

**Florida High Speed Rail Authority
Meeting Minutes
August 6, 2001
FDOT Auditorium
Tallahassee, Florida**

Call to Order: Chairman Frederick Dudley called the meeting of the Florida High Speed Rail Authority to order at 10:20 a.m. Other members in attendance included Vice Chairman John P. Browning, Jr.; Norm Mansour, Secretary; Lee Chira, Treasurer; Heidi Eddins; Leila Nodarse, P.E.; William Dunn, P.E.; Charles "Doc" Dockery; Skip Fowler; and Thomas F. Barry, Jr., P.E.

Minutes: The minutes of the previous meeting, held on July 16, 2001, were reviewed. On motion made by Mr. Mansour, seconded by Mr. Fowler, the minutes were approved. There were no corrections or omissions. Opening Remarks: Chairman Dudley opened by presenting his "Chairman's Notes" to the members. The members entertained discussion, but took no immediate action, on the topics set forth in Chairman Dudley's notes. (Copy attached.)

Selection of General Consultant (Part 1):

A. Overview of selection process – George Cole, DOT Contractual Services.

Mr. Cole outlined for the members the statutory requirements for acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services contained in s. 287.055, Florida Statutes. Generally, Mr. Cole explained that the process involves public announcement of a given project, discussion with at least three firms to assess qualifications, ranking of the firms based on the qualifications, cost analysis of the required services, and negotiation of a fair fee with the first-ranked firm (with an option to go to the second and third). Mr. Cole further explained that while certain services to be performed may not necessarily fall under "professional services," one must analyze the primary tasks to determine the nature of the work. With regard to the Authority's search for a General Consultant, Mr. Cole opined that the contemplated work requires significant engineering expertise.

The members entertained discussion with regard to the desire for more cost information, perhaps in the form of a fee-based schedule. John Bottcher, Assistant General Counsel for DOT, explained that the Florida Statutes preclude consideration of costs during the ranking process. Mr. Cole explained that since the contemplated contract would be implemented on a task-assignment basis, he would ask for a rate schedule, on the order of an hourly fee along with overhead, but only after the ranking process. However, Mr. Cole explained that because the scope of work is not yet known, actual figures would not be known until the time of task assignment. Further, even after successful negotiation of a contract, the Authority will incur no costs until tasks are assigned.

The members briefly discussed the possibility of delegating to DOT the ranking and selection. However, DOT Secretary Tom Barry explained his understanding that the Authority would make the selection and that the Department was not prepared to participate in that process. The members also briefly discussed possible scoring methods to be utilized in the ranking process.

B. Compilation of questions to be asked of each proposer responding to the general consultant RFP.

Rather than prepare a formal list of questions to be asked of each proposer, without objection from any member, Chairman Dudley directed John Bottcher to maintain a list of any questions asked by the individual members of any respondent to the RFP so that each presenter would be asked the same questions, even if prior presenters would have to be re-called. Further, and without objection, Chairman Dudley announced that each presenter would be given 15 minutes to make a presentation and up to 15 minutes for questions by the Authority.

Discussion of Amtrak Proposal:

The members briefly reviewed and discussed the July 25, 2001, letter from David Carol, Amtrak's Vice-President for High Speed Rail Corridors Development, in which Mr. Carol clarifies Amtrak's proposal to undertake, at Amtrak's expense, certain work required for the Authority's January 2002 report. Nazih Haddad of the DOT explained that Amtrak is currently under contract with DOT to refine the vision plan, and Amtrak would include in that contract the specified work for the Authority's report. The only remaining expenses, according to Mr. Carol, would be for out-of-pocket travel expenses that he estimated at less than \$110,000.

Following discussion, Mr. Mansour moved that the Authority accept the Amtrak proposal and authorize Chairman Dudley to negotiate reimbursement of Amtrak's actual costs. Mr. Brown seconded the motion, which carried unanimously.

Mr. Dockery suggested that the Authority offer to universities in Florida with MBA programs the opportunity for students to participate in the development of a marketing plan. Without objection, Chairman Dudley directed Mr. Haddad to send such invitations to Florida's universities.

FRA Presentation, Mark Yachmetz:

Mark Yachmetz, Associate Administrator for the Federal Rail Administration's Office of Railroad Development, provided an overview of high speed rail, touching on various federal definitions, the reduced effectiveness of efforts to reduce trip times at higher rates of speed, existing efforts across the country with regard to high-speed rail planning, and innovations in high-speed rail technology.

Mr. Yachmetz offered his advice that the Authority move quickly to obtain reliable cost estimates, credible ridership analyses, and at the same time, environmental analyses. He further offered the assistance of the FRA.

In response to questions relating to the desire for private sector funding, Mr. Yachmetz explained his experience that a great deal of interest in getting private funds exists, but that little evidence is present that private funding is coming forward. He opined that such an investment offers a highly speculative return, especially when coupled with the knowledge that all high-speed rail development is currently heavily subsidized.

With regard to a cost-benefit analysis, Mr. Yachmetz opined that such an analysis is critical and offered the FRA's expertise with regard to detailed estimating. Finally, with regard to at-grade crossings, Mr. Yachmetz explained the FRA's discomfort with such crossings for obvious safety reasons, stating that no such crossings should be present at train speeds over 125 miles per hour; but he also noted that the elimination of such crossings is a significant cost element.

(The meeting was recessed at 12:25 p.m. and reconvened at 1:09 p.m.)

Proposed Authority Budget:

The members entertained discussion regarding the Authority's budget, focusing on the time necessary to accomplish final approval and whether the Authority should request the entire \$4.5 million appropriated to it by the Legislature or only part thereof. Also discussed was the form of the budget request; that is, the extent to which the requested amount should be broken down into specific items. Mr. Haddad reported that the last budget request reflected \$200,000 for travel and expenses, and the remaining \$4.3 million for consultant work. He further advised that the Governor's Office had directed that budget requests should provide more detail.

Mr. Dockery moved, and Mr. Dunn seconded, that the annual budget request reflect the following: \$160,000 to hire independent Authority staff, \$200,000 for travel expenses, \$110,000 for the Amtrak contract, with the balance set aside for the General Consultant and PD&E contracts. Mr. Browning moved, and Mr. Dunn seconded, to amend the motion by requesting \$300,000 to hire

independent Authority staff. The motion as amended carried, with Chairman Dudley and Ms. Eddins voting in the negative.

Selection of General Consultant (Part 2):

A. Presentations from consulting teams.

The members received presentations from the following consultant teams: HNTB Corporation, Parsons Brinckerhoff, Parsons Transportation Group, TransSystems Corporation, URS Corporation, and Washington Infrastructure Services, Inc.

B. Ranking and selection of proposers.

The members discussed the methodology to be utilized in selecting the General Consultant. Mr. Dunn moved that, from the pool of six consultant teams, the members use the ballot form in the following steps:

1. Each member places a check mark beside his or her top three choices without regard to ranking;
2. The check marks for each consultant team are tallied;
3. From the three teams with the greatest number of check marks, each member then indicates their ranking by entering a one, a two, or a three ("1" being the most favored and "3" being the least favored); and,
4. The rankings for each team are tallied, and the team receiving the lowest total score is ranked number one. Mr. Chira seconded the motion, which carried unanimously.

The members undertook the selection process as adopted, and HNTB Corporation received the lowest total score. Mr. Chira moved that HNTB Corporation be ranked number one in accordance with the members' votes. Mr. Fowler seconded the motion, which carried unanimously.

Public Comment:

The members received comments from Mr. John Hedrick who urged the Authority to adopt a broad, expansive plan covering the entire state from the outset. He also urged the Authority to look at utilizing existing rail lines despite the possible constitutional argument precluding such use, even if the Authority is required to recommend going back to the voters to amend the constitutional mandate.

Scheduling of Future Meetings:

Chairman Dudley instructed staff to poll members regarding potential dates for future meetings and indicated his desire to hold the next meeting on August 27, 2001, in Orlando.

Other Business:

Chairman Dudley offered two technical amendments to the Authority's Resolution Number 01-1 in support of Federal high-speed rail funding. Without objection from any member, Chairman Dudley will revise the Resolution in accordance with the editing reflected on the attached copy of the resolution. In addition, by unanimous agreement, the first "whereas" clause is to be substituted (as also attached).

Adjournment: The meeting was adjourned at 5:10 p.m.

_____ Chairman