

American Public Transportation Association
Business Member Board of Governors Meeting
Sunday, May 19, 2019, 2:00 – 4:00PM
Omni Louisville Hotel, Louisville, KY
Olmstead Ballroom 4

AGENDA

2:00 p.m. Welcome and introductions (**Hugh Harrison**)

Anti-trust statement (**Eve Williams**)

The cardinal rule in keeping an association's operations within anti-trust laws is that there should be no agreements – express or implied – which restrain the member's freedom to make independent decisions in matters that affect competition. Each member must be completely independent to set prices, establish production and sales levels, choose the markets in which he or she will operate and select his or her customers and suppliers.

2:10 p.m. Comments/Remarks from **David Stackrow**, Chair, APTA

2:20 p.m. Comments/Remarks from **Paul Skoutelas**, President and CEO, APTA

2:30 p.m. Report of the Chair – **Hugh Harrison**, Chair, APTA BMBG

2:35 p.m. Approval of the Minutes from March 2019 Meeting **Att. 1**

2:40 p.m. Legislative Update - **Ray Melleady**, Chair, Business Member Legislative Subcommittee

- Business Member Fly-In Review
- AZ Light Rail Countermeasure
- BMBG Strategic Plan Rollout

3:00 p.m. Business Member Activity Fund Budget FY19 Update - **Raquel Olivier**, Chair, Business Member Budget Committee **Att. 2**

3:10 p.m. APTA TransFORM Conference Speaker Support – **David Carol**, Chief Operating Officer, APTA **Att. 3**

3:20 p.m. STEM Academy Update – **TBD**

3:30 p.m. Business Member Session @ Mobility Conference and Rail Conference – **Tony Kellen**, Chair, Business Member Programs Committee

3:35 p.m. Phone-A-Thon Incentive Discussion

3:45 p.m. New Business

4:00 p.m. Adjourn

BUSINESS MEMBER COMMITTEE REPORTS & TWO-YEAR PROGRAM PLANS

Business Development Committee (**Buddy Coleman**) **Att. 4**

Workforce Development Committee (**Mike Allegra**) **Att. 5**

Legislative Committee (**Ray Melleady**) **Att. 6**

Procurement Committee (**Natalie Cornell**) **Att. 7**

Programs Committee (**Tony Kellen**) **Att. 8**

Small Business Committee (**Jose Bustamante**) **Att. 9**

2019 Business Member Board of Governors Meetings:

1. APTA TRANSform Conference, Sunday, October 13, New York, NY

All Business members are invited to attend and participate in BMBG meetings.

Business Member Board of Governors Meeting Minutes

March 17, 2019

I. Call to order

Chair Huelon Harrison called to order the regular meeting of the Business Member Board of Governors at 1:30pm on March 17, 2019 at the Grand Hyatt Washington in Washington, DC.

II. Introductions

Attendees were: Michael Allegra, Jose Bustamante, Natalie Cornell, Frank DiGiacomo, Charles Di Maggio, John Fink, Gerald Francis, Freddie Fuller, II, Tony Kellen, Mark Magaldi, III, Jack Martinson, Ray Melleady, Raquel Olivier, Joe Policarpio, Janet Rogers, Richard Simonetta, William Thomsen, David Turney, Jeff Wharton, Eve Williams, Charles Wochele, Alan Wulkan, Buddy Coleman, Kim Green, Anne O'Neil, Al Engel, Lindy Norris, Tom Webb, Dominic DiBrito, Heather Roman, Emmanuelle Toussaint, John Andreas, Margareth Bonds, Tom Waldron, Ann Derby, Joe Gibson, Christos Kritsidimas, Karen Rae, Bob McGowan, Gregory Yates, Karen Dhanie, Neil Tamparri, John Andrews, Julie Hile, Kirk Benson, Fran Hooper, James LaRusch, John Hendrickson, David Warren, Lee Kemp, Paul Chilkotowsky, John Obert, Jerry Harrison, Jannet Walker Ford, Kevin Sudano, Janna Starcic, Christina Belmont, Rene-Philippe Degni-Segui, Ken Anderson, Flora Castillo, Michael Schneider, Emily Guill, Paul Skoutelas.

III. Approval of minutes from last meeting

Chair Huelon Harrison called for a motion to approve the previous meeting's minutes. A motion was made, seconded, and was voted on unanimously.

IV. Agenda items

- a) The anti-trust statement was read.
- b) Chair Huelon Harrison commented. Inclusion is important and a focus.
- c) A preview was given of the APTA Legislative Committee meeting, to take place after the adjournment of this meeting, and promoted the Business Member Fly-In. Ray Melleady requested that the final version of the BMBG Strategic Plan be sent to the BMBG. An update was given on the BMBG Advocacy Plan. In a break from the agenda, a motion was made and approved for support to counter the Arizona light rail ballot measure.
- d) Jack Martinson promoted the APTF Corporate Donor Program.

- e) Janet Rogers summarized the FY2019 Business Member Activity Fund activity to date. The FY2020 Business Member Activity Fund was introduced. The committee approved the FY2020 BMAF budget with amendments. \$25,000 was added to the Business Member Advocacy Activity line item, and \$30,000 was added for the TranSTEM Academy.
- f) Shifting from the order of the agenda, Jeff Wharton promoted the TranSTEM Academy.
- g) APTA CEO Paul Skoutelas delivered remarks, commending the business members for their contribution to workforce development. He encouraged continued advocacy support.
- h) Josh Cohen reintroduced the committee to the Center for Transportation Excellence.
- i) Jeff Wharton updated the committee on the annual business meeting site selection for 2020-2022. The working group is exploring California for 2020, Miami for 2021, and Hawaii for 2022.
- j) Ray Melleady outlined the BMBG Strategic Plan before adoption. Once the final draft is available, the plan will be emailed to all APTA members and posted to APTA's website. The committee voted and approved unanimously to adopt the plan.

V. New business

- a) Adelee Le Grand promoted COMTO workforce development initiatives. \$10,000 was added to the FY2020 Business Member Activity Fund budget for the COMTO Leadership & Training Conference Youth Program.

VI. Adjournment

Chair Huelon Harrison adjourned the meeting at 2:36pm.
Minutes prepared and submitted by APTA staff advisor Adam Martin.



FY2020 Budget Request Form

Committee Name: Business Member Board of Governors

Committee Chair: Hugh Harrison

Member Request: _____

APTA Staff Recommendation: X

Program/Activity Description: Sponsorship, 2019 APTA TRANSForm Conference Closing Speaker

Expected Benefits: APTA expects several benefits to accrue to conference attendees: (1.) a greater awareness of innovative approaches to connecting with homeless people who occupy transit facilities; (2.) a fresh foundation for developing new practices to improve interactions between homeless people and transit leaders, front-line and station employees, and riders; and (3.) a strong, memorable conclusion to the conference to mirror the strong, memorable opening to the conference, an event already sponsored by the Activity Fund. APTA will also publicize this additional support to further recognize the significant contributions of business members to the conference.

Deliverables (If Any): The deliverable is a 75-minute keynote address and Q&A session by Vijay Gupta, a world-acclaimed violinist, a MacArthur Fellow, and a social activist who has made a second career of using music to connect with people in need, including people who are homeless. The proposed title of the presentation is “TRANSFormational Connections—The Medicine of Music: How a World-Class Violinist and Social Activist Reaches Homeless People with Music and What Transit Can Learn.” Find his website at <http://guptaviolin.com/>. He has been featured by *the Washington Post*, *Los Angeles Times*, NBC’s Dateline, NPR, PBS, and the BBC, among other major news organizations. His bio and photo are attached to this request.

Estimated Cost: \$16,500, which includes Gupta’s speaking fee, an estimate of round-trip airfare between Los Angeles and New York City, and incidental expenses.

Anticipated Obligation Date: July 1, 2019

Other APTA Funding Available for this Activity?

_____ Yes
___XX_ No
_____ Unsure

Please return this form to Adam Martin, Hugh Harrison, and Raquel Olivier

Vijay Gupta Bio



Vijay Gupta is a violinist and social justice advocate. An esteemed performer, communicator, and citizen-artist, Gupta is a leading advocate for the role of the arts and music to heal, inspire, provoke change, and foster social connection. Gupta is the founder and Artistic Director of Street Symphony, a non-profit organization providing musical engagement, dialogue and teaching artistry for homeless and incarcerated communities in Los Angeles.

Recognized for his “dedication to bringing beauty, respite, and purpose to those all too often ignored by society while demonstrating the capacity of music to validate our shared humanity,” Vijay Gupta is a 2018 John D. and Catherine T. MacArthur Fellow.

Vijay Gupta is a celebrated speaker, educator and advocate, and works as a consultant and guest lecturer with education, performance and presentation institutions across the U.S. and Canada. He currently serves on the faculty of The Colburn School and Longy School of Music and is the Senior Program and Artistic Advisor of Young Musician’s Foundation, an LA-base musical training, performance and advocacy organization. Gupta also serves on the board of directors of the DC-based national arts advocacy organization Americans for the Arts, as well as Los Angeles’s beloved 24th Street Theatre.

An acclaimed violinist and seasoned international performing artist since the age of 8, Gupta made his solo debut with the Israel Philharmonic Orchestra under the baton of Zubin Mehta at age 11. In 2007, at 19, Gupta joined the Los Angeles Philharmonic Orchestra, and served as a member of the First Violin section through 2018. He has appeared as a guest concertmaster with the Los Angeles Opera and the Philharmonia Orchestra of London, and is an active recitalist, soloist and chamber musician.

Gupta holds a BS in biology from Marist College (‘05) and an MM in violin performance from the Yale School of Music (‘07). Gupta is the recipient of numerous awards and honors, including an honorary Doctor of Humane Letters by the University of La Verne and the 2017 Leonard Bernstein Lifetime Achievement Award from the Longy School of Music. Gupta is a 2017 Citizen Artist Fellow with the John F. Kennedy Center for the Performing Arts and a 2011 TED Senior Fellow. Gupta is represented as a speaker by the Lavin Agency and performs on a 2015 violin made by Los Angeles maker Eric Benning.

**Business Member Board of Governors
Summary Report**

Business Member Business Development Committee

Committee Work Program updates

1) International Speaker Support Program

Accomplishments:

- Continue to work with APTA staff to identify opportunities for international speakers for upcoming Conferences

2019 Bus and Rail Conferences

- We have commitment from UNIFE, the European Railway Supply Industry Association, to participate at our Rail Conference
- We are hosting a joint session with JITI, Japan's International Transport Institute, at the Rail Conference on "Transit Stations and Community Development".

2) Increase U.S. Presence at International Public Transportation Events

Accomplishments:

- Study Mission – The next APTA International Study Mission for June 2-8, 2019, on "Integrated Mobility: Being MaaS Ready", visiting Vienna, Hannover and Helsinki is fully subscribed. The mission will explore the different models cities are adopting to provide Mobility as a Service, the role of the public transportation authority and private sector partners as well as the impact on the customer experience and transit ridership.

There are six business members taking part in the mission.

- Continuing to promote and support U.S. companies at international trade shows and study missions
 1. UITP Global Public Transportation Summit - Stockholm Sweden June 9th–12th 2019. There will be an APTA delegation and an APTA Booth at the Summit

3) Update Annual Investment Brochure

Accomplishments:

- We have delegated a committee to take on the oversight of the 2020 brochure. The committee is being chaired by Charlie DiMaggio.
- The 2020 brochure will still focus on national business matters but there will be an opportunity for the state associations to utilize a version that can be localized. The idea will be to try to expand the use of the document and increase the ROI to business members.

4) Increase Business Member Participation in the APTA Sustainability Program

Accomplishments:

- The Sustainability Committee has developed a work plan for 2019 – 2020. (see attached for reference) Major goals include to increase peer-to-peer exchange of best practices and to strengthen internal and external partnerships.
- The Sustainability Commitment process for applying for higher levels of recognition is transitioning to one-submission-round-per-year.
- APTA will hold its 2019 Sustainability & Multimodal Planning Workshop on July 28 -31 in Boston. The Call for Abstracts is open until February 8. Major themes include resiliency, new mobility, efficiency, and integration.
- There are currently 63 business or non-operator member signatories, including 3 Gold signatories (Amtrak, TRC Companies, and Visual Marking Systems, Inc.), 5 Silver signatories (CDM Smith, HDR, Louis Berger, SYSTRA Consulting, Inc., and WSP), and 3 Bronze signatories (Stacy and Witbeck, Inc. and Wendel)

5) P3 Update

**Business Member Board of Governors
Summary Report**

Business Member Workforce Development Committee

Committee Work Program updates

- 1) Youth Summit
 - APTA has decided to skip 2019 summit. BMBG past chair is discussing with APTA.
- 2) Passenger Railroad Engineering Education Symposium (pREES) -

Actions to Date:

- Hold the Date sent to potential attendees; July 22-24
- Chicago Transit Authority has agreed to host.
- NuRail will support with presenters.
- Additional potential presenters are identified and are being contacted.
- Schedule grid is being refined and is at 90% complete pending input from the presenters.

Anticipated Actions

- 2019 kick off meeting during the legislative conference to kick start organization.
- pREES sub-committee chair will start planning and organization for the next pREES this quarter.
- Committee meeting at the Mobility Conference on Sunday, May 19.

Other Committee Issues and Updates

- The committee is pursuing ideas for bus-related workforce development programs.

**Business Member Board of Governors
Summary Report**

Business Members Legislative Committee

Committee Work Program updates

- 1) Advocate for industry investment needs

Accomplishments:

- Completion of Strategic Plan Draft with input from key business member stakeholders. Presented to full BMBG Board for adoption and endorsement.
- Continued Deployment of targeted Advocacy program with signed letters and ongoing outreach with a growing number of local business members.
- Presented Request for Action to the BMBG Board to Fund Marketing efforts in opposition to an initiative in Phoenix to reverse funding for the completion of the light rail project (previously approved by voters under Proposition 104/T2050). The Board approved a \$50,000 contribution to the Arizona Chapter of Associated General Contractors.
- At the 2019 Business Member Fly-In, there were 38 attendees who participated in 82 confirmed congressional meetings (of which 5 were Member of Congress meetings and/or meet and greets) from 26 states.
- Rep. Rodney Davis (R-IL), Ranking Member of the Subcommittee on Highways and Transit of the House Committee on Transportation and Infrastructure briefed attendees on the challenges that Congress faces as it tries to develop consensus on how to pay for a \$2 trillion infrastructure bill.
- Business Members dropped off letters to Senators of 10 states as part of the BMBG Advocacy Engagement Project. The letters requested the Senators visit one of the signatories business' within the state and also emphasized the need for a strong federal investment in public transportation. The letter highlights APTA's endorsement of the U.S. Chamber of Commerce proposal to increase the gas tax by 5 cents per year over 5 years as a short-term solution for addressing the solvency of the Highway Trust Fund. Letters were dropped off to Senators in Alabama, Iowa, Idaho, Kentucky, Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Texas.

Anticipated Actions:

- Continue efforts to encourage Business Member advocacy outreach, such as local facility site visits and district-based outreach, aimed as continuing to build relationships with more Members of Congress and especially those members new to their position.

2) Advocate for Business Members' Policy Priorities

Accomplishments:

- The committee continues to work with the APTA staff to identify and respond to Policy/Legislation/Regulation affecting Business Members. Among the issues being addressed are: Buy America and the next round of Authorization.

Anticipated Actions:

- Continue to work with the APTA staff to engage in the process of FAST Act Implementation and the next round of Authorization.
- Continue to facilitate discussion around Buy America legislative changes, and contribute to efforts to generate additional research on the issue.

3) Serve as a sounding board for research ideas and policy questions

Anticipated Actions:

- The Committee will continue to host joint meetings with the BMBG Procurement Committee when deemed necessary due to overlapping legislative topics.

4) Committee leadership as an advocate with peers on information/data collection and general involvement

Accomplishments:

- Maintenance and data collection undertaken and supported for the Industry Footprint Tool including updates as changes occur with APTA members and elected officials.

Anticipated Actions:

- Committee will continue to market the benefits of utilizing the "Industry Footprint Tool" to APTA members and ensure that it is utilized to provide data to support advocacy including Hill visits and fly-ins.

Other Committee Issues and Updates

N/A

**Business Member Board of Governors
Summary Report**

Business Member Procurement Committee

Committee Work Program updates

Note: Because so many procurement issues are also legislative issues, the two committees have met jointly for the last year. This means APTA staff don't have to report on the same things twice and that members of both committees stay updated on progress (or lack thereof). We anticipate the two committees will continue to meet jointly for the short term.

1) Monitor and React to Changes to US Content Requirements

Accomplishments:

- New Buy America rules have been implemented with few problems after FTA accepted business and agency members' recommendation
- Monitoring changes to Buy America Handbook; met with FTA over issues

Anticipated Actions:

- Monitor any new direction from Congress and/or the new Administration that could show up in authorizing or appropriations bills for 2019-20
- Monitor any problems with new rules
- Monitor any Infrastructure bill for changes to requirements
- Monitor and changes to state requirements on projects where only state funding is used (as a result of all the success in 2016 with funding referenda)

2) Using FTA funds to purchase Chinese rolling stock other procurement initiatives

Accomplishments:

- Monitored proposals in funding bills to preclude the use of FTA funds for Chinese rolling stock

Anticipated Actions:

- Continue to follow Senate bill and likely House bills to see where they get traction

3) Tariffs on Rolling Stock, Components and Steel & Aluminum

Anticipated Actions:

- Keep track of changing situation
- Provide input to Art Guzzetti for research on effects of the tariffs on agency procurements

- Work with APTA to create a fast action tracking of rapidly changing situation

4) A&E Contract Ts & Cs and other contracting issues (risk sharing)

Accomplishments:

- Re-invigorated this sub-committee
- Issued identified:
 - o **Indemnification Clauses:** transfer of risk and responsibility to AE without any ability to accept that risk and protect the owner
 - o **Liability Insurance:** Limits and types of coverage that are either not based upon a proper risk evaluation or that assign limits that are not commercially available
 - o **Capped Rated contracts:** violate cost plus principles in FAR
 - o **Actual Cost Overhead** requirements under capped rated contracts – assignment of project costs to overhead and erosion of limited profit margins
 - o **Profit Margin targets:** limiting profit allocations without the understanding of final reconciled profit amounts including consideration of payment timing, interest and risk factors in execution of the contracts
 - o **Non Brooks Act procurements** for services which require A-E services - violate the essence of Brooks with federally funded contracts by using cost as a decision factor
 - o **Retainage requirements:** AE service agreement should not require retainage because the professional product is a continuous service that is owned by the agency upon delivery, and represents the standard of care provided in the profession. Retainage clauses are for construction contracts that use the retainage as leverage to obtain the final quality specified of the intended product.
 - o **Slow Payment:** Slow payment (more than 30 days) of invoices by owners cost A-E's many \$ in interest payments which are not allowable under overhead audits, and result in reduced profitability. Most federal contracts require interest to be paid to the A-E for slow payments.

Anticipated Actions:

- Consider sessions at upcoming APTA conference
- Possible session at the Legal Affairs conference or meeting
- Adding this to the NTI procurement training course to develop training for grantees

5) Procurement Sessions at Conferences

Accomplishments:

- Mobility Conference sessions
 - o FTA Procurement Hot Topics
 - o Buying a Bus, or a Computer on Wheels?
 - o Supporting Transit Asset Management Programs
- Rail Conference sessions (2018):
 - o Best Value Procurements
 - o Become a Lean, Mean Procurement Machine

- Annual Meeting (2018):
 - o Procurement Super-Session
 - o Procuring Innovation in the Transit Industry PART 1: Challenges in Procuring NEED NOW Technology
 - o Procuring Innovation in the Transit Industry PART 2: The Search for New Models for Procuring New Technologies

Anticipated Actions:

Continue to create, identify and support procurement sessions at all major conferences.

**Business Member Board of Governors
Summary Report**

Business Member Programs Committee

Committee Work Program updates

- 1) Plan and deliver program sessions at the Mobility and Rail conferences that present discussions of key business member issues

Accomplishments:

- Planning for all program conference sessions will be modified to ensure BMBG member participation and dedicated time slot. The committee will be able to better influence selection of business member submitted papers, moderators, and presenters chosen. Complimentary registration raffle seems to be a successful endeavor when planned properly, and we will continue to support this initiative.

Anticipated Actions:

- Continue to refine our processes for planning conference sessions in conjunction with APTA staff. We will discuss past lessons learned on current and past approaches to ensure maximum BMBG involvement. We will continue to promote the complimentary conference registration raffle sessions.
- 2) Support APTA EXPO to recruit new members and enhance business member interface with attendees

Accomplishments:

BMBG Activity Funds have been budgeted to support the committee's selected activity.

Anticipated Actions:

- Planning will begin at the appropriate time for the next EXPO
 - Members sign-up to support APTA membership committee recruit new members during EXPO events
 - Review and Update member recruitment materials and efforts moving forward
- 3) Support the use of high profile guest speakers who can bring a business message Business Member programs recognition to APTA's conferences and seminars

Accomplishments:

- The Committee selected entrepreneur Daymond John as the keynote speaker for the 2018 Annual Meeting.
 - Facilitated BMBG sponsored autonomous bus and procurement sessions at 2018 Bus Operations and Rail Conferences.
- 4) Support funding of key events and receptions at APTA conferences

Accomplishments:

- Sponsorship of APTA Legislative Conference breakfast and key receptions at APTA Mobility, Rail, and TRANSForm Annual Conferences. Added 2019 Mobility Conference Diversity and Inclusion Reception to list of sponsored events

**Business Member Board of Governors
Summary Report**

Business Member Small Business Committee

Committee Work Program updates

1. **First Work Program** - Objective: Create opportunities for APTA small and disadvantaged business members to establish meaningful business relationships with clients and other potential partners.

Initiatives:

SB2SB:

- We will be hosting an SB2SB event in Louisville, KY, at the upcoming Bus and Paratransit Conference in May.
- Eve Williams has been coordinating the effort with the local TARC group and they have agreed to be a part of the event. Furthermore, they are intending to use this event to start a new local COMTO Chapter in Louisville. Great effort all around.
- The event should be included in the Program to make sure people are aware and put it on their calendars. Adam M to confirm.

NETWORKING BREAKFAST:

- The next networking breakfast will be held in Louisville at 6:45AM on Monday morning, 5/20.
- Invites for the event have been sent and we have a list of people already signed up to attend this event. Adam M to confirm.

Our initiatives play well with one of the goals of the Diversity council. Which is stated as follows:

“Provide networking opportunities for minority, women, LGBT, and veteran owned businesses, including Small Businesses and DBE firms, and firms owned by people with disabilities, through activities such as, BMBG networking breakfasts and other potential activities in collaboration with COMTO and WTS.”

New Initiatives:

PHONE-A-THON: This is an event solely dedicated to recruiting Small Businesses and DBEs into APTA during the Mobility Conference scheduled for May 2019 in Louisville, KY. The goal is to recruit as many DBE/SBE/WBE/VBE firms into APTA by

offering an attractive and focused value proposition over the course of 3 hours, 12:00PM to 3:PM on Tuesday May 21, 2019. As part of this effort, we have developed a script to communicate potential new APTA members the key benefits of becoming an active APTA member. A target list of SBEs and DBEs for recruiting purposes will be distributed at the beginning of the event to all volunteers. Business Member volunteers would come together in a conference room, calling center, to call targeted SBEs and DBEs

CONNECT WITH THE CEOS AND HEAR THEIR PERSPECTIVE:

- **CEO Panel at Mobility Conference** – BMBG’s Small Business Committee will be hosting a panel of transit CEOs during the upcoming Mobility Conference to provide their perspective on SBE/DBE programs and the challenges they face as the industry continues to evolve through the implementation of innovative mobility initiatives.
- The panel is scheduled for Tuesday, May 21, from 1:30PM to 2:30PM. The CEO panel includes:
 - Kevin Quinn, MD MTA CEO,
 - Katherine Eagan, Pittsburgh Port Authority of Allegheny CEO,
 - Randy Clarke, Capital Metro CEO,
 - Jim Gallagher, LA Metro COO,
 - Eve Williams, Dikita Engineering CEO, and
 - Claudio Bravo, RBVA CEO
- 2. **Second Work Program** Objective: Develop programs for small and disadvantaged business members to maximize the value of their APTA membership.

SMALL BUSINESS DATABASE: (Adam M to provide update)