



*The COMET Board Meeting minutes are prepared and presented in summary form, audio recordings of the meetings are on file at The COMET and are part of the approved minutes. If you would like to hear the recording from the meeting, please contact Paige Jernigan at [cometadmin@catchthecomet.org](mailto:cometadmin@catchthecomet.org).*

*Per SC Code of Laws, Title 30, Chapter 4, Section 30-4-80 - All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings. The COMET complied with the notification of this meeting on Friday, August 2, 2019 at 3:15 P.M.*

**The Central Midlands Regional Transit Authority  
Special Board of Directors Meeting Minutes  
Wednesday, August 7 at 3:00 P.M.  
3613 Lucius Road, Columbia, SC 29201 – Conference Room A**

**Members Present:**

Ron Anderson, Chair  
Jacqueline Boulware\*  
Joyce Dickerson\*  
John V. Furgess, Sr.  
Carolyn Gleaton  
Derrick Huggins  
Representative Leon Howard  
Kevin Reeley  
Col. (R) Roger Leaks, Jr.  
Lill Mood  
Dr. Robert Morris  
Andy Smith  
Debbie Summers\*  
Geraldine Robinson  
William (B.J.) Unthank\*

**Guests Present:**

Leo Auger, President, Auger Consulting  
Pamela A. Baker, Burr, Foreman, McNair Law Firm  
Frannie Heizer, Burr, Foreman, McNair Law Firm  
Michael Setzer, President, Transit Division, Transdev

**Absent Board Members:**

Bobby Horton  
Skip Jenkins

*\*Indicates participation by phone.*



The COMET Staff Present

John Andoh, Executive Director/CEO

LeRoy DesChamps, Director of Administration & Operations/COO

Paige Jernigan, Interim Administrative & Customer Service Specialist

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Mr. Anderson called the meeting to order at 3:00 P.M.

A quorum was determined at the beginning of the meeting.

2. ADOPTION OF THE AGENDA

Motion:

A motion was made by Ms. Mood and seconded by Ms. Gleaton to adopt the agenda.

**Approved:** Anderson, Boulware, Dickerson, Furgess, Gleaton, Huggins, Howard, Leaks, Mood, Morris, Smith

**Absent:** None

Motion passed.

3. CALL TO THE PUBLIC COMMENTS MUST PERTAIN TO ITEMS NOT ON THE AGENDA.

- THE BOARD CANNOT COMMENT.
- INDIVIDUALS WISHING TO ADDRESS THE BOARD MUST SIGN UP PRIOR TO THE CALL TO ORDER
- COMMENT TIME LIMIT - TWO (2) MINUTES PER PERSON

None

4. DISCUSSION & ACTION ITEMS\*

A. FIXED ROUTE & PARATRANSIT PROGRAM MANAGEMENT AGREEMENT

- I. MOTION TO RECONSIDER OR MOTION TO RESCIND BOARD ACTION TAKEN ON 7/24/19 REGARDING EXTENSION OF FIXED ROUTE & PARATRANSIT PROGRAM MANAGEMENT AGREEMENT Pages 3-21

Motion:

A motion was made by Mr. Furgess and seconded by Dr. Morris to enter Executive Session for legal advice regarding Transdev contract. Attorney Heizer reminded that to go into Executive Session, the reason must be either negotiation of the contract, legal advice or personnel issues relating to employment.

**Approved:** Anderson, Boulware, Dickerson, Furgess, Gleaton, Huggins, Howard, Leaks, Mood, Morris, Smith

**Absent:** None

Motion passed.



*The Board entered Executive Session at 3:05 P.M.*

**Motion:**

A motion was made by Dr. Morris and seconded by Ms. Gleaton to end Executive Session with no action taken.

**Approved:** Anderson, Boulware, Dickerson, Furgess, Gleaton, Huggins, Howard, Leaks, Mood, Morris, Smith

**Absent: None**

**Motion passed.**

*The Board ended Executive Session at 4:02 P.M.*

Mr. Andoh began by referring to the letter from Transdev on Page 10. Mr. Andoh reminded the Board about the decision to extend the Transdev contract for an additional year. He asked the Board to continue discussion on the Central Midlands Regional Transit Authority Fixed Route and Paratransit Program Management Agreement and the letter from Transdev Services, Inc.

Mr. Andoh mentioned that the President of Transdev and The COMET both have concerns about the overall fiscal sustainability of the current Agreement and continued pricing. The pricing in the Agreement is based on an hourly rate for fixed route and paratransit that includes all the services provided in the 2014 RFP, Transdev Proposal and 2015 Agreement. This rate is variable, and changes based on the number of services that The COMET operates. For fixed route, The COMET is in tier 5. For demand response, The COMET is in either tier 1, 2 or 3 depending on the month. When the RFP was written, The COMET was operating 404 weekday hours. Mr. Andoh added that The COMET is now operating 640 weekday hours, a 63% increase of service without a corresponding increase in positions. The fleet size has also increased from 68 to 81 vehicles with six more on the way, operating longer hours than before. The cost of doing business has increased greater than the allowable CPI from 2015 to 2019 which is resulting in Transdev to experience financial losses with this Agreement. Another significant potential cost driver change is the upcoming union contract expirations for fixed route and paratransit on October 31, 2019.

Mr. Andoh continued to explain that it is anticipated that each of the line items shown in the attachment would need to be revisited and Transdev would price out the cost to provide each line item and divided that against the estimated number of hours to be operated which will result in a new hourly rate. The added costs of janitorial and security would be re-included into the overall rate. It is projected that The COMET's hourly rate will increase for both fixed route and paratransit as a result and any savings achieved would be a detriment to the transit system as it relates to quality.



Mr. Anderson introduced Mr. Auger, the Auditor and Mr. Setzer with Transdev. Mr. Auger came up first for questions. Col. Leaks questioned why not extend for another year. Mr. Setzer explained that he wants the contract to be mutually beneficial to Transdev and The COMET. The contract that was developed five (5) years ago is no longer sustainable. He also stated the liquidated damage cost is very high.

Mr. Anderson mentioned the length of the contract and the fact that Transdev is not benefiting monetarily. He asked if this was the reason The COMET have not had the appropriate staffing? Mr. Setzer replied no. He then added that Transdev is in the process of correcting the issues and he is pleased with the interim staff in place currently under his administration. Mr. Anderson asked if in the past year if any of the staffing issues had been brought to his attention. He noted that we are currently without five (5) or six (6) positions. Mr. Andoh explained that a few positions have been filled, but we are still without some senior staff.

Mr. Anderson stressed the issues found in the maintenance audit and is concerned that the buses that are brand new are going to wear out before they should because they are not being properly maintained. Mr. Setzer stated he had not seen the maintenance audit and he is unsure on how we have gotten to the place we are now. Mr. Setzer emphasized that Transdev takes the preventative maintenance seriously and assured the Board that it is being addressed.

Dr. Morris asked about renegotiating the contract terms and costs. Mr. Setzer stated his suggestion for renegotiation made was made to apply to the current agreement. He noted if we move forward, he would like to renegotiate but he is unsure if that is possible. Mr. Furgess asked about the rate concern and the Disadvantage Business Enterprise (DBE). Mr. Setzer stated that Transdev has nor had any issues with the Disadvantage Business Enterprise (DBE) model.

Mr. Anderson introduced Mr. Auger. Mr. Furgess questioned the length of the audit. He added that the audit does not address the Executive Director and the role in Transdev oversight. Mr. Auger stated that initially he met with Transdev and the Executive Director to determine reporting metrics. Mr. Auger said that oversight is being done. Mr. Furgess asked about a timeline procedure for audit oversight. Mr. Anderson reminded the Board that currently the Service Committee does receive reports.

Mr. Auger stated that The COMET currently uses the dashboard produced by Transdev. Ms. Mood asked for clarification that the dashboard should list the key performance indicators clearly in one report. Mr. Auger confirmed and explained that by developing the dashboard, it would allow the Board to focus on specific issues.



Ms. Mood asked about a reasonable and good practice in successful transit operations and when the audits are to be performed. Mr. Auger suggested that audits should be performed at a critical time during the contract period. He added that annually or every other year depending on the length of your contract. Mr. Leaks questioned how involved the Executive Director should be with Transdev. Mr. Auger answered by virtue of the contract. He added that it's important for the Executive Director and the General Manager have a good working relationship to produce proper oversight.

Mr. Anderson summarized the current situation and listed three (3) options for consideration.

1. Motion to reconsider – must be made by someone on the prevailing side, seconded by either side.
2. Motion to rescind – cancels last vote
3. Do nothing

**Motion:**

A motion was made by Col. Leaks and seconded by Ms. Mood to rescind.

Dr. Morris requested Attorney Heizer review the options one more time.

**Ayes:** Anderson, Dickerson, Huggins, Leaks, Mood, Smith

**Noes:** Furgess, Gleaton, Howard, Morris

**Abstain:** Boulware

**Absent:** None

**Motion passed.**

II. AUTHORIZATION TO BEGIN PROCUREMENT RELATED TO CONTRACT OPERATOR

Mr. Anderson asked for a summary of the suggestion. Mr. Andoh referred to Page 5 in the packet.

- Formation of a Working Group to develop the request for proposals with The COMET staff
- Formation of the Evaluation Committee
- Scope of Work
- Setting a Minority/Women Business Enterprise (MWBE) goal

Mr. Andoh reviewed the RFP schedule on Page 7.

- September 2019 - Issue a Request for Information and conduct Industry Review
- October 23, 2019 – Complete draft RFP, present to Board
- October 28, 2019 – Release RFP



- November 12, 2019 – Pre-Proposal Conference @ 1 p.m. at 3613 Lucius Road, Columbia
- October 18, 2019 – Finalization of Evaluation Committee (Committee of five)
- December 13, 2019 – Close RFP
- December 16-20, 2019 - Initial evaluation of proposals
- January 6-10, 2020- Interviews. [Note: Could interview all Proposers or could short-list firms and only interview smaller group.]
- January 24, 2019 - Request for Best and Final Offers (BAFOs).
- January 31, 2020 - BAFOs due.
- January 3-7, 2020 - Evaluation of BAFOs.
- February 12, 2020 - Final ranking and determination of highest ranked Proposer.
- February 26, 2020- Board meeting to review recommendation and consider contract award.
- March 2, 2020 to March 6, 2020 – Protect Period
- March 25, 2020 – Execute Agreement.
- April 1, 2020 – June 30, 2020 - Transition period, vehicle inspections, hiring staff
- July 1, 2020 - Commencement Date for fixed route and paratransit contractor

Mr. Anderson asked for clarification on an Ad-Hoc committee which he would appoint per the bylaws. Attorney Heizer agreed. Ms. Baker recommended an equal amount of input from the Board, staff and outside consultants. After the group develops the RFP, it will be brought to the Board for approval. Mr. Huggins reminded the Board that we all take serious time and effort regarding the Penny tax and the DBE.

**Motion:**

A motion was made by Ms. Dickerson and seconded by Mr. Huggins accept a recommendation of the beginning of a procurement process.

Dr. Morris asked for clarification from Mr. Andoh's recommendation in terms of Board, Staff and Advisors participation. Attorney Heizer clarified that a professional will be hired for expertise. Dr. Morris recommended legal to staff the RFP. Mr. Furgess requested a roll call vote.

**Ayes:** Anderson, Boulware, Dickerson, Gleaton, Howard, Huggins, Leaks, Mood, Morris, Smith

**Noes:** Furgess

**Abstain:** None

**Absent:** None

**Motion passed.**

RFP Procurement group (Ad-Hoc) would include: Mr. Huggins, Ms. Dickerson, Col. Leaks, Mr. Smith



and Dr. Morris. Mr. Anderson stated the evaluation process would be discussed in the future, November or December.

B. PERSONNEL CONCERNS AS REQUESTED BY BOARD MEMBER DR. MORRIS AS DEFINED SECTION 30-4-70 (a) (1) Pages 22 RESENTATIONS

Mr. Andoh explained that per discussion with Dr. Morris, he would like to review the personnel structure for The COMET.

The Board of Directors has authorized 11 positions as adopted in the FY 2019-2020 Operations Budget as explained below:

- Executive Director/CEO
- Director of Administration & Operations/COO
- Director of Finance/CFO
- Director of Regulatory Compliance & Civil Rights Officer
- Grants & Regional Coordination Manager
- Administrative & Customer Service Specialist\*
- Marketing & Public Information Manager\*
- Transit Operations Specialist
- Financial Accountant
- Procurement Specialist\*
- Planning & Development Specialist\*

Four positions are vacant as of August 2019 with an \* above. Staff is currently recruiting for these positions and has been since July 1, 2019. The goal is to have these positions filled by the end of October 2019 except for the Procurement Specialist.

Regarding the Procurement Specialist, a discussion will be held with the Finance Committee to request authorization to create a Financial Coordinator to assist with processing accounts payable and account receivable items and act as the receptionist for the office and reclassify the Procurement Specialist position to a Procurement and Contracts Manager. The procurement responsibilities will be split for now between the Grants & Regional Coordination Manager (from a FTA compliance and records management basis) and the Financial Accountant (managing the actual procurement) and the Director of Finance/CFO (managing the spending of each contract procured).

Mr. Deschamps discussed the avenues of advertisement for the vacant positions. He added that the search was done nationally. Mr. Deschamps said to date, the Administrative & Customer Service Specialist The COMET has received twenty (20), Marketing & Public Information Manager; twenty one (21) and Planning Specialist; ten (10) resumes.



Mr. Andoh stated that the General Manager and Paratransit Manager for Transdev will be appointed at the August Board meeting. Mr. Leaks inquired about the bench rentals and the phone system improvement. Mr. Andoh explained and stated the office will have a live person once the Customer Service Receptionist is hired. Mr. Andoh suggested giving a monthly report to keep the Board informed of these positions.

## 5. Adjourn

### Motion:

A motion was made by Mr. Furgess and seconded by Ms. Gleaton to adjourn.

**Approved:** Anderson, Boulware, Furgess, Gleaton, Howard, Huggins, Leaks, Mood, Morris, Smith

**Absent:** Dickerson


**Motion passed**

Meeting adjourned at 5:09 P.M.

### CENTRAL MIDLANDS REGIONAL TRANSIT AUTHORITY

Adopted this August, 2019, Agenda Item \_\_\_\_\_

Prepared by:

  
Paige Jernigan, Interim Administrative & Customer Service Specialist

Approved by:

  
Andy Smith, Board Secretary