



**Jointly Held  
Finance/Personnel and Planning Committees  
Meeting Minutes**

**February 21, 2023**

**Members Present:** Sharon Howard, Chair  
Al Fullenkamp  
Sharon Hairston  
Adrienne Heard  
Belinda Matthews-Stenson  
Thomas Weckesser  
David P. Williamson (arrived at 8:37 a.m.)

**Excused:** John A. Lumpkin  
Nikol Miller

**Staff in Attendance:** Bob Ruzinsky  
Daron Brown  
Roland Caldwell  
Chris Conard, Coolidge Wall  
Tim Harrington  
Deborah Howard  
Brandon Policicchio  
Mary Kay Stanforth  
Kimberly Trammell

Ms. Howard called the meeting to order at 8:29 a.m. and roll call was taken:

**Roll Call**

Mr. Lumpkin -	Excused
Mr. Fullenkamp -	Yes
Ms. Hairston -	Yes
Ms. Heard -	Yes
Ms. Howard -	Yes
Ms. Matthews-Stenson -	Yes
Ms. Miller -	Excused
Mr. Weckesser -	Yes
Mr. Williamson -	Excused

A quorum was present, and proper notice of the meeting had been given.

**Approval of January 17, 2023, Jointly Held Finance/Personnel and Planning Committees Meeting Minutes**

Ms. Howard asked if attendees request a reading of the minutes or have corrections to the minutes. There were no requests or corrections.

MOTION made by Ms. Hairston and SECONDED by Mr. Weckesser to APPROVE the January 17, 2023, Jointly Held Finance/Personnel and Planning Committees meeting minutes.

The Motion was APPROVED by voice vote 6-0.

**March 2023 Board Action Items**

**Action Item #2 – Temporary Services**

Ms. Trammell stated that the purpose of this procurement is to contract with a qualified temporary staffing firm(s) with expertise in expeditiously sourcing, screening, and providing quality candidates to fill the temporary staffing needs and/or temp-to-hire needs of the RTA. This supports our core value of Our People because our employees are vital to our success, and our people make a difference in everything we do.

Sealed bids for the purchase of Temporary Services for a two-year period were solicited through the Dayton Daily News and the Dayton Weekly News. Invitations for Bid were sent to 23 vendors. At 2:00 p.m. on January 20, 2023, six (6) bids were received and publicly opened. The results were as follows:

**Contract Year One**

<b>Item No.</b>	<b>Description</b>	<b>Tranquil Multi Dynamic Advisory, LLC Reston, VA Billed Hourly Rate</b>	<b>Dunson &amp; Associates Dayton, OH Billed Hourly Rate</b>	<b>Compunnel Software Group Columbus, OH Billed Hourly Rate</b>	<b>Health Advocates dba Staff Today Boca Raton, FL Billed Hourly Rate</b>	<b>Compu-Vision Consulting N. Brunswick, NJ Billed Hourly Rate</b>	<b>Softsages Technology Columbus, OH Billed Hourly Rate</b>
1.	Accounting Asst.	17.94	18.31	19.08	21.60	36.00	46.00
2.	Administrative Asst.	15.93	16.25	19.54	20.25	38.00	32.00
3.	Receptionist	15.93	16.25	17.98	18.90	30.00	26.00
4.	Data Entry Clerk	16.42	16.75	22.09	18.90	43.00	31.00
5.	Network Support Specialist	22.54	23.00	28.09	33.75	52.00	37.00

6.	Human Resources Staff	26.12	18.14	23.09	24.30	49.00	34.00
7.	Purchasing Agent	27.96	23.00	23.54	27.00	44.00	45.00

**Contract Year Two**

Item No.	Description	Tranquil Multi Dynamic Advisory, LLC Reston, VA Billed Hourly Rate	Dunson & Associates Dayton, OH Billed Hourly Rate	Compunnel Software Group Columbus, OH Billed Hourly Rate	Health Advocates dba Staff Today Boca Raton, FL Billed Hourly Rate	Compu-Vision Consulting N. Brunswick, NJ Billed Hourly Rate	Softsages Technology Columbus, OH Billed Hourly Rate
1.	Accounting Asst.	17.94	18.31	19.08	21.60	37.08	47.00
2.	Administrative Asst.	15.93	16.25	19.54	20.25	39.14	33.00
3.	Receptionist	15.93	16.25	17.98	18.90	30.90	27.00
4.	Data Entry Clerk	16.42	16.75	22.09	18.90	44.29	32.00
5.	Network Support Specialist	22.54	23.00	28.09	33.75	53.56	38.00
6.	Human Resources Staff	26.12	18.14	23.09	24.30	50.47	35.00
7.	Purchasing Agent	27.96	23.00	23.54	27.00	45.32	46.00

The lowest vendor has been vetted and it was learned they are successful in placing temporary employees out of state. Tranquil Multi Dynamic Advisory sources by online ad placements, social media, internet searches, contacts with key professional leaders, peer to peer referrals, search of their existing candidates databased, networking with professional associations and they do virtual interviews. Dunson & Associates, our current vendor, was low on some of the items but will also be used if Tranquil is unsuccessful in filling a position in a timely manner.

Funds for Temporary Services are included in the Human Resources operating budget.

MOTION made by Ms. Matthews-Stenson and SECONDED by Ms. Heard that the Finance/Personnel and Planning Committees RECOMMEND to the Board of Trustees AWARDS to Tranquil Multi-Dynamic Advisory, LLC for Item Numbers 1 - 5 and to Crystal L. Dunson & Associates Inc. for Item Numbers 6 and 7

for a two-year period. The aggregate award amount will not exceed \$110,000. Actual award amounts will vary based on usage.

The MOTION was APPROVED by voice vote 5-0, with Ms. Matthews-Stenson abstaining.

### **Action Item #3 – Legal Services**

Ms. Deborah Howard explained RTA solicited proposals for Legal Services for General and Corporate Affairs, Labor, Workers' Compensation, EEO, Miscellaneous, Litigation and Settlement.

This project is consistent with RTA's core value of Stewardship.

Proposals for Legal Services were solicited through Dayton Daily News, Dayton Weekly News and Transit Talent. Requests for proposals were sent to 32 firms.

At 2:00 p.m. on December 15, 2022, seven (7) proposals were received. The proposals were reviewed by the Evaluation Committee based on the following criteria:

### **Evaluation Criteria**

- **Proven experience and staffing resources to carry out a multitude of litigation actions in the public sector, including a regional transit organization**  
Other than a law degree, identify any special training or knowledge that staff possesses and experience with similar situations
- **Experience associated with labor, collection, EEO, and claims law for counsel assigned to RTA**  
Staff expertise and whether the proposed lawyers are veterans or beginners; possess special knowledge and management of cases
- **Comprehensiveness of firm's available legal services**  
Clearly state the areas of law your firm proposes
- **Reasonableness of cost**  
Describe attorney fees, associated costs and how they are billed; will a portion or all of RTA's cases be handled by paralegals or legal assistants and what are their fees
- **What is our firm's philosophy**  
Describe your firm's guiding principles, including specific values
- **Overall history and background to include references**  
References should pertain to the type of services contained in the scope of work; staff should possess excellent communication skills
- **Quality of proposal preparation**  
The firm's capabilities should be clearly demonstrated in the proposal; submittal should be organized as requested in the Table of Contents along with numbered pages

Following are the results of the proposals received from firms interested in providing these services:

	<b>Firm</b>	<b>Years</b>	<b>Hourly Rate</b>	<b>Hourly Rate Paralegal</b>	<b>Services</b>
1.	Coolidge Wall Co., LPA Dayton, OH	Years 1, 2 and Option Year 3  Option Years 4 and 5  Years 1 and 2 and Option Years 3, 4 and 5	\$250  \$265  \$250	\$165  \$175	General and Corporate Affairs, EEO and Miscellaneous, Litigation and Settlement; Workers' Compensation and Labor  Attendance at Board and Committee meetings
2.	Baker & Hostetler LLP Columbus, OH	Year 1 Year 2 Option Years 3 and 4 Option Year 5  Years 1, 2 and Option Year 3  Option Years 4 and 5	\$290 \$310 \$330 \$345  \$18,000 \$22,000  \$20,000 \$22,000	\$195 \$195 \$195 \$195	Labor and Workers' Compensation; EEO and Miscellaneous  <b><u>Flat fee arrangement</u></b> Labor arbitration contract interpretations  Discipline/discharge cases  <b><u>Flat fee arrangement</u></b> Labor arbitration contract interpretations  Discipline/discharge cases
3.	Shumaker, Loop & Kendrick, LLP Toledo, OH	*	*	*	*
4.	Bricker & Eckler LLP Dayton, OH	*	*	*	*
5.	Taft, Stettinius & Hollister, LLP Dayton, OH	*	*	*	*
6.	Hollingsworth & Washington, LLC Dayton, OH	*	*	*	*

7.	Pickrel, Schaeffer and Ebeling Co., LPA Dayton, OH	*	*	*	*
----	--	---	---	---	---

\*FTA Procurement guidelines require that only the successful proposers' pricing data be disclosed publicly.

MOTION made by Ms. Matthews-Stenson and SECONDED by Mr. Fullenkamp that the Finance/Personnel and Planning Committees RECOMMEND to the Board of Trustees AWARDS to the following:

	Firm	Years	Hourly Rate	Hourly Rate Paralegal	Services
1.	Coolidge Wall Co., LPA Dayton, OH	Years 1, 2 and Option Year 3  Option Years 4 and 5  Years 1 and 2 and Option Years 3, 4 and 5	\$250  \$265  \$250	\$165  \$175	Primary Counsel for General and Corporate Affairs, EEO and Miscellaneous, Litigation and Settlement; Associate Counsel for Workers' Compensation  Attendance at Board and Committee meetings
2.	Baker & Hostetler LLP Columbus, OH	Year 1 Year 2 Option Years 3 and 4 Option Year 5  Years 1, 2 and Option Year 3  Option Years 4 and 5	\$290 \$310 \$330 \$345  \$18,000 22,000 \$20,000 \$22,000	\$195 \$195 \$195 \$195	Labor and Workers' Compensation; Associate Counsel for EEO and Miscellaneous  <b><u>Flat fee arrangement</u></b> Labor arbitration contract interpretations  Discipline/discharge cases  <b><u>Flat fee arrangement</u></b> Labor arbitration contract interpretations  Discipline/discharge cases

A total of \$772,698 has been appropriated for all legal services for 2023. Estimated amounts will be budgeted for legal services each year thereafter and appropriated annually by the Board of Trustees.

The MOTION was APPROVED by voice vote 6-0, with Ms. Matthews-Stenson abstaining.

#### **Action Item #4 – Aptean Software Maintenance**

Mr. Harrington explained that the purpose of this procurement is to provide software maintenance for the Ross Enterprise Resource Planning (ERP) Accounting Software from Aptean, Inc. Since the Ross software is proprietary, they are the only vendor that can provide maintenance services.

The software is used daily by Procurement, Inventory, and Accounting. The software includes general ledger, accounts payable, accounts receivable, fixed assets, purchasing, and receiving. The RTA has utilized the system for over 30 years. Major upgrades were performed on the system in 2007 and 2018-2019. This project supports RTA's core value of Stewardship of the financial resources entrusted to our care.

Aptean quoted a price of \$103,180.86 for one year of maintenance. Prior to this, the maintenance was covered under a five-year agreement that was negotiated along with the 2018 update. Aptean now refuses to do multi-year maintenance agreements.

As this is a sole source procurement, a cost analysis was performed to determine if the pricing received is fair and reasonable. The pricing from Aptean was found to have increased by 6% from last year. This increase was found fair and reasonable as the Consumer Price Index has increased 6.5% in the last twelve months.

The above stated cost will be funded with segregated funds.

MOTION made by Mr. Weckesser and SECONDED by Ms. Matthews-Stenson that the Finance/Personnel and Planning Committees RECOMMEND to the Board of Trustees AWARD to Aptean, Inc. for software maintenance for one (1) year for a total of \$103,181.

The MOTION was APPROVED by voice vote 6-0, with Ms. Hairston abstaining.

#### **Action Item #5 – Clever Devices Annual Maintenance Agreement**

Mr. Harrington explained RTA contracts with Clever Devices Ltd. for support of RTA owned Clever Devices hardware and software. The maintenance of these products demonstrates good stewardship by using our resources wisely. Currently, RTA desires to renew the maintenance agreements for the following hardware and software products for a three-year period:

- Automated Vehicle Maintenance (AVM) - System that monitors the condition of various engine components on fixed route buses and compiles warnings to prevent catastrophic damage. This software has an On Demand feature allowing a Maintenance Supervisor to check on the real-time conditions of a vehicle while it is out on the road.
- BusLink – System that manages the distribution of updates to all RTA vehicles.
- BusTime – Real-time information system that collects, analyzes, and predicts next-time arrival for fixed route vehicles on revenue routes. This system allows customers to subscribe to this information in various formats.
- BusTools – System that collects logs on vehicles of various functions for troubleshooting.
- CleverCAD – Computer Aided Dispatch software that Dispatchers use to track vehicles in real-time for location and schedule adherence. This software also has features that allow call center representatives, dispatchers, or supervisors to “playback” the path and time in which a vehicle traveled.
- CleverReports – Software used to compile and analyze all the data collected and generate reports for management of the fleet/systems.

- CleverWorks – Software used to manage the fixed route schedule database, including announcements and General Transit Feed Specifications (GTFS) data.
- Data Communication Controller – System used to coordinate communication between the various Clever Devices servers and services.
- Intelligent Vehicle Network (IVN) – Computer on the fixed route buses that manages the schedule database and interacts with all the other hardware systems on the bus and communicates with the CleverCAD software while on the road.
- Interactive Voice Response (IVR) – System that accepts calls and generates responses for schedule and real-time information of fixed route and paratransit service. This system also provides imminent arrival calls for paratransit service.
- RideCheck+ - Software that collects, analyzes, and reports on the data collected by the Automated Passenger Counters (APC) on all the fixed route buses. This software uses the work assignment (block) information to assign the counts to the proper routes.
- SmartYard – System which tracks the parking location of fixed route vehicles in the garages. This software is used to manage the assignment of buses to appropriate pieces of work (block) for fixed-route buses. This assignment includes an interface to the Trapeze OPS software, which manages the assignment of workers to the appropriate block.
- Transit Control Head (TCH) – Mobile Data Terminal (MDT), which provides the graphical user interface (GUI) to the IVN for the bus operator on the fixed route buses.

The only company that offers support for this list of hardware and software is the original equipment manufacturer and software developer, Clever Devices, Ltd. Maintenance and support for these systems is sole source. ORC 306.43 (H)(3) exempts maintenance of hardware and software supplied by the original vendor from competitive bidding.

Clever Devices has quoted the following fees for the maintenance agreement:

<b>Contract Year</b>	<b>Amount</b>
Year 1	\$533,834
Option Year 1	538,033
Option Year 2	549,638
<b>Total</b>	<b>\$1,621,505</b>

A cost analysis was performed, and initial pricing was found to be 19.18% above last year's cost. Some of that increase included several weeklong trips for support and training purposes to have Clever Devices personnel on-site for all three years of the contract. Considering those additions still left the increase at 6.23%. Negotiations with Clever Devices personnel resulted in reducing that 6.23% to a 2.33% the first year. The second year shows only a 0.79% increase due to the GreyHawk devices reaching End of Service Life in year one. The final year is at a 2.16% increase. This negotiation produced a savings of \$55,109 or 3.29% over three years.

Hardware and software maintenance is included in the Operating budget.



MOTION made by Mr. Weckesser and SECONDED by Mr. Fullenkamp that the Finance/Personnel and Planning Committees RECOMMEND to the Board of Trustees AWARD to Clever Device, Ltd. for maintenance of the Clever Devices' products listed above for a one-year period with two option years in the following amounts: Year One (1) \$533,834; Option Year One (1) \$538,033; Option Year Two (2) \$549,638 for a total amount of \$1,621,505.

The MOTION was APPROVED by voice vote 7-0.

**Customer and Business Development Update**

Mr. Policicchio stated the Customer and Business Development Department update was provided in today's meeting packet, and that there were no updates to make on ridership or service changes.

**Small Purchasing Information**

Ms. Deborah Howard stated the Small Purchasing Information was included in today's meeting packet. There were no questions regarding small purchases.

**Request for Executive Session**

MOTION made by Ms. Hairston and SECONDED by Mr. Williamson to RECESS into Executive Session for the purpose of discussing potential threatened litigation.

**ROLL CALL was taken:**

Mr. Lumpkin -	Excused
Mr. Fullenkamp -	Yes
Ms. Hairston -	Yes
Ms. Heard -	Yes
Ms. Howard -	Yes
Ms. Matthews-Stenson -	Yes
Ms. Miller -	Excused
Mr. Weckesser -	Yes
Mr. Williamson -	Yes

The MOTION was APPROVED 7-0. The meeting RECESSED into Executive Session at 8:53 a.m.

**Reconvene to Regular Session**

MOTION made by Mr. Fullenkamp and SECONDED by Mr. Williamson to RECONVENE into Regular Session.

**ROLL CALL was taken:**

Mr. Lumpkin -	Excused
Mr. Fullenkamp -	Yes
Ms. Hairston -	Yes
Ms. Heard -	Yes
Ms. Howard -	Yes
Ms. Matthews-Stenson -	Yes
Ms. Miller -	Excused
Mr. Weckesser -	Yes
Mr. Williamson -	Yes

The MOTION was APPROVED 7-0.

The regular meeting RECONVENED at 9:21 a.m.

**Next Meeting**

The upcoming jointly held Finance/Personnel and Planning Committees meetings will be held on March 21 and April 18, 2023.

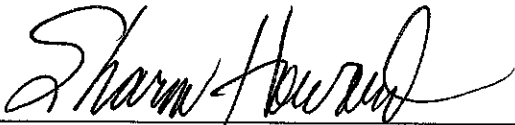
**Adjournment**

MOTION was made by Ms. Matthews-Stenson and SECONDED by Mr. Williamson to adjourn the meeting.

The MOTION was APPROVED 7-0.

Ms. Howard adjourned the meeting at 9:30 a.m.

**ATTEST**



Sharon Howard, Chair



Brandon Policicchio, Committee Secretary