



The COMET Finance Committee Meeting minutes are prepared and presented in summary form. An audio recording 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 pjernigan@thecometsc.gov.

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, September 4, 2020 at 3:15 p.m.

**The Central Midlands Regional Transit Authority
Finance Committee Meeting Minutes
Wednesday, September 9, 2020 at 10:00 A.M.
3613 Lucius Road, Columbia, SC 29201 – Teleconference**

Members Present:

Joyce Dickerson*
Mike Green*
Dr. Robert Morris*
Andy Smith, Chair
Allison Terracio*

**Indicates participation by phone.*

Guests Present:

Ben Limmer, Transition Manager, RATP Dev

Absent Board Members:

Representative Leon Howard

The COMET Staff Present

John Andoh, Executive Director/CEO
Rosalynd Andrews, Director of Finance/CFO
Paige Jernigan, Administrative & Customer Service Specialist
Arlene Prince, Director of Regulatory Compliance & Civil Rights Officer
Michelle Ransom, Grants and Regional Coordination Manager

- 1. CALL TO ORDER AND DETERMINATION OF QUORUM**
Mr. Smith called the meeting to order at 10:02 A.M.
A quorum was determined at 10:02 A.M.
- 2. ADOPTION OF THE AGENDA**



Motion:

A motion was made by Ms. Terracio and seconded by Dr. Morris to adopt the agenda.

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

3. ADOPT MINUTES FROM August 12, 2020 MEETING

Deferred to the next meeting

4. MATTERS REFERRED FROM THE BOARD OF DIRECTORS

- **Discuss Previous Motions From 2017 to Present**

Mr. Andoh referenced Page 9 and stated that the motion regarding Procurement and Contract Administration Policy would be discussed today.

5. Ms. Andrews reviewed the July 2020 Highlights section on Page 10.

July Highlights: 8% of fiscal year completed

- Total Revenue: Year to Date \$1.62 Million compared to 1/12 of annual budget at ~\$35.90 Million; total Year to Date collections average ~6% of annual budgeted amount
- Total Expenses (with depreciation): Year to Date ~ \$2.97 Million compared to 1/12 of annual budget of \$35.14 Million; total Year to Date expenditures average ~ 9% of annual budget
- Year to Date paid to Contract Operator RATP Dev 7/1/2020 - reporting month ~ \$223,529
- Year to Date paid to Contract Operator Transdev 7/1/2015 - reporting month ~ \$67,402,404
- Cash: Wells Fargo - Operating: ~\$6.17 Million
- OPTUS Bank Reserve Funds: ~\$6.48 Million
- Local Government Investment Pool (LGIP): ~\$17.10 Million
- Total collections of Penny Revenue since 2013 to present: \$119,711,252 Million of the \$300,991,000 allocation, remaining balance = \$181,279,748

Discussion ensued regarding OPTUS Bank Reserve. Mr. Andoh will send out the other statements as only one was sent. It was confirmed that OPTUS funds are collateralized from the State Treasurer's office.

Ms. Andrews confirmed that payment for the Contract Operator, RATP Dev is ahead of budget due to transition and startup costs.

6. DISADVANTAGED BUSINESS ENTERPRISE (DBE) UPDATE

Information not available. It was verified that numbers that are still coming in from Transdev. It



was discussed and an update will be provided for Transdev and RATP Dev at next Committee meeting.

7. DISCUSSION and ACTION ITEMS

A. UPDATE POLICIES & PROCEDURES MANUAL TO ADDRESS CHANGES TO SOUTH CAROLINA PROCUREMENT LAW

Mr. Andoh referred to Page 29 in the packet.

He explained that in June 2019, South Carolina Department of Transportation sent out notification that the South Carolina Procurement Law has changed, which impacts Regional Transportation Authorities based on the Governor signing Bill 530 into law on May 19, 2020. He continued to state that The COMET has been advised that the current policy is lacking specific details as recommended by the Best Practices Procurement Manual. Due to this fact, General Counsel has proposed some revisions to the Procurement and Contract Administration Policy to guarantee compliance with the State Law and FTA's Best Practices Procurement Manual. Mr. Andoh mentioned that staff will be attending two procurement training sessions with Federal Transit Administration and University of the South Carolina to ensure that The COMET is proficient in Federal Transit Administration procurement practices.

Mr. Andoh reviewed the changes highlighted in the packet. Mr. Andoh referred to Page 98 and 99, which summarized the changes for quick reference. He also confirmed that all the changes in the manual were vetted through legal counsel.

Motion:

A motion was made by Ms. Dickerson and seconded by Ms. Terracio to approve and forward this item to the full Board for consideration.

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

Voice Vote:

Dickerson - Aye*

Howard - Absent

Morris - Aye*

Smith - Aye

Terracio - Aye*

Motion passed.

B. COMPRESSED NATURAL GAS PROPOSAL

Mr. Andoh referred to Page 102 in the packet. He reminded the Committee that the Board of Directors made a commitment to consider CNG buses in the Vision 2020 plan. He mentioned that



some of the Board has asked questions and the Chair will be scheduling a workshop soon for an update.

Mr. Andoh informed the Committee that The COMET will be purchasing twelve (12) new buses for the University of South Carolina service and in four (4) years will need to purchase eight (8) replacement buses for fixed route service, as the 2010 vehicles will have reached their useful lives.

Mr. Andoh clarified that CNG presented a proposal back in 2016 regarding a station. He added that TruStar Energy would build a CNG station at no cost to The COMET, provided that we use the station for at least ten (10) years. He further explained that per Board Policy, the useful life of a transit bus is fourteen (14) years, therefore, there is value to The COMET with this arrangement. Ultimately, The COMET could have as many as thirty-one (31) vehicles between transit buses and cutaways buses that could use the CNG station.

Mr. Andoh explained the table on Page 103 regarding tax incentive and fuel technology. It was discussed that using CNG for one cycle or life span of the buses and new fuel source would be available. It was confirmed that the CNG buses are more efficient than diesel buses.

It was discussed that the Committee could send this forward without a recommendation for further discussion with the Board. Ms. Dickerson expressed that she would like for this to be sent to the Board in a manner that it will not need to come back to the Committee.

Motion:

A motion was made by Mr. Smith and seconded by Ms. Dickerson to recommend to the Board consideration of use of CNG for the USC fleet, twelve (12) buses. If the Board wishes to move forward with that plan, the Committee recommends that the Board authorize staff to enter into an agreement with TruStar Energy.

Mr. Smith amended motion to include Vision 2020 Plan.

Amended Motion:

A motion was made by Mr. Smith and seconded by Ms. Dickerson recommended to the Board consideration of use of CNG for the USC fleet, twelve (12) buses. If the Board wishes to move forward with that plan, the Committee recommends that the Board authorize staff to enter into an agreement with TruStar Energy as discussed in the Vision 2020 Plan.

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

Voice Vote:



Dickerson - Aye*
Howard - Absent
Morris - Aye*
Smith - Aye
Terracio - Aye*
Motion passed.

C. FY 2021 BUDGET REVISIONS REVIEW

Ms. Andrews referred to Page 107 and 108. She explained the revisions presented on Page 18. Discussion ensued regarding State funding and the effect of the gas tax.

Motion:

A motion was made by Mr. Smith and seconded by Ms. Dickerson to recommend to the Board all these changes to amend the 2020 budget.

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

Voice Vote:

Dickerson - Aye*

Howard - Absent

Morris - Aye*

Smith - Aye

Terracio - Aye*

Motion passed.

D. RATP DEV SUBCONTRACTING ON DETAILING AND BUS STOP MAINTENANCE

Dr. Prince referred to Pages 112 - 115 of the packet. It was explained that staff have been in recent discussions with RATP DEV regarding the Disadvantaged Business Enterprise Contract Goal for detailing, bus stop maintenance, and drug and alcohol testing. She continued stating that Capital Building Services has agreed to handle vehicle detailing on a temporary basis until a permanent Disadvantaged Business Enterprise is located to implement this activity. The interim agreement is set to expire on September 30, 2020.

RATP Dev is in search of options to move forward with the bus detailing tasks. Below are the options for consideration:

Option 1:

RATP DEV has requested to be allowed RATP DEV to replace Capital Building Services with Transport Care Services. Transport Care Services will then subcontract the vehicle detailing to Kare Pro Janitorial Services, a Disadvantage Business Enterprise firm certified to handle vehicle



detailing.

Option 2:

RATP DEV will contract directly with Kare Pro Janitorial Services to handle the vehicle detailing, and Transport Care Services will handle the basic washing of vehicles, which is consistent with what they are eligible for in the DBE directory.

Lastly, Dr. Prince described that RATP DEV is also requesting to add Ed Rush Consulting & Development Group to handle the alcohol and drug testing to meet federal requirements. Ed Rush Consulting & Development Group is already an approved DBE firm.

It was confirmed that Option 1 is under legal review.

Motion:

A motion was made by Ms. Dickerson and seconded by Dr. Morris to defer all this item to our next Finance Committee meeting in October.

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

Voice Vote:

Dickerson – Aye*

Howard - Absent

Morris - Aye*

Smith - Aye

Terracin - Aye*

Motion passed.

E. CHANGE ORDER #4 WITH RATP DEV

Start Up Costs:

Mr. Andoh explained that the Board of Directors approved in May 2020 with RATP Dev, the start-up period from May 1, 2020 to June 30, 2020. RATP Dev received a limited Notice to Proceed on May 22, 2020 and an official notice to proceed on June 1, 2020 after the contract was implemented on May 29, 2020. He further stated that since the start-up period started on May 22, 2020 officially, many of the actions have gone beyond June 30, 2020. He mentioned that the staff does not have authorization to pay for these upfront costs beyond June 30, 2020. As result, Change Order #4 will address this by extending the start- up period to January 25, 2021.

Mr. Andoh stated that there is an estimated \$115,000 remaining in start-up costs that would be owed to RATP Dev provided they have eligible expenses.



Mr. Andoh stated that the staff recommend to the Board of Directors to approve Change Order #4.

Payment of July and August 2020 Invoices:

Mr. Andoh informed the Committee that RATP Dev submitted a simplified invoice and did not request to be exempt from the reporting requirements as required in Section 5 of the Contract. This has been relevant since May 29, 2020 when the Contract was executed on the reporting requirements and again on July 3, 2020 and lastly on July 31, 2020. Invoice and Monthly Report are both required in order to receive full compensation. RATP Dev requested a simple invoice using the master hours spreadsheet instead of reporting actual hours due to lack of data at the conference meeting on August 19, 2020. Mr. Andoh stressed that RATP did not ask for a waiver on monthly reporting requirements. When the invoice was provided to The COMET on August 21, 2020, six days later than what the Contract stated, it was lacking monthly details needed to report to the Board and other agencies for compliance.

Mr. Andoh emailed, the General Manager on September 1, 2020 advising of the issue. He referred to the letter in the packet that shows cooperation from The COMET if legal counsel agrees that the July and August 2020 reports are provided by September 30, 2020. The COMET furthermore agreed to change the fifteen (15) of the month payment date to fifteen (15) business days to allow extra time for accuracy.

RATP Dev presented an inaccurate invoice. The COMET has requested an accurate invoice be resubmitted.

Discussion ensued regarding reporting and Contract compliance.

Motion:

A motion was made by Ms. Dickerson and seconded by Ms. Terracio to accept Mr. Andoh's recommendation.

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

Voice Vote:

Dickerson - Aye*

Howard - Absent

Morris - Nay*

Smith - Aye

Terracio - Aye*

Motion passed.

8. LEGAL/CONTRACTUAL/PERSONNEL (may require executive session)



None

9. ADJOURN

Motion:

A motion was made by Ms. Terracio and seconded by Ms. Dickerson to adjourn the Committee

Approved: Dickerson*, Morris*, Smith, Terracio*

Absent: Howard

Motion passed.

Meeting adjourned at 11:22 A.M.

CENTRAL MIDLANDS REGIONAL TRANSIT AUTHORITY

Adopted this Oct., 2020

Prepared by:


Paige Jernigan, Administrative & Customer Service Specialist

Approved by:


Allison Terracio, Board Secretary

