407) 254-6137. Our e-mail address is publicrecords@golynx.com.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

PUBLIC RECORDS REQUEST FORM

STEP 1: PRINT & COMPLETE all information. Please date and sign the request. For assistance, see the Instructions for Requesting Public Records, available at LYNX offices or at www.golynx.com, under the Public Records menu.

STEP 2: SUBMIT completed form to Public Records Office, LYNX, 455 North Garland Avenue, Orlando, Florida 32801, FAX: (407) 254-6137. Do not attach payment to this form. Instead, wait to receive a notice of the estimated cost.

STEP 3: PAY FEE, if applicable. Once you have received a notice of estimated cost, submit fees by personal check or money order payable to LYNX, together with a copy of the invoice to: Public Records Office, LYNX, 455 North Garland Avenue, Orlando, Florida 32801. If payment is not received within 10 working days after notice of the estimated cost is forwarded, it may be necessary to initiate a new request. **RECORDS ARE NOT RELEASED BEFORE FEES ARE PAID.**

COMPLETE BELOW:

LAST NAME _____ FIRST NAME _____ MIDDLE INITIAL ____

NAME OF ORGANIZATION/COMPANY _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE (____) _____ FAX (____) _____

E-MAIL _____@_____

Description of Records Requested (Type or Print): To expedite the request, be as specific as possible. You may attach additional pages to the form as necessary. Clearly mark any attachments.

Delivery information – Check appropriate box below. Costs for producing the requested information shall be paid in advance of delivery or viewing of records.

- Make public records available for viewing.** The requestor will be notified when records are available for review at LYNX Administrative Offices. There is no cost to view the public record, unless fees apply for the extensive use of information technology resources or extensive clerical or supervisory assistance.
- Make copies for pick up by requestor.** The requestor will be invoiced and must pay for the copies before the copies are released.
- Make copies and mail to requestor.** The requestor will be invoiced and must pay for the copies before the copies are released.
- Make copies and fax to requestor.** The requestor will be invoiced, and the requestor must pay for the copies before the copies are released.

CENTRAL FLORIDA REGIONAL TRANSPORTATION AUTHORITY, d/b/a LYNX

PUBLIC RECORDS REQUEST FORM

SUBMISSION OF REQUEST IS CERTIFICATION THAT REQUESTOR UNDERSTANDS AND ACCEPTS OBLIGATION TO PAY APPLICABLE FEES FOR COPIES OF RECORDS REQUESTED AND THAT NO COPIES MAY BE RETURNED FOR CREDIT.

SIGNATURE OF REQUESTOR: _____
If submitted electronically, signature and date on line above unnecessary.

If you have any questions please e-mail us at publicrecords@golynx.com
This form is available at www.golynx.com, Public Records

Consent Agenda Item #6.D

To: LYNX Board of Directors

From: **Linda Watson**
CHIEF EXECUTIVE OFFICER
Edward Johnson
(Technical Contact)
Bert Francis
(Technical Contact)
Joseph Sperty
(Technical / Project Lead Title 3)

Phone: 407.841.2279 ext: 3017

Item Name: Authorization to issue a Request for Proposals (RFP) for professional services to develop LYNX' procurement policies and procedures

Date: 8/24/2006

ACTION REQUESTED:

Staff requests the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to issue a Request for Proposal (RFP) for professional services to develop LYNX' procurement/purchasing policies and procedures.

BACKGROUND:

Over the last year, there has been significant turnover in the Procurement Department. Additionally, the Procurement Manager who oversees the Department has been serving in Kuwait for the last 10 months. Prior to this current military stint, he had only been at LYNX for about a year.

We currently have a retired procurement professional filling in part-time to directly oversee the department; his current contract with us expires the end of September. Within the last several months, LYNX lost all three Contract Administrators (a 100% turnover in this area). To date, we have only been able to fill two of the three vacant positions. In exit interviews we have learned that employees are leaving for other public sector jobs that pay more and have less stress, which is related to very heavy workloads.

In March of this year we completed a peer review by the American Public Transportation Association (APTA) at no cost to LYNX other than travel expenses. APTA brought in procurement managers from other transit systems to review our practices and processes. Further, we just completed a FTA Procurement System Review. The results of both reviews show that LYNX needs to update its procurement policies and procedures and provide training for the

department as well as other departments that work with procurement. There are no in-house resources for doing this; a professional consultant is required.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

Staff will include in the RFP a Disadvantaged Business Enterprise (DBE) goal of 12.25% that is consistent with the current overall goal.

FISCAL IMPACT:

The estimated cost for this activity will be approximately \$150,000. Funding for professional services such will be programmed in the FY2007 Operating Budget through the operating reserves.

Consent Agenda Item #6.E

To: LYNX Board of Directors

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

Phone: 407.841.2279 ext: 3047

Item Name: Authorization to exercise the first option year of the interlocal agreement with Orange County for "THE CLUB" Program

Date: 8/24/2006

ACTION REQUESTED:

Staff requests the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to exercise the first option year of the interlocal agreement with Orange County for "THE CLUB" Program.

BACKGROUND:

On August 5, 2004, LYNX and Orange County entered into a Transportation Partnership Agreement for LYNX to provide its regularly scheduled fixed route services to *the Club* participants with valid identification between the hours of 1:00 p.m. to 11:00 p.m. on weekdays and 6:00 a.m. to 11:00 p.m. on weekends, and during school breaks as determined by the County with advanced notice to LYNX. Orange County pays LYNX the KIS (Kids in School) discount fare rate for each trip. The current KIS fare is 75 cents.

Over the past two years, the program has worked very well. The ridership has increased from 67,457 in 2005, to 242,346 in 2006. LYNX is pleased to participant in such a worthwhile effort and welcomes the opportunity to continue this successful program.

FISCAL IMPACT:

The fiscal impact will be the potential decrease in fare revenue and student ridership, if the program does not continue.

Consent Agenda Item #6.F

To: LYNX Board of Directors

From: Bert Francis
CHIEF FINANCIAL OFFICER
Doug Jamison
(Technical Contact)

Phone: 407.841.2279 ext: 3047

Item Name: Authorization to extend contract #01-004, "Installation of LYNX Passenger Amenities" with T&G Constructors

Date: 8/24/2006

ACTION REQUESTED:

Staff requests authorization by the Board of Directors' for the Chief Executive Officer (CEO) or designee to extend contract #01-004 with T&G Constructors from August 31, 2006 through December 31, 2006. This extension will allow for the installation of twenty-three (23) shelters currently in storage, and will allow for the removal of four (4) existing shelters if needed. The total estimated cost of this work is \$230,000 approved in the FY2006 LYNX Capital budget and programmed in the FY2007 Budget.

BACKGROUND:

Contract #01-004, "Installation of LYNX Passenger Amenities," was issued to T&G Constructors in 2001 as a three-year contract with two additional option years. The contract covers the tasks of site demolition and preparation, traffic control, groundwork, installation of concrete pads, and installation of LYNX passenger shelters with associated site hardware. Prices are set as unit costs for each piece of work to be performed.

Staff is requesting the extension of Contract #01-004 to maintain continuity in LYNX' shelter installation program. In May 2006, LYNX released Invitation for Bid (IFB) #06-036 for a new shelter installation contract. Two bids were received with prices higher than expected. Staff has worked with the bidding contractors to determine ways to reduce the perceived risk in the bid with the goal of reducing the bid prices. The IFB will be updated and staff will re-solicit bids and prepare to seek a new contract award by December 31, 2006.

PROPOSED NEW EXPANSION:

The extension of contract #01-004 will allow LYNX to install seven (7) smaller (6' x 9') shelters, fifteen (15) standard (10' x 10') shelters, and one (1) large (15' x 15') shelter along with

all associated site work, landscaping, and sidewalk extensions. Authorization will also allow for four (4) removals if necessary due to potential conflict with construction projects.

DISADVANTAGE BUSINESS ENTERPRISE (DBE) PARTICIPATION:

LYNX procurement policies for construction and other service contracts require that prime contractors make a good faith effort to subcontract a portion of the work to DBE firms. This contract has established a DBE goal of 11.5% participation. T & G Constructors will continue to work with the DBE Officer to achieve the goal.

FISCAL IMPACT:

This extension of contract #01-004 will utilize grant funding already approved by the Board in the FY2006 Capital Budget and funding programmed in the FY 2007 Capital Budget scheduled for adoption in September 2006.

Consent Agenda Item #6.G

To: LYNX Board of Directors

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

Phone: 407.841.2279 ext: 3047

Item Name: Authorization to renew the interlocal agreement with VOTRAN to continue the commuter bus service between Volusia County and Downtown Orlando

Date: 8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to execute the interlocal agreement between LYNX and VOTRAN to continue the commuter bus service between Volusia County and Downtown Orlando.

BACKGROUND:

Over the past several years, LYNX and VOTRAN have worked in a cooperative relationship to provide the operational services for the commuter bus service (Link 200) between Volusia County and Downtown Orlando via Interstate-4. The Florida Department of Transportation (FDOT) has provided a service development grant to the Volusia Transportation Authority funding fifty percent (50%) of the cost to operate the commuter bus service. LYNX generates advertising revenue to support 25% of the cost to operate and the other 25% is funded by VOTRAN. The customer fares are shared 50% FDOT, 25% LYNX, and 25% VOTRAN, consistent with the cost.

LYNX and VOTRAN have mutually expressed a desire to continue this service. The ridership for Link 200 has performed as follows:

- ✓ FY2004 number of riders was 13,981
- ✓ FY2005 number of riders was 12,736
- ✓ FY2006 number of riders (October 2005 – July 2006) 9,917

The motivation for continuing the agreement is primarily one of supporting infrastructure challenges, reducing local road congestion, and providing transportation alternatives for our customers.

FISCAL IMPACT:

LYNX Board Agenda

The VOTRAN contract is currently fully funded by customer fares, FDOT and LYNX advertising revenue.

**CENTRAL FLORIDA REGIONAL TRANSPORTATION
AUTHORITY (LYNX)
AND
VOTRAN (A DEPARTMENT OF THE GOVERNMENT
OF VOLUSIA COUNTY)**

AN INTERLOCAL AGREEMENT

**FOR THE PROVISION OF COMMUTER BUS
SERVICE BETWEEN VOLUSIA COUNTY AND
DOWNTOWN ORLANDO**

The parties to the Agreement are the County of Volusia, a political subdivision of the State of Florida, 123 West Indiana Avenue, Deland, FL 32720 (hereinafter, "COUNTY"), and the Central Florida Regional Transportation Authority, body politic and corporate created pursuant to Part II, Chapter 343, Florida Statutes, 445 W. Amelia Street, Suite 800, Orlando, FL 32801 (hereinafter "LYNX").

WHEREAS, the County of Volusia is a political subdivision of the State of Florida; and

WHEREAS, LYNX is the regional public transportation agency responsible for providing an integrated, efficient and comprehensive public surface transit system in the counties of Orange, Osceola, and Seminole include bus service; and

WHEREAS, population growth in Volusia and Seminole Counties and employment growth in downtown Orlando have contributed to a rapid increase in peak period traffic congestion on Interstate-4, between Volusia County and downtown Orlando which have resulted in the degradation of Level of Service; and

WHEREAS, the Volusia County Metropolitan Planning Organization, METROPLAN ORLANDO, LYNX, the Volusia Transportation Authority, and the Florida Department of Transportation completed an Inter-Regional Study to identify short term, quickly implementable transit service for West Volusia County and the Orlando Urban are to assist in minimizing congestion; and

WHEREAS, the COUNTY and LYNX mutually desire to enter into a cooperative relationship whereby LYNX will provide or cause to be provided the operational services associated with commuter bus service between Volusia County and downtown Orlando via Interstate-4; and

WHEREAS, the Florida Department of Transportation (FDOT) has offered a service development grant tot the Volusia Transportation Authority which will provide fifty percent (50%) of the funding necessary to operate commuter bus service.

NOW, THERFORE, in consideration of the mutual promises and undertakings contained herein, the parties hereby agree as follows:

1. **DEFINITIONS.** For purposes of the Agreement, the following words shall have the meaning stated in this Section 1, unless the context clearly indicates otherwise.
 - A. *VOTRAN* means the Volusia Transportation Authority, as described in §2-137 of the Volusia County Code of Ordinances.
 - B. *Manager* means the General Manager of VOTRAN, or his or her designee.
 - C. *LYNX* means the Central Florida Regional Transportation Authority, as created and described in Part II, Chapter 343, Florida Statues.
 - D. *Project Manager* means the individuals LYNX And VOTRAN designate as the point of contact for the operation of the service.
 - E. *Passenger* means a person receiving transportation service from LYNX. The passenger is VOTRAN's customer, and is the user of the service provided by LYNX.
 - F. *Service* shall refer to commuter bus service as outlined in Attachment A "Volusia County Commuter Bus Service Plan."
 - G. *Safety Sensitive Employees* are those personnel who dispatch or control revenue service vehicles under this Agreement, and personnel who dispatch or control revenue service vehicles under this Agreement and personnel who maintain revenue service vehicles or equipment used under this Agreement.

2. **AGREEMENT.** LYNX agrees to provide commuter bus service scheduled by VOTRAN in accordance with this Agreement. As consideration for the satisfactory performance of LYNX' promises contained herein, COUNTY agrees to reimburse LYNX for services rendered in accordance with the reimbursement rates and terms stated in Section 3 below.

3. REIMBURSEMENT RATES AND TERMS. COUNTY agrees to reimburse LYNX for services rendered based upon the following overall costs:

- A.** For the first six (6) months of service, COUNTY will pay LYNX at a Commuter Bus Service the rate determined as of September 30, 2006 per total service hour (revenue and non-revenue).
- B.** Upon completion of six (6) months of Commuter Bus Service, the parties mutually agree that COUNTY will pay LYNX the actual cost of Commuter Bus Service based on LYNX' records of all actual costs associated with the performances of this Agreement. Within thirty (30) days after the end of the initial six (6) month period and any such other six (6) month period, LYNX will provide COUNTY with a schedule (detail) listing of the Commuter Bus Service cost of operations for the preceding six (6) months. In the event that COUNTY has underpaid the costs for the preceding six (6) months, COUNTY will pay the balance due within thirty (30) days, of invoicing. If COUNTY has paid more than the actual costs for the preceding six (6) months, a credit will be given to COUNTY for the amount of overpayment on the following months billing.

The estimated rate will be adjusted to an hourly rate based on the current hours of operation and the preceding six (6) month's actual costs. This rate will be effective for the next six (6) months. This adjustment process will be completed within thirty (30) days from the end of each six (6) month period.

- C.** The funding partnership for Commuter Bus Service shall be as follows:
 - 1.** COUNTY shall provide 75% of the funding (25% from the COUNTY plus 50% from its direct Joint Participation Agreement with the Florida Department of Transportation).
 - 2.** LYNX shall provide no more than 25% of the funding.
- 4. TERM.** The term of this Agreement shall be for a one-year period, commencing upon execution of the Agreement by both parties and ending September 30, 2007, contingent upon annual appropriations by the Florida State Legislature and the Volusia County Council.

5. **ON-GOING SERVICE REVIEW.** The COUNTY and LYNX shall evaluate the service performance of the Commuter Bus Service operations on an on-going basis. Should ridership and service performance significantly decline, LYNX may, at its sole option, discontinue the service upon sixty (60) days written notice to COUNTY.
6. **SCOPE OF WORK.** The scope of work is outlined in Attachment A “Volusia County Commuter Bus Service Plan”.
7. **COMPLIANCE WITH REGULATIONS.** This agreement and the use of transit vehicles and all services provided by (LYNX/VOTRAN) contemplated by this Agreement are subject to and shall be in accordance with the terms and conditions of the grant agreement(s) between the respective transit agencies, and the Federal Transit Administration and the Florida Department of Transportation, both of whom provided funds for the provision of service. This Agreement is subject to all applicable Federal, State and other governmental laws, rules or regulations.
8. **METHOD OF PAYMENT.** COUNTY shall pay LYNX for the number of total service hours (revenue and non-revenue) actually provided, in accordance with the rate schedule stated in Section 3. LYNX shall invoice COUNTY within thirty (30) working days following completion of the service for the month. COUNTY will reimburse LYNX on a monthly basis. LYNX’ invoice shall specify by the date the number of revenue hours provided during the billing period. LYNX’ funding portion, as provided in Section 3, shall be deducted from the billing invoice. In addition, LYNX shall list all fares collected by LYNX that shall also be deducted from the monthly invoice. Also, LYNX shall increase the monthly invoice for LYNX’ 25% of the total fares collected by LYNX and the COUNTY. COUNTY will review the information and invoice and pay LYNX the amount of the invoice within thirty (30) days after receipt.
9. **ADVERTISING.** The parties agree that LYNX shall have the right to sell advertising space both on the exterior and interior of each vehicle. All revenues derived from such advertising shall be collected by LYNX and used to fund LYNX’ 25% share of monthly service costs. Any excess revenues generated by advertising shall remain the property of LYNX.
10. **SERVICE AVAILABILITY.** The service availability requirements of the Agreement are met with:

- A. A vehicle and driver meeting the requirement of this Agreement are available to meet all trips assigned by the Manager, except in case of vehicle breakdown, accident, or similar service interruptions beyond LYNX' control;
 - B. In cases where service is interrupted because of vehicle breakdown, accident or similar service interruption, LYNX sends a relief vehicle and/or driver to resume service immediately.
11. **ACCIDENTS.** LYNX shall be responsible for responding to, investigating, and notifying VOTRAN of any accident that involves vehicles or drivers providing service under this Agreement. LYNX shall report all such accidents by faxing a record of the LYNX Daily Operations Report on an exception basis. The LYNX Risk Manager will provide VOTRAN with a summary of accidents every thirty (30) days. The Risk Manager will also coordinate all claims with COUNTY's Risk Manager.
 12. **PASSENGER COMPLAINTS.** LYNX shall receive and process all passenger complaints. LYNX shall receive and will investigate and make its best effort to resolve all service complaints in a timely manner. LYNX shall provide a Passenger Complaint report by fax within 48 hours from the time the complaint was received. The Complaint report shall include the nature of the complaint and the status. The LYNX Customer Relations Supervisor shall also provide VOTRAN with a Summary Complaint Report every thirty (30) days.
 13. **MARKETING.** LYNX and VOTRAN agree that in order for the proposed service to be successful, a marketing program must be sustained throughout the term of this Agreement in order to maintain the ridership base as well as attracting new riders to the proposed service. LYNX and VOTRAN shall jointly develop a Marketing Plan for the service. Marketing costs will be determined and each agency's share of expenses will be negotiated and outlined in the Marketing Plan including both out-of-pocket expenditures and in kind services.
 14. **PUBLIC INFORMATION.** LYNX and VOTRAN agree to include on the vehicle information regarding the other parties' public transportation services, such as service and written public materials/schedules.
 15. **PERFORMANCE STANDARDS.** LYNX shall require strict adherence of the following performance standards. Failure to meet these performance standards within ten (10) days after notification of corrective action necessary to resolve the deficiency shall be cause for termination of this Agreement.
 - A.

Satisfactory Driver and Vehicle. No passenger shall be transported by a vehicle or driver not meeting the requirements of this Agreement.

- B.** Operating Schedule. LYNX shall be available for service as specified in Attachment A “Volusia County Commuter Bus Service Plan”.
- C.** On-Time Performance. LYNX shall maintain an average on-time performance of 90%.
- D.** Driver Standards. LYNX agrees, as to all drivers or subcontractor drivers employed by LYNX, to comply with the driver standards, specified by COUNTY, §341.061, Florida Statutes, and Chapter 14-90, Florida Administrative Code. Standards shall include a formal selection process to verify that the applicant has a valid commercial driver license, of an appropriate class corresponding to the type of vehicle and nature of driving the applicant is expected to perform. Verification that the applicant has a clean driving record, with no more than 3 points in the past three years. Verification that the applicant is physically capable of safely driving all vehicles to be used to transport passengers. Verification that a D.O.T. pre-employment physical and drug screen has been performed and verification that a criminal background check has been completed. Verification of proper identification for purposes of Federal Immigration and naturalization Form I-9 purposes.

LYNX agrees to maintain a file on each driver that includes copies of annual motor vehicle records, record of complaints, commendations and accident reports and documentation of training completed. In compliance with the Americans with Disabilities Act, LYNX agrees to maintain a separate confidential physical and drug screen file.

LYNX shall employ drivers who are sufficiently skilled in the English language to carry on necessary conversations with passengers and the dispatcher, to read a vehicle schedule and fill out required reports. Drivers shall not smoke, drink, nor eat at any time in a vehicle while performing service under this Agreement.

- E.** Training Standards. LYNX shall provide an approved driver training and retraining program, to teach and maintain driver proficiency and the necessary skills to provide safe, courteous, efficient service. The driver training program shall include:

- Defensive driving, using a program approved by the National Safety Council.
- Use of all special equipment with the job, such as wheelchair lifts, fire extinguisher and two-way communications.
- Operating procedures, including passenger assistance policies, fare collection, vehicle pre-operations checks, use of forms and record keeping and dispatch procedures.
- Familiarization with the service area.
- Passenger assistance techniques and sensitivity training.
- Relevant policies and procedures contained in an Operator's Manual.
- Familiarity with VOTRAN's connecting routes and schedules (routes 18, 20 and 22).

In addition, LYNX agrees to perform drivers training to include at least annual reviews of individual driver's responsibilities, performance and semi-annual observations of the driver's on-the-job performance. Supervisors should ride with the drivers to observe their driving techniques. New drivers shall be road tested with each different kind of vehicle to be sure they can handle them before passengers are transported and records maintained for all drivers to verify that the training has been received. Individual training records shall be available for inspection upon request.

- F.** Uniforms. LYNX Bus Operators, as employees under Contract, shall be required to wear LYNX uniforms.
- G.** Vehicle Standards. LYNX shall provide a sufficient number of vehicles to meet the service levels outline in Attachment A, and must include spare vehicles to allow for routing, servicing and maintenance, repairs, vehicle breakdowns, and similar occurrences as many as may reasonably be anticipated. LYNX shall assign suburban coaches for the service. Vehicles shall be in good working condition. A minimum capacity of 43 seats shall be provided. Each vehicle shall comply with ADA guidelines for accessibility (i.e. wheelchair lifts, tie downs). Each vehicle shall come equipped with an electronic destination sign as well as information racks.

- H.** Project Management. The Manager of Transportation and/or his designee shall act as the Project Manager and shall provide adequate staff to manage the service in an efficient manner. LYNX shall provide dispatch coverage from the operating base and maintain a driver pool adequate to ensure that daily service demands are met. The Project Manager shall be located at the LYNX operating facility and will be available for required meetings. The Project Manager or designee shall at all times be available by phone and shall have the legal authorization of LYNX to take reasonable action in the event of an emergency. LYNX agrees to provide emergency phone numbers to VOTRAN for all key administrative/management personnel. Also, VOTRAN shall designate a Project Manager to serve as the Agency's primary contact and will provide emergency phone numbers if needed.

The Project Manager shall be responsible for communication, coordination, and management needed for the operation of an efficient and effective service.

- I.** Performance Log. LYNX shall maintain a daily operations record which can be provided to VOTRAN.

- J.** Reporting. LYNX shall provide ridership information and all other associated data for National Transit Database (Section 15). LYNX shall be responsible for collecting and depositing all passenger fares collected onboard the buses. Collected fares shall be counted and deposited on a daily basis to a bank account established by LYNX. All farebox revenues generated by the service shall remain the property of LYNX.

LYNX shall maintain GFI CENTS-A-BILL farebox or an approved equivalent on all vehicles used in revenue service. LYNX should provide a daily summary of farebox vault of fares collected. In addition, a count of passengers by fare type for each revenue trip should be provided. VOTRAN reserves the right to observe, count, or perform other audit functions necessary to verify the security and accuracy of the fare collection procedure.

- K.** Safety Policy. LYNX shall have a safety policy, including a system for monitoring driver performance which identifies problem drivers, and recognizes good driver. The program shall include methods for promoting safe driving practices, such as award, meetings and posters. LYNX must have a written Safety System Program Plan (SSPP) that meets the requirements of COUNTY, §341.061, Florida Statutes, and Chapter 14-90, Florida Administrative Code.

- L. Drug Free Workplace Policy. LYNX shall have a written Drug Free Workplace Policy that meets Federal Transit Administration requirements for Drug/Alcohol testing of all safety sensitive employees to include pre-employment, random, post-accident and probable cause. LYNX agrees to randomly test safety sensitive employees using LYNX' internal program as approved by FTA. LYNX agrees that if routine vehicle maintenance is subcontracted, the company providing the maintenance meets the FTA drug testing requirements.
 - M. Facility Standards. LYNX shall provide a base of operations with adequate facilities to secure parking, administration, vehicle maintenance and service. LYNX administrative and management office shall be equipped with a fax machine on a dedicated telephone line, and sufficient voice telephone lines to ensure that the supervisors and administrative staff can be reached during service hours, as specified in Attachment A.
 - N. Refusal of Service. LYNX shall have the right to refuse service to a passenger only if it is believed that the passenger cannot be transported safely or the passenger is disruptive, abusive, or reasonably appears to be intoxicated. All service denials will be recorded on the Daily Operations Report and faxed to VOTRAN immediately.
- 16. CHANGES IN SERVICE.** The COUNTY and LYNX may make changes within the scope of work to this Agreement as per mutual agreement between the parties. Such changes may include, but are not limited to revised schedules, routes and stops; record keeping/reporting requirements; federal and state legislative action, and additional driver training and operations policy proposal. Should any change have a financial effect on the cost of operations, an equitable adjustment in the rates of compensation shall be negotiated.
- 17. STATUS OF LYNX.** LYNX shall have the status of independent contractor to COUNTY, and not that of agent or employee. LYNX agrees that personnel assigned to provide services pursuant to this Agreement shall be considered employees of LYNX only, and not employees or agents of COUNTY. LYNX shall, with respect to said employees, be responsible for withholding and paying federal income taxes, paying Social Security taxes, paying unemployment insurance and maintaining a policy of insurance covering workers compensation risks in such amounts and with such coverage as required by the laws of the State of Florida.

- 18. CONFIDENTIALITY/SOLICITATION.** LYNX agrees to comply with applicable federal, state, or local laws, policies and procedures regarding disclosure of information concerning passengers who receive services under this Agreement.
- 19. VEHICLE INSURANCE.** LYNX agrees to provide COUNTY with a Certificate of Insurance on the date of execution hereof, and on each renewal date showing a minimum liability insurance coverage for each vehicle used to provide service pursuant to Sovereign Immunity Statutes 768.28 which provides \$100,000 per person and \$200,000 per occurrence. A copy of LYNX' Self-Insurance Certificate will be provided to COUNTY.
- 20. TERMINATION OF AGREEMENT.**
- A. Termination Without Cause.** Either party may terminate this Agreement without cause unto one hundred twenty (120) days written notice to the other party. Upon such termination without cause, LYNX shall be entitled to payment in accordance with the payment provisions, for services rendered up to the termination date and COUNTY shall have not other obligations to LYNX.
- B. Termination for Cause.** COUNTY may terminate this Agreement for material breach or for default, in accordance with the paragraph, if LYNX fails to perform the services in a timely manner and in accordance with the standards provided in Section 16 above. Prior to termination for cause, COUNTY shall give LYNX a Notice of Intent to Terminate, specifying the circumstances of LYNX' default. LYNX shall have fifteen (15) days to cure the default (measured from LYNX' receipt of the Notice of Intent). Notice of Intent to Terminate shall be provided by facsimile transmission as well as by certified-mail. If LYNX fails to cure the default before the expiration of the fifteen (15) day cure period, then COUNTY shall have no further obligation to LYNX except to pay for services provided through the date of the termination. LYNX shall not be found in default for events arising due to acts of God.
- C. Termination Due to Lack of Funding.** In the event funds to finance all or a portion of this Agreement are not available, the parties may mutually terminate this Agreement with no less than 120 days written notice. Any decision regarding availability of funds shall rest solely in the sound legislative discretion of the County Council or LYNX' governing board.
- 21. INDEMNIFICATION.** LYNX. Shall indemnify and hold harmless COUNTY, its agents and employees pursuant to applicable state law.

- 22. GOVERNING LAWS.** Except to the extent Federal law is applicable, the interpretation, effect, and validity of this Agreement shall be governed by laws and regulations of the State of Florida, and County of Volusia, Florida. Venue of any legal action to enforce the terms of this Agreement, or any default thereof shall be in Volusia County, Florida. In the event that an action is brought for the enforcement of any term of the Agreement, or any right arising therefrom, the parties expressly waive the respective right to have such action tried by jury trial and hereby consent to a non-jury trial for the adjudication of such action.
- 23. AUDIT.** COUNTY may require LYNX' financial and performance records to be audited on an annual basis by an independent certified public accountant of COUNTY's selection at COUNTY expense, as a part of COUNTY's reasonable monitoring of LYNX' performance hereunder. By execution of this Agreement LYNX grants its consent to such audit.
- 24. NOTICES.** All notices, demands, or other communications given hereunder shall be in writing and shall be deemed to have duly affected on the first business day after mailing and U.S. Registered or Certified Mail, Return Receipt Requested, postage prepaid, addressed as follows:

Lois Bollenback
 General Manager
 VOTRAN
 950 Big Tree Road
 South Daytona, FL 32119

Linda S. Watson
 Chief Executive Officer
 LYNX
 455 N. Garland Avenue
 Orlando, FL 32801

Also:

Albert J. Francis II, CPA
 Chief Financial Officer
 LYNX
 455 N. Garland Avenue
 Orlando, FL 32801

Ellisa C. Darnall
 Chief Operating Officer
 LYNX
 455 N. Garland Avenue
 Orlando, FL 32801

- 25. EFFECTIVE DATE.** This Agreement shall become effective on the date of complete execution hereof by all parties, as indicated below.
- 26. COMPLETE AGREEMENT AND AMENDMENTS TO AGREEMENT.** This Agreement represents the entire, full and complete agreement between the parties, and supersedes all prior agreements whether written or verbal. No other representations have induced the parties to execute the Agreement. There are no valid or binding representations, inducements, promises or agreements, oral or otherwise, between the parties that are not embodied herein. No amendment,

change or variance from this Agreement shall be binding on either party unless executed in writing by both parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date specified.

County of Volusia

Central Florida Regional
Transportation Authority

County Council Date

Chief Executive Officer Date

County of Volusia, Florida
123 West Indiana Avenue
Deland, Florida 32720

Chief Executive Officer
LYNX
455 N. Garland Avenue
Orlando, Florida 32801

Attest:

Attest:

County Manager

Assistant Secretary

Consent Agenda Item #6.H

To: LYNX Board of Directors

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

Phone: 407.841.2279 ext: 3047

Item Name: Authorization to revise the fiscal impact of the July 2006 amendment to the LYNX Operations Center (LOC) and amend the proposed FY2007 Capital Budget

Date: 8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) or designee to revise the fiscal impact of the July 2006 amendment to the LYNX Operations Center (LOC) in the amount of \$1,995,000 for a total project cost of \$36,476,000. In addition, staff is requesting authorization to amend the proposed FY2007 Capital Budget, accordingly.

BACKGROUND:

In July 2006, staff submitted for Board approval a LOC project budget amendment in the amount of \$1,995,000 with the intent of utilizing the remaining State Infrastructure Bank Loan (SIB) in the amount of \$883,596. In addition LYNX staff requested to swap operating funds for a capital match from Orange County in the amount of \$113,904 and to utilize State Urban Development Grant funds (FDOT) in the amount of \$997,500 to fund the amendment. After further analysis and review of the overall available funding, staff determined that it would be more appropriate to maximize the use of the total remaining FDOT grant funds awarded in the amount of \$2,469,767 for the LOC project. This scenario, which was presented to the Audit Committee in July 2006, will provide an additional \$1,472,267 of available FDOT funding to the project. Such FDOT funding requires a local match and would remain unexpended under the original scenario.

At this time, we need Board approval to revise the funding of the \$1,995,000 budget amendment.

FISCAL IMPACT:

LYNX' staff is requesting the following funding revision to the budget amendment in order to move the project forward as needed:

Capital Budget	Original	Revised
Utilization of the remainder of the SIB loan	\$ 883,596	\$ 883,596
Orange County capital swap	\$ 113,904	\$ 1,586,170
State Urban Development Grant	\$ 997,500	\$ 2,469,767
Federal Transit Administration		\$ (2,944,533)
Total	\$ 1,995,000	\$ 1,995,000

The utilization of the remainder of the SIB loan represents funds that are currently on hand but were earmarked for expansion buses. We will reprogram these funds towards the LOC budget and thus will reprogram Federal funds for replacement buses and use TRIP funds and SIB loan proceeds for expansion buses. This will allow us to fully utilize the remainder of the State Urban Development Grant in the amount of \$1,472,267 that is only available for the LOC project.

The utilization of the Orange County capital swap is similar to how we used these funds in December 2005 to facilitate the original budget revision.

Consent Agenda Item #6.I

To:	LYNX Board of Directors
From:	Bert Francis CHIEF FINANCIAL OFFICER Blanche Sherman (Technical Contact)
Phone:	407.841.2279 ext: 3047
Item Name:	Authorization to exercise the first option period of the fuel contract with Terrell Industries
Date:	8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Director’s ratification of the Chief Executive Officer (CEO) or designee exercising the first six-month option of the fuel contracts with Terrell Industries.

BACKGROUND:

In August 2002, the Board delegated authority to the CEO or designee to award bids and issue contracts for all future fuel purchases and waived the \$150,000 limit set in the Procurement Practices Administrative Rule 4. The Board took this action due to the high volatility of fuel prices when attempting to secure a fixed unit price for fuel over the term of a contract.

In February 2006, Legal Counsel recommended staff seek confirmation of the continued delegation of authority to the CEO due to the amount of time elapsed since the initial authority was granted.

Typically, the Invitation for Bid (IFB) includes pricing options for the supply of fuel at a fixed unit price that will require all vendors to be pre-qualified for the bid. Qualified vendors will supply their bid for each of the options specified in the IFB between 10 a.m. and 11 a.m. on the day of the bid. Staff compiles the bid tabulation sheet and submits the presentation to the CEO before 12:30 p.m. on the day of the bid. The successful vendor is notified of the award prior to 1:30 p.m. on the day of the bid.

Since 2002, the CEO has issued and awarded all fuel contracts. Since granting the delegated authority, staff estimates over \$1 million have been saved with LYNX fuel bids. Most recently in January 2006, the CEO, under the auspices of the delegated authority, awarded one fuel contract as follows:

Selected	Fuel Type	Contract Duration	Not to Exceed
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LYNX Board Agenda

Distributor			Contract Amount
Terrell Industries	Unleaded Fuel: MV Transportation	January - June 2006 with three six month options	\$65,000

In July 2006, the CEO authorized the extension of the first six months option period for each of the above contracts as follows:

Vendor	Fuel Type	Extension Period	Not to Exceed Contract Amount
Terrell Industries	Unleaded Fuel: MV Transportation	July – September 2006	\$130,000

Consent Agenda Item #6.J

To:	LYNX Board of Directors
From:	Bert Francis CHIEF FINANCIAL OFFICER Blanche Sherman (Technical Contact)
Phone:	407.841.2279 ext: 3047
Item Name:	Authorization to exercise the first option period of the fuel contracts with Mansfield Oil Company
Date:	8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Director’s ratification of the Chief Executive Officer (CEO) exercising the first six-month option of fuel contracts with Mansfield Oil Company.

BACKGROUND:

In August 2002, the Board delegated authority to the CEO or designee to award bids and issue contracts for all future fuel purchases and waived the \$150,000 limit set in the Procurement Practices Administrative Rule 4. The Board took this action due to the high volatility of fuel prices when attempting to secure a fixed unit price for fuel over the term of a contract.

In February 2006, Legal Counsel recommended staff seek confirmation to the continued delegation of authority to the CEO due to the amount of time elapsed since the initial authority was granted.

Typically, the Invitation for Bid (IFB) includes pricing options for the supply of fuel at a fixed unit price that will require all vendors to be pre-qualified for the bid. Qualified vendors will supply their bid for each of the options specified in the IFB between 10 a.m. and 11 a.m. on the day of the bid. Staff compiles the bid tabulation sheet and submits the presentation to the CEO before 12:30 p.m. on the day of the bid. The successful vendor is notified of the award prior to 1:30 p.m. on the day of the bid.

Since 2002, the CEO has issued and awarded all fuel contracts. Since granting the delegated authority, staff estimates over \$1 million have been saved with LYNX fuel bids. Most recently in January 2006, the CEO, under the auspices of the delegated authority awarded two fuel contracts as follows:

Selected	Fuel Type	Contract Duration	Not to Exceed
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LYNX Board Agenda

Distributor			Contract Amount
Mansfield Oil	Unleaded Fuel: LYNX	January - June 2006 with three six month options	\$766,000
Mansfield Oil	Diesel Fuel: LYNX	January - June 2006 with three six month options	\$4,540,000

In July 2006, the CEO authorized the extension of the first six months option period for each of the above contracts as follows:

Vendor	Fuel Type	Extension Period	Not to Exceed Contract Amount
Mansfield Oil	Unleaded Fuel: LYNX	July – September 2006	\$1,761,000
Mansfield Oil	Diesel Fuel: LYNX	July – September 2006	\$9,100,000

Consent Agenda Item #6.K

To: LYNX Board of Directors

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

Phone: 407.841.2279 ext: 3047

Item Name: Authorization for the Chief Executive Officer (CEO) or designee to retire and sell surplus items as listed at a public auction.

Date: 8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Directors' authorization for the Chief Executive Officer (CEO) to retire and sell, at a public auction, surplus items as identified in the attached list.

BACKGROUND:

It is LYNX' policy to hold an annual auction to dispose of Board approved surplus assets. This year's auction was scheduled for June 2006. However, due to the recent termination of the Princeton lease as of September 30, 2006, additional surplus items have been identified and require disposition. As such, the following surplus items require authorization for retirement and disposal at the public auction:

Furniture, Fixtures and Equipment:

Surplus and obsolete furniture, fixtures and equipment including lifts and jacks with an acquisition value of \$162,163 and a net book value of zero (\$0).

Leasehold Improvement:

Surplus building improvements including a fuel tank system with related equipment and a bus wash system with an acquisition value of \$494,449 and a net book value of zero (\$0).

FISCAL IMPACT:

As of September 30, 2006, the surplus items will be fully depreciated, resulting in a zero (\$0) net book value. The net proceeds from this sale will be included in LYNX' non-operating revenue.

LYNX ASSETS
Princeton Auction Request 2006

System No	Company Asset No.	Description	Acquisition Date	Acquisition Value	Accumulated Depreciation	Net Book Value
Leasehold Improvements:						
3950	97271PLHA001	BUS WASH SYSTEM	7/7/1997	352,502	352,502	-
3950	97271PLHA001	FUEL TANK & RELATED ITEMS	7/7/1997	141,947	141,947	-
Total Leasehold Improvements:				494,449	494,449	-
Equipment:						
3729	97271STG3007	PARALLOGRAM LIFT	5/15/1997	76,000	76,000	-
3730	97233STG3008	PARALLOGRAM LIFT	5/15/1997	16,331	16,331	-
3800	97233STG3056	PARALLOGRAM LIFT (PRINCETON)	7/10/1997	13,000	13,000	-
5350	2323	SEFAC ELECTROMECH. JACKS	1/27/1994	6,223	6,223	-
5351	2324	SEFAC ELECTROMECH. JACKS	1/27/1994	6,223	6,223	-
5352	2325	SEFAC ELECTROMECH. JACKS	1/27/1994	6,223	6,223	-
5353	2326	SEFAC ELECTROMECH. JACKS	1/27/1994	6,223	6,223	-
5356	2329	SEFAC ELECTROMECH. JACKS	1/27/1994	6,223	6,223	-
5357	2510	SEFAC ELECTROMECH. JACKS	1/27/1994	6,430	6,430	-
5358	2331	SEFAC ELECTROMECH. JACKS	1/27/1994	6,430	6,430	-
5359	2332	SEFAC ELECTROMECH. JACKS	1/27/1994	6,430	6,430	-
5360	2333	SEFAC ELECTROMECH. JACKS	1/27/1994	6,430	6,430	-
Total Equipment:				162,163	162,163	-
Grand Total				\$ 656,612	\$ 656,612	-

Consent Agenda Item #6.L

To: LYNX Board of Directors

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

Phone: 407.841.2279 ext: 3047

Item Name: Authorization to ratify action taken by the LYNX Chief Executive Officer (CEO), Linda Watson authorizing the execution of the LYNX Operations Center (LOC) Change Order #56

Date: 8/24/2006

ACTION REQUESTED:

Authorization is requested for the Chief Executive Officer (CEO) to approve the LYNX Operations Center (LOC) Change Order #56 (see memorandum dated August 8, 2006 from the CEO), in the amount of \$200,000, which is a unilateral change order for structural modifications to the building “B” roof structure to accommodate the HVAC equipment.

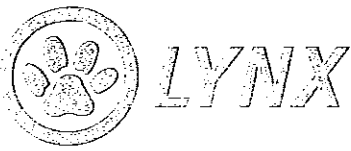
BACKGROUND:

As discussed in the Audit Committee, July 27, 2006 we have many obstacles to overcome to complete the construction of the LOC. Our immediate concern is the roof of building “B”, as it is a considerably large undertaking. According to our Project Manager design errors have resulted in the need for immediate structural revisions to the roof. The roof cannot support the installation of the HVAC air conditioning units and therefore we have to remove and replace the roof.

The delay for “General Conditions” is approximately \$50,000 per month for the LYNX Operations Center construction project. That is to say, if we delay the project, the Contractor will bill us for the project overhead which includes security, utilities, office on site etc.

FISCAL IMPACT:

This change order in the amount of \$200,000 will not change the overall amended LOC project budget.



TO: Board of Directors and LYNX Operations Center Sub-Committee
FROM: Linda Watson
Chief Executive Officer
SUBJECT: Change Order # 56 Approval, LYNX New Operations Center (LOC)
DATE: August 8, 2006

As discussed in the Audit Committee, July 27, 2006 we have many obstacles to overcome to complete the construction of the LOC. Our immediate concern is the roof of building "B" as it is a considerably large undertaking. The existing roof cannot support the installation of the HVAC air conditioning units and therefore we have to remove and replace the roof.

The delay for "General Conditions" is approximately \$50,000 per month for the LYNX Operations Center construction project. That is to say, if we delay the project, the contractor will bill us for the project site overhead which includes security, utilities, office on site etc.

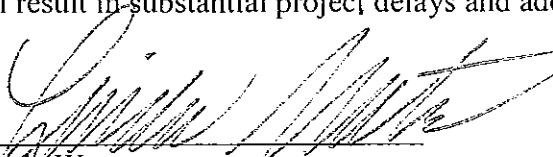
Furthermore, in light of the fact that LYNX has not received an extension for the Princeton property, a delay in construction of the LOC would also significantly affect our ability to move out of Princeton by the end September.

Change Order #56 is a unilateral change order for structural modifications to the building "B" roof structure to accommodate the HVAC equipment.

This change order, as provided for in the bylaws, shall be noticed to the Governing Board as a consent item at the next scheduled meeting of the Governing Board.

§4.4.5 "The Governing Board may elect to approve a Project Contingency for certain Procurements or capital improvement projects that may require contingent additional costs. The Chief Executive Officer and Chief Financial Officer shall have the authority to authorize orders for use of Project Contingency not to exceed a total of 10% of the Governing Board approved contract amount up to \$150,000.00 (for any single change, claim or amendment) and 50% of the approved Project Contingency, in the aggregate. Once 50% of the Project Contingency has been utilized, only the Chief Executive Officer, with approval by the Governing Board, may authorize use of the remaining 50% of the Project Contingency, unless the Chief Executive Officer determines that a delay in authorization of the expense will result in substantial delay or additional cost to the Authority. Any Change Order, claim, amendment or expenditure of Project Contingency, as provided herein, shall be noticed to the Governing Board as an information item at the next scheduled meeting of the Governing Board."

Pursuant to the authority vested in me under Central Florida Regional Transportation Authority (d/b/a LYNX) Administrative Rule 4, Bylaws of the Authority, Sections 4.4.1.A and 4.4.5, notice is hereby given that I approve the execution of LYNX Operating Center Change Order #56 insomuch as the delay in authorizing the change order (the next meeting of the Governing Board, August 24, 2006) will result in substantial project delays and additional cost to the Authority.

BY: 
Linda Watson
Chief Executive Officer

407-841-2279
www.golynx.com

455 North Garland Avenue
Orlando, FL 32801-1518

July 28, 2006

Mr. Eric R. Wilson, P.E.
LYNX Project Manager
455 N. Garland Avenue
Orlando, FL 32801-1518

Letter: #238

Subject: LYNX Contract CT 03-019 LYNX New Operations Base Construction Project,
Proposed Change Order 101 – “Building “B” Roof Top A/C Structural Changes” –
Recommendation to Issue Unilateral Change Order

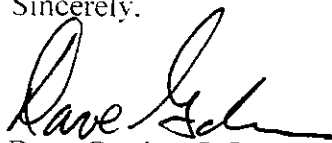
Dear Mr. Wilson,

Design errors have resulted in the need for immediate structural revisions to the Building “B” roof so that RTAC No 1 and No 2 can be mounted. The contractor has been provided revised structural details by the Structural Engineer of Record and is proceeding with the development of detailed shop drawings, but has not provided the Construction Manager with a detailed cost estimate.

Given the urgency of accomplishing the work, I recommend that LYNX issue a Unilateral Change Order to the construction contractor to avoid mounting delays to the project. Preliminary estimates provided by the subcontractor performing the structural work indicate that the amount required will be in excess of \$200,000. I recommend the unilateral change be issued in this amount, and that the actual amount of the change will be negotiated based on the cost justification provided by the contractor after completion of the work.

Please contact me at 407-660-9870 if you have any questions in this regard.

Sincerely,



Dave Gorden, P.E.
Project Manager

Edward W. Holmes, P.E.
Resident Engineer
Earth Tech
30 South Keller Road, Suite 500
Orlando, FL 32810

June 19, 2006

Re: LYNX New Operations Center

Subject: Structural Re-Design @ Building "B"
RTAC No: 1 & RTAC No: 2 &
Delay Notice

Dear Ted:

Please find attached SMI Joist "Approved as Noted" Shop Drawings of 10.26.04.

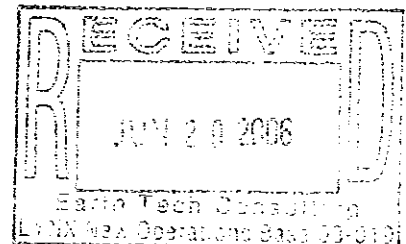
Reference is made to the "crosshatched" areas (2 each) whereas Foote Steel proposes removal in order to accommodate the Engineer of Record proposed "fix". Also attached is Foote Steel's Proposal for same, we are requesting comment on both issues prior to issuance of a PCO this way we all will be on the same page. Please note, Foote Steel require a 35 Day Time Extension for this Proposed increased scope.

Kindest Regards,



THE COLLAGE COMPANIES
Dominic Casey, Sr. Project Manager
Office: 407.445.2230
Cell: 407.448.4565

Cc: Tom Palmer, Project Superintendent
Project File(s): Earth Tech
Building "B" Structural Re-Design
Foote Steel



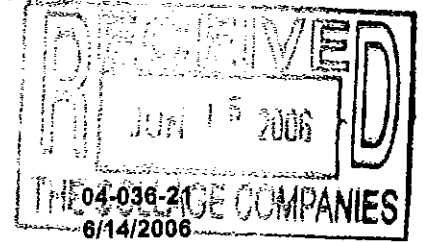


FOOTE STEEL CORP.

DESIGNERS, FABRICATORS, AND ERECTORS OF
STRUCTURAL STEEL-BAR AND LONGSPAN JOIST

CHANGE ORDER BREAKDOWN

PAGE ONE OF 2



SUBMITTED TO: The Collage Companies

JOB #:

DATE:

JOB NAME: The Lynx New Operations Base

LOCATION: Orlando, Florida

ATTN: Dominic Casey

FAX:

FOOTE STEEL CORP. proposes subject to conditions herein to, remove the existing roof at Building B and add the new joists, joist girders, new decking and one (1) partition wall beam. This breakdown includes the cost for any weather proofing that will be needed and all safety barriers to provide a safe area at the roof of this building. This quote is a preliminary budget number only. Foote Steel reserves the right to modify this price higher or lower before the final change order is executed. The final price may be higher or lower than this due to any field conditions that may arise at the time of erection.

BREAKDOWN: TOTAL TIME EXTENSION REQUIRED: 35 DAYS

MATERIAL		\$3,225.00
FASTENERS	Hilti Wedge Anchors x 0-6 Long	\$188.00
DRAFTING	20 added detailing hours	\$1,000.00
ENGINEERING		\$0.00
SHOP LABOR	15 added shop man hours	\$675.00
FREIGHT	One (1) trip to deliver added mat'l to site	\$180.00
MISCELLANEOUS	Crane Rental costs	\$49,935.00
BUY-OUTS	Man Lift, Welding Machine Rental, Weather proofing & Safety Barriers	\$12,500.00
JOISTS		\$21,335.00
DECK		\$7,336.00
PROFIT		\$24,028.00
TAX		\$12,018.00
ERECTION		\$63,500.00
BOND COST		\$0.00
TOTAL		\$195,920.00

PRICE: SEE ABOVE (SALES TAX INCLUDED)

BY: Brian Houshour ~ P.M.

This proposal offered for acceptance within 15 days after which it is subject to confirmation by the seller.

SIGNATURE BELOW SIGNIFIES THE ACCEPTANCE OF THIS PROPOSAL IN ITS ENTIRETY.

Accepted for: FOOTE STEEL CORP..
SIGNATURE _____
NAME _____
TITLE DATE _____

Accepted for: The Collage Companies
SIGNATURE _____
NAME _____
TITLE DATE _____

6635 EDGEWATER DR. ORLANDO, FLORIDA 32810
PHONE: (407) 293-0120 FAX: (407) 298-5739

Consent Agenda Item #6.M

To: LYNX Board of Directors

From: **Lisa Darnall**
 CHIEF OPERATING OFFICER
Jennifer Clements
 (Technical Contact)
Belinda Balleras
 (Technical Contact)
Patricia Bryant
 (Technical / Project Lead Title 3)

Phone: 407.841.2279 ext: 3036

Item Name: Authorization to submit a request to the Florida Department of Transportation (FDOT) for Transportation Regional Incentive Program (TRIP) funding for Fiscal Year 2008

Date: 8/24/2006

ACTION REQUESTED:

Staff is requesting the Board of Directors’ authorization for the Chief Executive Officer (CEO) or designee to submit a request for funding to the Florida Department of Transportation (FDOT) under the Transportation Regional Incentive Program (TRIP) for FY2008.

BACKGROUND:

In 2005, the Florida Legislature passed Senate Bill 360. This new Growth Management legislation included provisions for Transportation Regional Incentive Program (TRIP) funds, which could be used to purchase new buses for service expansion. LYNX requested, and the Florida Department of Transportation (FDOT) approved, funding for sixteen (16) buses under this program to provide vehicles for Service Development Grant-funded services as follows:

FY2007 Service	
Buses	Description
5	Clermont Express
1	Link 55 Extension
3	Alafaya Circlator
4	Link 30
3	Spares (20% spare ratio)

LYNX secured a State Infrastructure Bank (SIB) Loan for \$7.140 million to provide the 50% match to the TRIP funds.

PROPOSED NEW EXPANSION FY2008:

LYNX is again requesting funds for buses needed to provide expansion of service as identified in the Transit Development Plan (TDP) and Comprehensive Operations Analysis (COA).

FDOT requested a multi-year plan for this current application cycle, but they will only be awarding funds for the first one to two years. LYNX is requesting the following, in keeping with the COA recommendations to grow the bus fleet by 50 vehicles to 290 in five years:

FDOT 5 YEAR TRIP REQUEST					
	FY07/08	FY08/09	FY09/10	FY10/11	FY11/12
Buses	13	12	12	7	6
TRIP	\$2,665,000	\$2,706,000	\$2,976,600	\$1,909,985	\$1,800,843
SIB	\$2,665,000	\$1,835,000	-	-	-

Next steps are to advance this request through the METROPLAN ORLANDO process. METROPLAN is coordinating the region’s prioritized request and the requesting agencies are responsible for submitting their applications directly to FDOT. While LYNX, as a multi-county agency, may submit requests directly to FDOT, it is also important for the agency to work within the region’s prioritization process at METROPLAN to indicate the level of support for transit in the context of the region’s overall transportation needs under this program.

FISCAL IMPACT:

It is anticipated that FDOT will program TRIP funding for up to two (2) years beginning FY2008 State fiscal year. LYNX has \$4.5 million additional SIB funds which will be applied as a match to the next 2-year round of TRIP awards. In order to cover the shortfall in Year 2 in the amount of \$871,000, LYNX has the opportunity to apply for additional SIB loans or utilize local capital funding to fully fund the match.

Action Agenda Item #7.A

To: LYNX Board of Directors

From: **Linda Watson**
CHIEF EXECUTIVE OFFICER
Bert Francis
(Technical Contact)
Edward Johnson
(Technical Contact)

Phone: 407.841.2279 ext: 3017

Item Name: Authorization to ratify action taken by the LYNX Board of Director's Chairman to suspend Section 4.4 of Administrative Rule #4 - Contract Administration

Date: 8/24/2006

ACTION REQUESTED:

Staff seeks the Board of Directors' ratification of the Acting Chairman's action suspending Section 4.4 of Administrative Rule #4, Contract Administration, until such time staff provides an amended Rule and permits the Chief Executive Officer (CEO) to establish a temporary internal policy for executing purchase orders and contracts less than \$10,000.

BACKGROUND:

At the January 2006 Board of Directors meeting, the Board adopted Administrative Rule #4, Contract Administration, authorizing the Chief Executive Officer (CEO) to award contracts on behalf of the Authority not to exceed \$150,000. However, Section 4.4 of the Administrative Rule does not allow for the delegation of signature authority past the CEO. Subsequently, at the June 2006 Board of Directors meeting, the Board authorized the delegation of signature authority to the Chief Financial Officer (CFO) for binding documents not exceeding \$10,000.

After a review of purchases made within the current fiscal year, it is estimated that 60% of the total purchases are under the \$5,000 threshold and another 10% are between \$5,000 and \$10,000. To assure efficient operation of service, it is critical that signature authority on purchase orders for items less than \$5,000 be delegated to Contract Administrators and Buyers and establish a \$10,000 limit for the Manager of Contracts. This action of delegating signature authority to the Division level is recommended by the Federal Transit Administration's (FTA) during their Procurement Review Exit Interview in July 2006.

Staff will submit to the Board of Directors a proposed amendment to Administrative Rule #4 at the September 2006 meeting.

Information Item I: Employee Travel Report

To: LYNX Board of Directors

From: Linda Watson
 CHIEF EXECUTIVE OFFICER
Blanche Sherman
 (Technical Contact)
Pamela Durkin
 (Technical Contact)

Phone: 407.841.2279 ext: 3017

Item Name: Monthly Employee Travel Report

Date: 8/24/2006

EMPLOYEE/ DEPARTMENT/ DIVISION	DESTINATION	PURPOSE	DATE Departure and Return	COMPANY COST
Blanche Sherman Finance	Austin, TX	COMTO	07/08-07/11/06	1,839
Pamela Durkin Executive	Montreal, QC	2006 Transit Board Members Seminar	07/20-07/26/06	1,867
Doug Jamison Planning	Toronto, Ontario Canada	APTA Intermodal	07/30-08/04/06	3,129
Danson Davidson Operations	Tampa, FL	Basic Electric Training	07/31-08/04/06	CUTR
Keith Berberich Operations	Tampa, FL	Basic Electric Training	07/31-08/04/06	CUTR
William Hearndon Paratransit	Washington, DC	CTAA's Institute for Trans. Coord.	07/31-08/03/06	1,153*
Belinda Balleras Grants	Washington, DC	CTAA's Institute for Trans. Coord.	07/31-08/03/06	951*
William Hearndon Paratransit	Tampa, FL	FDOT/FPTA/CUTR Prof. Dev. workshop	08/07-08/10/06	538
Belinda Wilson Business Relations	Tampa, FL	FDOT/FPTA/CUTR Prof. Dev. workshop	08/07-08/10/06	451
Linda Connell Risk Management	Orlando, FL	61 st Annual Fl. Workers Comp Conf.	08/13-08/16/06	210
*Federally Grant Funded			TOTAL	\$10,138

Information Item II: Ridership Report

To: LYNX Board of Directors

From: **Lisa Darnall**
 CHIEF OPERATING OFFICER
Jennifer Clements
 (Technical Contact)
Darrell Smith
 (Technical Contact)
Terry Jordan
 (Technical / Project Lead Title 3)

Phone: 407.841.2279 ext: 3036

Item Name: Ridership Report for June 2006 Final

Date: 8/24/2006

June 2006 – Final

All Services (Fixed Route, Special Shuttles, Access LYNX and VanPlan) Comparison to Prior Year

	June 2005	June 2006	Percentage +/-
Total Monthly Boardings	1,962,054	2,105,346	+7.3%
Average Weekday Boardings	75,106	80,459	+7.2%
Annual Ridership to Date	18,500,832	18,835,182	+1.8%

June 2006 experienced a systemwide ridership total of 2,105,346, or an increase of 7.3% compared to the 1,962,054 boardings recorded in June 2005.

Fixed Route – Comparison to Prior Year

	June 2005	June 2006	Percentage +/-
Total Monthly Boardings	1,901,638	2,045,234	+7.6%
Average Weekday Boardings	72,578	78,014	+7.5%
Annual Ridership to Date	17,905,044	18,283,337	+2.1%

Fixed route ridership for the month of June 2006 totaled 2,045,234, reflecting an increase of 7.6% when compared to the 1,901,638 passengers carried in June 2005.

Fixed Route – Comparison to Prior Month

	May 2006	June 2006	Percentage +/-
Total Monthly Boardings	2,089,162	2,045,234	-2.1%
Average Weekday Boardings	78,573	78,014	-0.7%
Number of Weekdays	22	23	+4.5%

When compared to the fixed route boardings in May 2006, June 2006 experienced a ridership decrease of 2.1%. June 2006 also saw a slight decrease of 0.7% in the average number of passengers riding per weekday (78,014) when compared to the average weekday ridership in May 2006 of 78,573.

Individual Fixed Route Comparison to Prior Year

Comparisons of individual route ridership during June 2006 show one route (Link 12) to have experienced a decline in ridership greater than 10% when compared to June 2005.

Route Decreases Greater Than 10%

- Link 12 – Buenaventura Lakes/Boggy Creek (-13.3%)

However, June 2006 produced 23 routes with increases of 10% or greater when compared to June 2005, of those 23 routes six experienced increases above 20%

Route Increases Greater Than 20%

- Link 26 – Pleasant Hill Road/Poinciana (+24.1%)
- Link 27 – Plant Street/Oakland (+27.6%)
- Link 34 – Sanford/Goldsboro (+21.9%)
- Link 45 – Lake Mary (+34.1%)
- Link 46 – West S.R. 46/Seminole Towne Center (+30.7%)
- Link 57 – John Young Parkway (+21.6%)

LYNX MONTHLY RIDERSHIP JUNE 2006 - FINAL

FY 2006

Service Mode	Oct-05	Nov-05	Dec-05	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	TOTAL YEAR
LYMMO	98,726	97,582	96,276	90,962	93,232	104,808	96,949	102,166	101,618				882,319
25% OF VOTRAN	323	280	218	273	226	350	295	346	362				2,674
(all other Links)	1,937,622	1,920,566	1,975,403	1,869,830	1,834,244	2,026,533	1,904,243	1,986,650	1,943,254				17,398,344
Total Fixed Route	2,036,671	2,018,428	2,071,897	1,961,065	1,927,702	2,131,691	2,001,487	2,089,162	2,045,234				18,283,337
Special Shuttles	0	125	91	24,932	84	56	136	519	47				25,990
Access LYNX	44,693	45,409	42,823	42,680	40,117	52,251	40,734	44,621	44,299				397,627
VanPlan	12,472	12,194	13,054	13,473	14,272	16,730	14,260	16,007	15,412				127,874
TOTAL	2,093,836	2,076,156	2,127,865	2,042,150	1,982,175	2,200,728	2,056,617	2,150,309	2,104,992				18,834,828

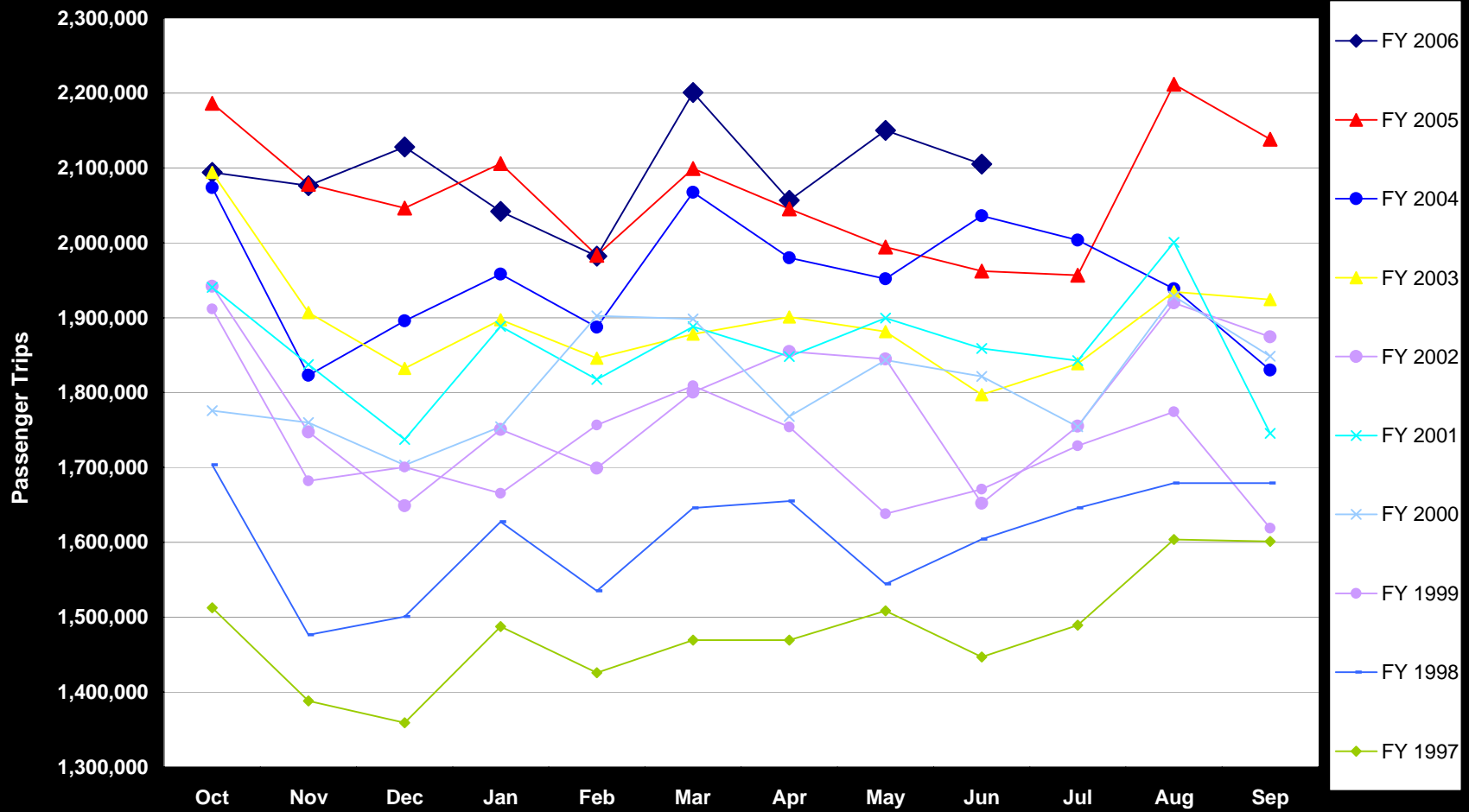
% CHANGE FROM FY 2005 TO FY 2006

Service Mode	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	TOTAL YEAR
LYMMO	11.2%	6.8%	4.2%	-7.9%	-6.7%	1.2%	-8.9%	4.9%	5.3%				0.8%
25% OF VOTRAN	-1.9%	-4.8%	-24.5%	-9.5%	-27.7%	1.4%	1.9%	14.7%	14.5%				-3.8%
(all other Links)	-4.5%	0.0%	4.4%	-2.5%	0.6%	5.2%	1.5%	8.2%	7.7%				2.2%
Total Fixed Route	-3.8%	0.3%	4.4%	-2.8%	0.2%	5.0%	0.9%	8.0%	7.6%				2.1%
Special Shuttles	-100.0%	145.1%	-13.3%	-5.3%	-25.0%	-87.9%	83.8%	-11.1%	-89.1%				-10.8%
Access LYNX	-11.5%	-7.9%	-7.7%	-12.8%	-12.5%	-1.2%	-16.4%	-4.8%	-8.8%				-9.2%
VanPlan	-29.2%	-27.4%	-15.3%	0.9%	1.7%	13.6%	10.8%	28.8%	35.3%				-0.6%
TOTAL	-4.2%	-0.1%	4.0%	-3.0%	0.0%	4.8%	0.6%	7.8%	7.3%				1.8%

FY 2005

Service Mode	Oct-04	Nov-04	Dec-04	Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Jul-05	Aug-05	Sep-05	TOTAL YEAR
LYMMO	88,774	91,389	92,433	98,789	99,916	103,613	106,431	97,391	96,514	95,721	110,496	104,413	1,185,880
25% OF VOTRAN	329	295	289	302	313	345	290	302	316	297	344	372	3,794
(all other Links)	2,028,139	1,920,348	1,891,693	1,918,273	1,822,895	1,927,035	1,876,977	1,836,846	1,804,808	1,803,988	2,037,024	1,972,454	22,840,480
Total Fixed Route	2,117,242	2,012,031	1,984,415	2,017,364	1,923,124	2,030,993	1,983,698	1,934,539	1,901,638	1,900,006	2,147,864	2,077,239	24,030,153
Special Shuttles	965	51	105	26,333	112	464	74	584	433	22	59	14	29,216
Access LYNX	50,501	49,286	46,402	48,921	45,863	52,905	48,714	46,848	48,593	45,009	50,288	47,868	581,198
VanPlan	17,624	16,794	15,410	13,358	14,032	14,724	12,872	12,430	11,390	11,624	13,524	13,298	167,080
TOTAL	2,186,332	2,078,162	2,046,332	2,105,976	1,983,131	2,099,086	2,045,358	1,994,401	1,962,054	1,956,661	2,211,735	2,138,419	24,807,647

LYNX Ridership Growth - All Modes



ROUTE RIDERSHIP REPORT

Link No	Route	FY05 Average Monthly Ridership	Apr-06	% Change April 06 to May 06	May-06	% Change May 06 to June 06	Jun-06	% Change from June 06 to June 05	Change June 06 as Compared to FY05 Avg. Monthly Ridership
1	N Orange Ave./Altamonte Mall	17,758	17,798	7.3%	19,098	-9.8%	17,235	12.0%	7.55%
2	Colonialtown	3,605	3,303	20.3%	3,972	-18.2%	3,249	6.7%	10.18%
3	Lake Margaret	17,630	18,623	-1.4%	18,364	-3.1%	17,790	8.2%	4.16%
4	South U.S. 441/Kissimmee	141,616	143,732	3.7%	149,058	-2.1%	145,858	8.8%	5.25%
5	Lake George/Fort Gatlin	5,013	4,758	1.5%	4,829	-7.8%	4,450	2.3%	-3.67%
6	Dixie Belle	19,003	16,499	5.5%	17,400	-9.5%	15,747	-5.4%	-8.43%
7	S. Orange Ave./Florida Mall	25,426	24,163	2.9%	24,873	1.5%	25,254	4.5%	-2.17%
8	W. Oak Ridge Rd./Int'l Dr.	155,602	162,455	5.8%	171,892	-5.3%	162,719	11.2%	10.47%
9	N. Orange Ave./Rosemont	29,726	30,735	0.2%	30,805	-4.8%	29,320	7.5%	3.63%
10	East U.S. 192/St. Cloud	20,147	19,167	0.6%	19,285	-2.1%	18,882	-5.9%	-4.28%
11	S. Orange Ave./OIA	35,133	33,741	1.5%	34,233	-3.6%	33,016	-1.5%	-2.56%
12	Buenaventura Lks/Boggy Ck	8,124	7,796	-1.1%	7,708	-24.1%	5,850	-13.3%	-5.12%
13	University of Central Florida	35,077	32,485	0.1%	32,532	-3.0%	31,567	1.9%	-7.25%
14	Princeton Street/Plymouth Apts.	6,564	5,897	0.2%	5,910	-1.8%	5,804	6.8%	-9.96%
15	Curry Ford Rd./V.C.C. East	47,552	48,363	2.7%	49,658	-9.8%	44,798	6.8%	4.43%
16	College Park/The Meadows	11,004	10,181	5.6%	10,756	3.2%	11,095	-0.4%	-2.25%
17	North U.S. 441/Apopka	51,586	52,401	0.4%	52,595	-3.1%	50,964	6.0%	1.95%
18	S. Orange Ave./Kissimmee	35,515	34,971	3.9%	36,323	1.6%	36,905	12.1%	2.28%
19	Richmond Heights	28,605	28,467	3.0%	29,331	-4.1%	28,120	11.8%	2.54%
20	Malibu/Pine Hills	64,130	66,372	3.3%	68,559	-7.0%	63,777	7.7%	6.91%
200	Volusia Express	316	295	17.3%	346	4.7%	362	14.6%	9.43%
21	Carver Shores/Tangelo Park	81,009	80,324	7.8%	86,607	4.5%	90,500	10.9%	6.91%
22	Richmond Estates	27,498	25,295	1.7%	25,713	1.3%	26,044	8.8%	-6.49%
23	Winter Park/Forest City	26,783	26,861	0.7%	27,048	-1.2%	26,736	9.8%	0.99%
24	Millenia	9,006	9,154	11.2%	10,180	-0.1%	10,172	14.6%	13.04%
25	Silver Star Rd.	73,995	70,396	6.3%	74,797	-5.8%	70,423	-1.5%	1.08%
26	Pleasant Hill Rd./Poinciana	14,778	15,939	5.2%	16,763	-5.9%	15,782	24.1%	13.43%
27	Plant St./Oakland	7,585	7,053	2.6%	7,239	12.7%	8,159	27.6%	-4.57%
28	E. Colonial Dr./Azalea Park	43,223	44,226	-0.1%	44,201	-2.1%	43,262	5.8%	2.26%
29	E. Colonial Dr./Goldenrod	42,028	40,355	7.4%	43,349	-2.4%	42,311	6.8%	3.14%
30	Colonial Dr. Crosstown	51,192	52,465	-0.6%	52,159	-6.2%	48,905	3.7%	1.89%
300-304	Downtown Disney Direct	15,924	16,384	7.9%	17,679	4.0%	18,389	15.9%	11.02%
Lymmo	Lymmo	98,820	96,949	5.4%	102,166	-0.5%	101,618	5.3%	3.39%
32	Union Park/Bithlo	4,362	4,355	11.2%	4,844	-0.2%	4,834	14.1%	11.04%
33	Midway/Sanford Airport	2,148	2,163	-2.5%	2,110	9.6%	2,313	5.3%	-1.75%
34	Sanford/Goldsboro	7,297	7,199	13.4%	8,167	-3.0%	7,918	21.9%	11.93%
36	Lake Richmond	24,681	24,028	-0.3%	23,952	1.5%	24,319	12.1%	-2.96%
37	Park Promenade Plaza/Florida Mall	59,510	61,576	8.7%	66,942	0.6%	67,369	14.6%	12.49%
38	Downtown Orlando/Int'l Dr.	14,845	15,464	5.9%	16,377	2.9%	16,846	12.2%	10.32%
39	U.S. 17-92/Sanford	61,948	60,812	2.3%	62,233	-7.0%	57,860	2.6%	0.46%
40	Americana/Universal Orlando	35,384	34,247	6.9%	36,611	1.6%	37,202	9.8%	3.47%
41	S.R. 436 Crosstown	124,669	120,566	5.7%	127,485	-4.3%	121,971	0.8%	2.26%
42	International Dr./OIA	77,359	80,357	2.3%	82,215	2.5%	84,231	10.9%	6.28%
43	Central Florida Pkwy.	13,859	11,579	19.7%	13,863	10.0%	15,254	-3.0%	0.03%
44	Clarcona/Zellwood	18,176	18,052	3.3%	18,653	-4.0%	17,911	0.5%	2.63%
45	Lake Mary	3,811	4,383	7.3%	4,702	-2.3%	4,596	34.1%	23.39%
46	W. S.R. 46/Seminole Towne Ctr.	11,761	13,345	15.8%	15,450	-9.9%	13,917	30.7%	31.37%
47	Oviedo	3,823	4,453	-7.0%	4,142	-4.0%	3,976	-2.8%	8.34%
48	W. Colonial Dr./Park Promenade	46,929	50,466	-1.0%	49,956	-3.0%	48,470	12.9%	6.45%
49	W. Colonial Dr./Pine Hills	47,945	50,486	1.5%	51,224	-6.7%	47,777	11.0%	6.84%
50	Downtown Orlando/Magic Kingdom	37,170	41,347	7.5%	44,434	2.8%	45,694	9.2%	19.54%
51	Conway/OIA	34,533	34,340	0.9%	34,638	-7.1%	32,164	-1.8%	0.30%
52	Pine Castle/Tradeport	6,010	5,564	-0.8%	5,522	-0.1%	5,519	-0.9%	-8.11%
53	Story Rd./Tildenville	8,923	9,129	-0.2%	9,107	-0.2%	9,093	-3.2%	2.06%
54	Old Winter Garden Rd.	15,223	14,084	0.2%	14,111	-4.4%	13,488	-5.5%	-7.30%
55	West U.S. 192/Orange Lake	29,090	31,540	-2.3%	30,804	15.1%	35,450	18.0%	5.89%
56	West U.S. 192/Magic Kingdom	30,715	34,258	5.9%	36,296	4.2%	37,819	15.5%	18.17%
57	John Young Pkwy.	14,780	14,500	9.7%	15,913	2.3%	16,285	21.6%	7.66%
Unknown	Farebox Errors	16,589	5,591	150.1%	13,983	28.0%	17,895	13.5%	-15.71%
Total		2,002,513	2,001,487	4.4%	2,089,162	-2.1%	2,045,234	7.6%	4.3%

Information Item III: Financial Reports

To: LYNX Board of Directors

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

Phone: 407.841.2279 ext: 3047

Item Name: Monthly Financial Reports

Date: 8/24/2006

Please find attached the monthly financial reports for the nine months ending June 30, 2006. Included is a Balance Sheet as of June 30, 2006 for your review. LYNX' Statement of Revenues, Expenses, and Changes in Net Assets (Operating Statement) for the nine months ending June 30, 2006 indicates total revenue earned in the amount of \$67,252,344 and total expenses incurred in the amount of \$65,065,010 resulting in a net operating profit of \$2,187,334.

In addition:

- Fixed route and mobility services resulted in an operating profit of \$2,523,921 for the nine months of operations.
- Paratransit services resulted in an operating loss of \$(336,587) for the nine months operations.

The fixed route positive results relate to lower than anticipated cost for LYNX' fixed route services due to *cyclical* trends. Customer fares are higher than expected due to increases in ridership. Shelter advertising revenue, customer fares, and interest income is higher than anticipated, which contributes to the positive results year-to-date. Also, personnel costs are under budget due to the existence of several vacant positions. In addition, expenses relating to professional services are not being accrued on a monthly basis and as such the amounts reported reflect only actual payments year-to-date. These expenses as well as other operating expenses will be incurred as planned as the year progresses and the positive results may decrease.

In regard to the paratransit operations, the negative results are due to the write-off of denied Medicaid trips from prior years. The positive impacts are due to lower than anticipated trip levels and related costs year-to-date. The current year Medicaid trip levels are down due to the creation of the new HMO transportation systems and recent changes in the Medicaid customers' eligibility status. We are closely monitoring the trip levels in order to ensure consistency with planned operating expenses. Also, LYNX' staff continues to review this program daily to ensure that the provider is in compliance with service performance standards and other contract obligations.

**C.F.R.T.A. (LYNX)
BALANCE SHEETS
JUNE 30, 2005 AND 2006
(UNAUDITED)**

	<u>2006</u>	<u>2005</u>		<u>2006</u>	<u>2005</u>
ASSETS			LIABILITIES AND NET ASSETS		
CURRENT ASSETS:			CURRENT LIABILITIES:		
Cash and cash equivalents	\$ 9,464,207	\$ 9,378,046	Accounts payable	\$ 3,816,665	\$ 5,016,782
Receivables:			Accrued salaries and related taxes	654,943	939,013
Local, trade and operating assistance	5,962,069	5,213,537	Accrued compensated absences	2,713,035	2,672,424
Federal grants	2,287,293	7,911,992	Accrued self-insurance liability, current	1,171,339	1,106,000
State grants	3,309,232	2,021,269	Leases payable, current	45,011	61,771
Inventory	1,863,235	1,376,665	Deferred operating revenue	4,064,881	6,046,458
Prepaid expenses and other assets	674,856	224,926	Deferred capital	2,000,364	823,488
Restricted cash and cash equivalents	<u>2,000,364</u>	<u>823,488</u>			
Total current assets	<u>25,561,256</u>	<u>26,949,923</u>	Total current liabilities	<u>14,466,238</u>	<u>16,665,936</u>
NONCURRENT ASSETS:			NONCURRENT LIABILITIES:		
Restricted cash and cash equivalents	<u>5,129,218</u>	<u>4,911,125</u>	Leases payable, long-term	-	45,011
Property and equipment:			Loans payable	15,558,991	14,833,991
Land	8,571,465	8,571,465	Accrued self-insurance liability, long-term	1,905,497	1,546,000
Buildings and shelters	39,457,783	36,349,630	Total noncurrent liabilities	<u>17,464,488</u>	<u>16,425,002</u>
Revenue vehicles	64,851,981	67,539,841	Total liabilities	<u>31,930,726</u>	<u>33,090,938</u>
Furniture, Fixtures & Equipment	14,737,454	12,428,557			
Leasehold improvements	<u>1,705,204</u>	<u>1,802,285</u>	NET ASSETS:		
Total property and equipment	129,323,887	126,691,778	Invested in capital assets, net of related debt	82,565,366	68,062,375
Less accumulated depreciation	(65,446,189)	(68,187,943)	Unrestricted	<u>11,894,071</u>	<u>10,441,334</u>
Construction in progress	<u>30,804,912</u>	<u>19,578,931</u>	Total net assets	<u>94,459,437</u>	<u>78,503,709</u>
Net property and equipment	<u>94,682,610</u>	<u>78,082,766</u>	TOTAL LIABILITIES AND NET ASSETS	<u>\$ 126,390,163</u>	<u>\$ 111,594,647</u>
Other assets	<u>1,017,079</u>	<u>1,650,833</u>			
Total noncurrent assets	<u>100,828,907</u>	<u>84,644,724</u>			
TOTAL ASSETS	<u>\$ 126,390,163</u>	<u>\$ 111,594,647</u>			

C.F.R.T.A. (LYNX)
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE MONTH OF JUNE AND THE NINE MONTHS ENDED JUNE 30, 2006
(UNAUDITED)

	Year to Date:			Month of June:		
	<u>Budget</u>	<u>Actual</u>	%	<u>Budget</u>	<u>Actual</u>	%
OPERATING REVENUES						
Customer Fares	\$ 13,475,151	\$ 14,004,399	104%	\$ 1,497,239	\$ 1,604,653	107%
Contract Services:						
Local Financial Assistance	5,805,692	5,822,383	100%	645,077	638,534	99%
Other Contractual Services	6,588,217	5,013,275	76%	711,282	(224,758)	-32%
Advertising	1,132,500	1,262,028	111%	125,833	144,747	115%
Other Operating Income	<u>417,261</u>	<u>419,594</u>	<u>101%</u>	<u>46,362</u>	<u>86,510</u>	<u>187%</u>
 Total Operating Revenues	 <u>27,418,821</u>	 <u>26,521,679</u>	 <u>97%</u>	 <u>3,025,793</u>	 <u>2,249,686</u>	 <u>74%</u>
NONOPERATING REVENUES:						
Operating assistance grants:						
Federal	525,000	525,000	100%	58,333	58,333	100%
State of Florida	5,963,765	5,963,765	100%	662,641	662,641	100%
Local	25,042,072	25,042,070	100%	2,782,453	2,762,277	99%
Planning and other assistance grants:						
Federal - Commuter Rail Project	109,078	109,078	100%	-	-	0%
Federal - Other	7,227,388	7,227,388	100%	743,604	743,604	100%
State of Florida - Commuter Rail Prc	-	-	0%	-	-	0%
State of Florida - BRT Circulator Pro	-	-	0%	(93,962)	(93,962)	100%
State of Florida - Other	1,115,216	1,115,216	100%	(106,649)	(133,761)	125%
Local Matching - BRT Circulator Pro	-	-	0%	-	-	0%
Local Matching - Other	-	-	0%	-	-	0%
 Interest Income	 198,081	 490,395	 248%	 22,009	 86,065	 391%
Gain / (Loss) on Sale of Assets	<u>-</u>	<u>257,751</u>	<u>N/A</u>	<u>-</u>	<u>257,751</u>	<u>N/A</u>
 Total Nonoperating Revenues	 <u>40,180,600</u>	 <u>40,730,663</u>	 <u>101%</u>	 <u>4,068,429</u>	 <u>4,342,948</u>	 <u>107%</u>
 Fund Balance	 <u>-</u>	 <u>-</u>	 <u>0%</u>	 <u>-</u>	 <u>-</u>	 <u>0%</u>
 Total Revenues	 <u>67,599,421</u>	 <u>67,252,342</u>	 <u>99%</u>	 <u>7,094,222</u>	 <u>6,592,634</u>	 <u>93%</u>
OPERATING EXPENSES:						
Salaries and Wages	25,482,483	24,891,429	98%	2,831,386	2,761,255	98%
Fringe Benefits	13,849,828	13,027,411	94%	1,536,976	1,186,839	77%
Purchased Transportation Services	11,834,848	9,337,439	79%	1,314,983	1,173,066	89%
Fuel	5,556,639	7,126,385	128%	617,404	831,391	135%
Other Materials and Supplies	3,209,215	3,209,214	100%	356,739	356,739	100%
Professional Services	1,108,927	1,108,927	100%	210,668	210,668	100%
Other Services	2,899,150	2,899,150	100%	563,401	563,401	100%
Lease and Miscellaneous Expenses	1,053,769	1,101,462	105%	159,786	176,810	111%
Casualty and Liability Insurance	1,056,472	1,056,472	100%	90,456	90,456	100%
Utilities	490,364	687,992	140%	62,569	92,175	147%
Taxes and Licenses	288,133	617,297	214%	31,949	53,625	168%
Interest Expense	<u>11,993</u>	<u>1,830</u>	<u>15%</u>	<u>1,333</u>	<u>161</u>	<u>12%</u>
 Total Operating Expenses Before D	 <u>66,841,821</u>	 <u>65,065,008</u>	 <u>97%</u>	 <u>7,777,650</u>	 <u>7,496,586</u>	 <u>96%</u>
 OPERATING GAIN / (LOSS)	 <u>\$ 757,600</u>	 <u>\$ 2,187,334</u>	 <u>289%</u>	 <u>\$ (683,428)</u>	 <u>\$ (903,952)</u>	 <u>-132%</u>

C.F.R.T.A. (LYNX)
FIXED-ROUTE AND MOBILITY SEGMENT
STATEMENT OF REVENUES AND EXPENSES
FOR THE MONTH OF JUNE AND THE NINE MONTHS ENDED JUNE 30, 2006
(UNAUDITED)

	Year to Date:			Month of June:		
	<u>Budget</u>	<u>Actual</u>	<u>%</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>
OPERATING REVENUES						
Customer Fares	\$ 12,829,388	\$ 13,378,903	104%	\$ 1,425,488	\$ 1,517,181	106%
Contract Services:						
Local Financial Assistance	5,805,692	5,822,383	100%	645,077	638,534	99%
Other Contractual Services	328,670	328,670	100%	15,777	15,777	100%
Advertising	1,132,500	1,262,028	111%	125,833	144,747	115%
Other Income	417,261	419,594	101%	46,362	86,510	187%
	<u>20,513,511</u>	<u>21,211,578</u>	<u>103%</u>	<u>2,258,537</u>	<u>2,402,749</u>	<u>106%</u>
Total Operating Revenues						
	<u>20,513,511</u>	<u>21,211,578</u>	<u>103%</u>	<u>2,258,537</u>	<u>2,402,749</u>	<u>106%</u>
NONOPERATING REVENUES:						
Operating assistance grants:						
Federal	525,000	525,000	100%	58,333	58,333	100%
State of Florida	5,963,765	5,963,765	100%	662,641	662,641	100%
Local	20,528,420	20,528,419	100%	2,280,936	2,280,937	100%
Planning and other assistance grants:						
Federal - Commuter Rail Project	109,078	109,078	100%	-	-	0%
Federal - Other	6,117,388	6,117,388	100%	620,271	620,271	100%
State of Florida - Commuter Rail Project	-	-	0%	-	-	0%
State of Florida - BRT Circulator Project	-	-	0%	(93,962)	(93,962)	100%
State of Florida - Other	1,115,216	1,115,216	100%	(106,649)	(133,761)	125%
Local Matching - BRT Circulator Project	-	-	0%	-	-	0%
Local Matching - Other	-	-	0%	-	-	0%
Interest Income	198,081	490,395	248%	22,009	86,065	391%
Gain / (Loss) on the Sale of Assets	-	257,751	N/A	-	257,751	N/A
	<u>34,556,948</u>	<u>35,107,012</u>	<u>102%</u>	<u>3,443,579</u>	<u>3,738,275</u>	<u>109%</u>
Total Nonoperating Revenues						
	<u>34,556,948</u>	<u>35,107,012</u>	<u>102%</u>	<u>3,443,579</u>	<u>3,738,275</u>	<u>109%</u>
Total Revenues	<u>55,070,459</u>	<u>56,318,590</u>	<u>102%</u>	<u>5,702,116</u>	<u>6,141,024</u>	<u>108%</u>
OPERATING EXPENSES:						
Salaries and Wages	25,242,263	24,644,643	98%	2,801,364	2,733,637	98%
Fringe Benefits	13,710,954	12,888,537	94%	1,522,257	1,172,120	77%
Purchased Transportation Services	-	-	0%	-	-	0%
Fuel	5,556,639	6,131,241	110%	617,404	800,429	130%
Other Materials and Supplies	3,191,959	3,191,958	100%	354,914	354,914	100%
Professional Services	991,935	991,935	100%	194,236	194,236	100%
Other Services	2,636,656	2,636,656	100%	534,235	534,235	100%
Lease and Miscellaneous Expenses	1,050,151	1,097,844	105%	158,827	175,851	111%
Casualty and Liability Insurance	1,056,472	1,056,472	100%	90,456	90,456	100%
Utilities	469,423	667,051	142%	57,720	87,326	151%
Taxes and Licenses	288,133	486,502	169%	31,949	39,616	124%
Interest Expense	11,993	1,830	15%	1,333	161	12%
	<u>54,206,578</u>	<u>53,794,669</u>	<u>99%</u>	<u>6,364,695</u>	<u>6,182,981</u>	<u>97%</u>
Total Operating Expenses Before Depreciation						
	<u>54,206,578</u>	<u>53,794,669</u>	<u>99%</u>	<u>6,364,695</u>	<u>6,182,981</u>	<u>97%</u>
OPERATING GAIN / (LOSS)	<u>\$ 863,881</u>	<u>\$ 2,523,921</u>	<u>292%</u>	<u>\$ (662,579)</u>	<u>\$ (41,957)</u>	<u>6%</u>

C.F.R.T.A. (LYNX)
PARATRANSIT SEGMENT
STATEMENT OF REVENUES AND EXPENSES
FOR THE MONTH OF JUNE AND THE NINE MONTHS ENDED JUNE 30, 2006
(UNAUDITED)

	Year to Date:			Month of June:		
	<u>Budget</u>	<u>Actual</u>	<u>%</u>	<u>Budget</u>	<u>Actual</u>	<u>%</u>
OPERATING REVENUES						
Customer Fares	\$ 645,763	\$ 625,496	97%	\$ 71,751	\$ 87,472	122%
Contract Services:						
Local Financial Assistance	-	-	0%	-	-	0%
Other Contractual Services	6,259,547	4,684,605	75%	695,505	(240,535)	-35%
Advertising	-	-	0%	-	-	0%
Other Operating Income	-	-	0%	-	-	0%
	<u> </u>	<u> </u>		<u> </u>	<u> </u>	
Total Operating Revenues	<u>6,905,310</u>	<u>5,310,101</u>	<u>77%</u>	<u>767,256</u>	<u>(153,063)</u>	<u>-20%</u>
NONOPERATING REVENUES:						
Operating assistance grants:						
Federal	-	-	0%	-	-	0%
State of Florida	-	-	0%	-	-	0%
Local	4,513,652	4,513,651	100%	501,517	481,340	96%
Planning and other assistance grants:						
Federal - Commuter Rail Project	-	-	0%	-	-	0%
Federal - Other	1,110,000	1,110,000	100%	123,333	123,333	100%
State of Florida - Commuter Rail Pro	-	-	0%	-	-	0%
State of Florida - BRT Circulator Proj	-	-	0%	-	-	0%
State of Florida - Other	-	-	0%	-	-	0%
Local Matching - BRT Circulator Proj	-	-	0%	-	-	0%
Local Matching - Other	-	-	0%	-	-	0%
Interest Income	-	-	0%	-	-	0%
Gain / (Loss) on the Sale of Assets	-	-	0%	-	-	0%
	<u> </u>	<u> </u>		<u> </u>	<u> </u>	
Total Nonoperating Revenues	<u>5,623,652</u>	<u>5,623,651</u>	<u>100%</u>	<u>624,850</u>	<u>604,673</u>	<u>97%</u>
Total Revenues	<u>12,528,962</u>	<u>10,933,752</u>	<u>87%</u>	<u>1,392,106</u>	<u>451,610</u>	<u>32%</u>
OPERATING EXPENSES:						
Salaries and Wages	240,220	246,786	103%	30,022	27,618	92%
Fringe Benefits	138,874	138,874	100%	14,719	14,719	100%
Purchased Transportation Services	11,834,848	9,337,439	79%	1,314,983	1,173,066	89%
Fuel	-	995,144	N/A	-	30,962	N/A
Other Materials and Supplies	17,256	17,256	100%	1,825	1,825	100%
Professional Services	116,992	116,992	100%	16,432	16,432	100%
Other Services	262,494	262,494	100%	29,166	29,166	100%
Lease and Miscellaneous Expenses	3,618	3,618	100%	959	959	100%
Casualty and Liability Insurance	-	-	0%	-	-	0%
Utilities	20,941	20,941	100%	4,849	4,849	100%
Taxes and Licenses	-	130,795	N/A	-	14,009	N/A
	<u> </u>	<u> </u>		<u> </u>	<u> </u>	
Total Operating Expenses Before D	<u>12,635,243</u>	<u>11,270,339</u>	<u>89%</u>	<u>1,412,955</u>	<u>1,313,605</u>	<u>93%</u>
OPERATING GAIN / (LOSS)						
	<u>\$ (106,281)</u>	<u>\$ (336,587)</u>	<u>-317%</u>	<u>\$ (20,849)</u>	<u>\$ (861,995)</u>	<u>-4134%</u>

Information Item IV: Government Affairs and Communications Report

To: LYNX Board Of Directors

From: James McLawhorn
CHIEF GOVERNMENT AFFAIRS OFFICER
Bryan Stutts
(Technical Contact)

Phone: 407.841.2279 ext: 3064

Item Name: Government Affairs Update

Date: 8/24/2006

The U.S. Congress was busy at work on a number of critical as well as controversial issues with only a few short days left until they recess for the month-long August break. After Labor Day when they return to session there will be only four weeks left before adjourning to campaign for the November 7 elections when all members of the House and approximately a third of the Senate will be up for election.

FY'07 Appropriations:

Congress has made considerable progress on the 13 federal agency FY'07 funding bills. The House has passed all of its appropriation bills except one - Labor-HHS-Education and the Senate is expected to get all its bills out of full committee before the August recess. However, after that things are expected to slow down considerably. While the Senate may be able to get all of its bills to the floor during the month of September, it is unlikely there will be enough time to go to conference to resolve differences between the House and Senate bills before the October 1 start of the new fiscal year which is the same date as the scheduled congressional adjournment. That will mean most federal agencies will have to operate under a Continuing Resolution (CR), which typically freezes funding at current levels, until after the November election at which time a "Lame Duck" session will likely be held to finalize the remaining bills, potentially in the form of a multi-bill "omnibus."

The FY'07 appropriations bill to fund the US Department of Transportation passed the full House on June 14. The Senate subcommittee acted on the bill also. At a quick mark-up the bill was approved by voice vote. The full Senate Appropriations Committee is scheduled to act on the bill on July 20, at which time more details will be made available, including project earmarks, but Senate floor action is not expected until September.

The Senate version of the DOT funding bill includes \$39.08B for the highway program obligation limitation which is the same as the President's request, the amount authorized in SAFETEA-LU and the House number. Funding for transit is set at \$7.26B for the formula, bus

and R&D programs plus \$1.46B in general funds for the New Starts discretionary program for a total of \$8.8B. The New Starts funding level is consistent with the President's request, but is \$100M below the SAFETEA-LU guaranteed amount and the amount agreed to in the House. The transit industry will be working hard to restore the full amount when the bill goes to conference.

Other News:

- After many months of delay, the Senate Banking Committee voted on June 29 to approve Jim Simpson's nomination to be FTA Administrator; however, various "holds" have been placed on his nomination delaying final approval by the full Senate.
- No word yet on a nomination to replace Norm Mineta as US DOT Secretary. Deputy Secretary Maria Cino is currently Acting Secretary. Mineta announced that he will be joining Hill and Knowlton, a prominent national PR/lobbying firm, as Vice Chairman. Rumored successors include Cino, FAA Administrator Marion Blakey, DHS Deputy Administrator and former DOT Deputy Administrator Michael Jackson, former FHWA Administrator Mary Peters and Amtrak Reform Board Chairman David Laney.
- Bills were recently introduced yet again in both the House and Senate to authorize funding for transit, rail and port security. In the Senate, S. 2791, the bi-partisan Maritime, Rail and Public Transportation Security Act of 2006 combines provisions and authorizes \$5.4B over three years for security upgrades.
- President Bush has nominated Calvin Scovel to be the new US DOT Inspector General.

The House and Senate adjourned for its summer recess and both will return right after Labor Day. After reconvening, the House and the Senate are scheduled to stay in session for only four weeks, adjourning again for the election on September 29. Congress will then reconvene on November 14 for a post election, or lame duck session.

It now appears that only three of the bills will be enacted before the start of the fiscal year, and that most of the bills will not get passed until after the election. Congress will probably pass a Continuing Resolution, which will keep the government running until after the election.

Despite promises to dramatically change the earmark process, Congress has not passed a reform measure this year. There were some efforts to strike specific earmarks from various House bills, but they were generally unsuccessful.

LYNX welcomed two new Board members – Commissioner Bill Lane representing Osceola County and Kevin Thibault representing FDOT District V. Commissioner Lane rejoins the LYNX Board, having served prior to its reorganization in June, 2003. Commissioner Lane replaced former LYNX Board Chair and Osceola County Commissioner Atlee Mercer who was appointed by Governor Jeb Bush to be Osceola County's Property Appraiser. Kevin Thibault is

the new interim district secretary for FDOT. He will be serving in this capacity until a more permanent district secretary is appointed.

All candidates running for public office this Fall were required by law to submit their qualification papers to the Secretary of State by Friday, July 21st at noon. There are seven Senators who will be elected without opposition. In the House, 45 out of 120 incumbents will be re-elected without opposition. Of the Central Florida delegation, Senators Bill Posey, Carey Baker and Mike Haridopolos and Representative David Simmons and new Representative Bryan Nelson (who is replacing outgoing Representative Fred Brummer) are the only members elected without opposition.

The Department of Environmental Protection (DEP) held two public hearings as part of the rule-making process for the Renewable Energy Technologies Act (CS/SB 888 by Senator Lee Constantine). Lena Juarez attended the public hearing in Tallahassee on July 18 and Bryan Stutts attended the one in Orlando on July 20. DEP provided drafts of grants program criteria and applications during the hearing. Many recommendations were made and clarifications requested by the attendees.

LYNX is primarily eligible for a portion of the \$10 million total dollars available for the Renewable Energy Technologies Grants Program. A minimum of \$50,000 and maximum of \$2.5 million can be awarded to applicants over a three-year timeframe. Applicants can submit proposals for one or a combination of any of the following technologies: hydrogen, solar, bioenergy, biofuels, hydroelectric, geothermal, wind, ocean, waste heat or other.

The application deadline was set for August 31, but will be changed due to the various steps required for DEP to implement the rules. A panel of three reviewers will evaluate the proposals, which can receive a maximum of 120 points, and make decisions approximately 60 days later. Matching funds is the criteria with the highest points. Some of the other criteria include economic development, energy efficiency, Florida-grown biomass and fostering awareness.

Information Item V: Government Affairs and Communications Report

To: LYNX Board Of Directors

From: Peggy Gies
 CHIEF MARKETING OFFICER
Deborah King
 (Technical Contact)

Phone: 407.841.2279 ext: 3020

Item Name: Marketing Report

Date: 8/24/2006

BUS ADVERTISING / SALES

July Advertising Sales Revenue	\$120,808
Net Revenue to LYNX Fiscal Year to Date	\$1,059,368

BUSINESS RELATIONS

Monthly Activity Report – July 2006

Commuter Choice Transportation Program

Activity	CCP Performance	
Carpool/Vanpool Inquires	Phone: 213 Internet: 47	
Carpool/Vanpool Transit Letters & Matches	Letters: 68 Matches: 17	
Number of Commuter Choice Vanpool Participants	673	<u>Total Revenue Miles</u> 66,1502
Vanpools	New: 1 Returned: 1	<u>Current Vans In Service</u> 49
Pending Vanpool Interest	TSA (2) Coleman (6) Lockheed Martin (1)	
Number of Employers Contacted	9	
Number of Employees Contacted	900	
Employer Program Presentations	Orange County Human Resources	

LYNX Board Agenda

Employee Vanpool Presentations	-Orange County Community Conference 150 -CFEC President's Job Fair 200 -Central Florida Community Information Fair 250 -Universal Studios Surveys 100	<u>Total Participants</u> 700
Other Business Presentations/Meetings	-Metroplan Business Expo 75 -Commissioner Fernandez's Back to School Fair 125	<u>Total Participants</u> 200

Vanpools

LYNX added the following Vanpools:
US Geological Survey (1 Commuter van)

Bus Pass Partners

LYNX added the following new consignors:

Retail Consignors

Mi Tienda El Farolito
Rapid Cash Payday Loans

Employer Partners

Mid Florida Tech

Business Relations Events

CFEC Membership Luncheon

Business Relations was given the opportunity to make a presentation to over ninety (90) attendees at the CFEC monthly membership luncheon. This time was used to announce our launch of the *Best Workplaces For Commuters* program of which LYNX is a network partner. *Best Workplaces For Commuters* is a national initiative of the Environmental Protection Agency and the Federal Department of Transportation to promote commuter transportation.

CFEC – President's Job Fair

LYNX sponsored the President's Job fair for the CFEC. Our Van with the "What Drives you?" message was displayed in front of the main entrance to the job fair. We talked to about 200 riders or potential riders about various LYNX services.

Commissioner Fernandez Back-To-School Fair

LYNX representatives attended this event to help promote the school pool program. We were able to speak with more than one hundred (100) parents and children about LYNX and how we could help them get to and from school.

METROPOLAN Orlando Business Expo

LYNX participated in the Metroplan Orlando Business Expo benefiting the Asthma Walk fundraising. About 75 individuals stopped at our booth with questions and were interested in the programs and services LYNX provides.

Orange County Community Conference

LYNX was a sponsor for the Orange County Community Conference. Over 150 individuals representing neighborhood associations stopped at our booth to ask questions about how LYNX services could help the people in their communities to travel in more efficient ways.

Universal Studios Survey

LYNX and Universal Studios Florida are continuing to further the partnership currently in place with carpool registrations and Guaranteed Ride Home by possibly adding a pretax benefit bus pass program. Universal and LYNX representatives surveyed over 100 employees that rode the bus to gauge the interest in the program.

Central Florida Community Information Fair

LYNX Representatives joined Latino Leadership for their 7th annual Central Florida Community Information Fair. We promoted LYNX Transportation Benefits to over 250 individuals that stopped at our booth.

MARKETING

Website Usage

Average Hits per Day	63,322
Average Users per Day	2,894
Average Hits per User	21.88
Average Time Spent on Site	10 min. 10 sec.
Approximate Visits per User	2.74 times
Total Page Hits	488,758
Total User Visits	89,714
Total Unique IP (visits)	32,716

Jobs Opened/Completed

Jobs Opened	Jobs Completed	Jobs Completed since 1 Jan 2006
36	19	181

Marketing Activities

July's Fun Friday treated us to the music of the Phillip Martin Band. We had over 66 entries for prizes but lots more people taking advantage of the shade on the 100-degree day.

La Feria De La Familia was a great opportunity to showcase our Telemundo bus and distribute over 500 pencils and route information to the Hispanic community in Osceola County. Approximately 120 people filled out entry forms for a Disney ticket giveaway.

For the fourth consecutive year, we partnered with FreeRidersFlorida Motorcycle Club and Performance Honda to gather school supplies for A Gift For Teaching. Office Max and Embassy Suites Downtown employees jumped onboard with donations as well. The day of delivery of the supplies, the "Free Store for Teachers" was filled to capacity with excited teachers "shopping" for items for their classrooms and new students. We received a big round of applause and lots of hugs from grateful educators for our support of their efforts.

CUSTOMER SERVICE

Customer Service is provided through the call center (providing travel information), fare media sales and information, eligibility/certification section, customer relations, lost & found, LYNX customer ID program and “How To Ride” presentations.

The **Call Center** received 26,768 calls with an average call–wait time of time of: 24 (twenty-four) seconds.

The **Sales & Information** section serviced 25,346 customers through fixed route inquiries and sales. LYNX fare media sales were \$159,008.

Customer Services responded to 481 Internet inquiries and assisted with three (3) “How To Ride” presentations/expo outreach program.

The **Customer Relations** section assisted 2,832 customers by telephone, fax and one-on-one. Customer Relations documented:
401/concerns/suggestions for fixed route (LYNX)
63/compliments for fixed route
179/concerns/suggestions for paratransit (MV)
6 compliments for paratransit

The **Lost & Found** section recovered 568 items.
29.04% of recovered items were returned to owners.
56 Advantage ID’s were issued.
8 Kids In School & Senior ID’s were issued

The **Eligibility** section received 551 paratransit applications.

Information Item VI: Planning Division Report

To: LYNX Board of Directors

From: **Lisa Darnall**
CHIEF OPERATING OFFICER
Jennifer Clements
(Technical Contact)
Doug Jamison
(Technical Contact)
Mira Bourova
(Technical Contact)

Phone: 407.841.2279 ext: 3036

Item Name: Planning Report for August 2006

Date: 8/24/2006

Comprehensive Operations Analysis (COA)

Planning staff continues to refine COA information as requested by jurisdictions and for fiscal year budgets. The final draft report was distributed to local governments and presented to the Regional Working Group. The powerpoint from LYNX' Board meeting was presented to METROPLAN ORLANDO Land Use Subcommittee. Staff is currently working on refining the service plan for implementation of the first year of improvements for the April 2007 timeframe.

Developments of Regional Impact (DRI) Project Development & Environment (PD&E)

Staff and consultants have reviewed and commented on the following projects:

- o Lake Nona Monitoring & Modeling Study
- o Sundance DRI Pre-application Summary

Staff participated in meetings or negotiations with:

- o Winter Garden Village at Fowlers Grove
- o Lee Vista Village
- o Edgewater
- o Westlake Cove

FLEXBUS

Staff has commented on the roadway plans for Central Parkway, Douglas Avenue, Westtown Parkway, Westmonte Drive, Centerpointe Circle, Boston Avenue and Essex Avenue, which are at the 60% design phase.

Geography Network

726 hits by July 31, 2006 for all the services provided by LYNX Geographic Network.

GIS

- Created maps with potential shelter locations in Orange County by commission district
- Built continuous street dataset with most current available county data for Orange, Osceola, Seminole, Volusia, Lake , Polk and Brevard Counties
- Created a geocoding service to improve the address matching functionality on LYNX Geography Network

LYNX as School Transportation Provider – METROPLAN ORLANDO commissioned this study and the consultant Runways Transportation Company will be providing the Audit Committee with an update.

METROPLAN ORLANDO 2030 Long Range Transportation Plan

Staff is serving on a consultant selection committee for the plan. LYNX is sharing COA information on future routes, restructuring of routes, capital facilities, origin-destination data, GIS data, and other information. Staff coordinated with METROPLAN and supplied on-board survey information from the COA for METROPLAN's efforts on their recent on-board survey.

Model Proportionate Share (SB 360)

Staff and consultants held a worksession with the Board in July on Model Proportionate Share and provided a report document. The findings identified several issues related to transit that need to be considered with interpreting the legislation. Staff attended a round table discussion on Proportionate Share with stakeholders from government, Metropolitan Planning Organizations, transit providers, Regional Planning Councils, and Department of Community Affairs, hosted by the Florida Department of Transportation.

Presentations

Doug Jamison was invited to do a presentation on the successes of Transit TV on LYNX LYMMO at the APTA Bus Rapid Transit & Intermodal Operations Conference.

Jennifer Stults was invited to present at the FICE/FDOT Design Conference. The presentation was on LYMMO and other transit projects in Orlando, with an emphasis on transit-related design issues.

Shelters and Related Passenger Amenities

Staff is working with Procurement on the details for the shelter installation Request for Proposal (RFP). Staff has supplied information to Orange County on potential future shelters, superstops and bus pull-out bays sites. An RFP has also been posted and Procurement is has received bids for the manufacture of the new smaller style shelter. A Source Evaluation Committee (SEC) has been formed and evaluations are scheduled for completion by August 18.

Service

The August 2006 divisional bid is complete. No service changes were associated with this bid. Staff is continuing with work on the preliminary preparation for the December 2006 system-wide operator bid. Service changes include, the new Clermont Express, the extension of Link 55 and schedule adherence adjustments to Link 4 and 3D. The bid will also include the shift from the Princeton garage to the new LYNX Operations Center (LOC), for which staff evaluated an

option of running a shuttle for bus Operators based at LOC but relieving runs at LYNX Central Station.

Staff continues to work with the City of Winter Park to refine routing of a proposed circulator through the central business district.

Staff provided options to extending additional service in Apopka.

Service Development Grants

Staff worked with Orange County on resolutions to support the Florida Department of Transportation (FDOT) approved Alafaya Circulator service (on Alafaya Trail between UCF and Waterford Lakes Town Center); the proposed Link 30 frequency improvements; and the proposed Downtown Disney Direct (3D) expansion.

LYNX anticipates FDOT announcing Service Development Grant awards for their fiscal year 2007/2008 grant cycle. Funds would become available July 1, 2007.

Transportation Regional Incentive Program (TRIP)

Staff is working with METROPLAN Orlando and the Florida Department of Transportation (FDOT) on the TRIP request for fiscal years 2007/2008. LYNX will again be requesting funding for buses each year as a top priority, as well as paratransit vehicles in outer years.

UCF Stadium Traffic Management Team

Staff will be attending a meeting in mid-August. A worksession in September before the Audit Committee is planned.