

A. CALL TO ORDER:

A Special Meeting of the Troy City Council was held Monday, January 17, 2012, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:30 PM.

B. ROLL CALL:

Mayor Janice Daniels
Jim Campbell
Wade Fleming
Dave Henderson
Maureen McGinnis
Dane Slater
Doug Tietz

C. DISCUSSION ITEM:

C-1 Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility

Moved by Slater
Seconded by Fleming

WHEREAS, A 2.41 acre site was deeded to the City of Troy as part of a Consent Judgment, with the condition that it be developed as a transit facility; and

WHEREAS, The City of Troy received a \$8,485,212 federal grant for the final design and construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; and

WHEREAS, The facility will be served by AMTRAK and the Suburban Mobility Authority for Regional Transportation (SMART), which will utilize the Troy Multi-Modal Transit Facility as a central hub for their bus network; and

WHEREAS, The Troy Multi-Modal Transit Facility complements transit oriented initiatives throughout southeast Michigan, including the Detroit Region Aerotropolis project; and

WHEREAS, The purpose of the project is to benefit intercity passenger rail service, and the City is committed to helping achieve, to the extent to which it is capable, the anticipated project benefits; and

WHEREAS, The highest rated bidder, Hubbell, Roth & Clark (HRC), Inc. of Pontiac, MI was selected using a Qualifications Based Selection process; a required process as a condition of the grant; and

WHEREAS, On December 19, 2011, City Council took no affirmative action on a proposed MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility; and

WHEREAS, Based on express statements made by City Council members at the December 19, 2011 City Council meeting, there was an indication that there may be support for the transit center project if there were cost reductions; and

WHEREAS, HRC volunteered to review the project, at no cost, to see if reductions could be made to the project that would meet the requirements of the federal grant and comply with federal, state and local requirements; and

WHEREAS, Councilman Wade Fleming and Troy Chamber of Commerce representative John Tagle met with Mark Miller, Director of Economic and Community Development on December 22, 2011, to request permission to meet with HRC to obtain some clarification as to the costs associated with rail projects; and

WHEREAS, On December 23, 2011, HRC hosted a meeting to explain some of the required costs of a rail project, and to discuss possible cost reduction ideas, which was attended by Troy City Council members Wade Fleming and Dane Slater, as well as architect/Troy Chamber of Commerce Representative/ Planning Commission member John Tagle and architect/Planning Commission member Tom Strat and Mark Miller, Director of Economic & Community Development; and

WHEREAS, Subsequent to this meeting, HRC prepared a letter dated January 3, 2012 containing a revised cost proposal that modified the scope of the project to be at an estimated cost of \$6,272,500, excluding contingency; and

WHEREAS, The City wishes to construct a Troy Multi-Modal Transit Center for a total cost not to exceed \$6,272,500 which includes contingencies, and will still meet State and Federal requirements, not jeopardize the functionality of the project, and which can be accomplished according to the attached letter from HRC dated January 16, 2012.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AWARDS** the MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility at an estimated cost not to exceed \$648,668, a cost which is included as part of the total estimated Transit Center cost not to exceed \$6,272,500; and

BE IT FURTHER RESOLVED, That the total estimated cost of the Troy Multi-Modal Transit Center **SHALL NOT EXCEED** \$6,272,500; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** consultants' submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **DIRECTED** to execute the agreements once in acceptable form as approved by the Michigan Department of Transportation.

Resolution to Amend Resolution Item [C-1](#) Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by Substitution

Moved by Henderson

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by **SUBSTITUTING** the following paragraph:

*THEREFORE, BE IT FURTHER RESOLVED, That the total estimated costs of the Troy Multi-Modal Transit Facility **SHALL NOT EXCEED** \$6,272,500; any overruns and project costs will be absorbed by the contractors, architect, and project manager as is to be specified in the project contract documents, and the City of Troy will not authorize or pay for any costs overruns associated with this project beyond \$6,272,500.*

Resolution to Amend Resolution Item [C-1](#) Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by Substitution

Resolution #2012-01-008

Moved Tietz

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility by **SUBSTITUTING** the following paragraph:

*THEREFORE, BE IT FURTHER RESOLVED, That the total estimated costs of the Troy Multi-Modal Transit Facility **SHALL NOT EXCEED** \$6,272,500; any overruns and project costs will be absorbed by the construction manager at risk as is to be specified in the project contract documents, and the City of Troy will not authorize or pay for any costs overruns associated with this project beyond \$6,272,500.*

Yes: Fleming, Henderson, Tietz, Daniels

No: Campbell, McGinnis, Slater

MOTION CARRIED

Vote on Original Resolution Item [C-1](#) Resolution from Council Members Dane Slater and Wade Fleming for Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. at a reduced amount for Architect & Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility as Amended

Resolution #2012-01-009

Moved by Slater

Seconded by Fleming

WHEREAS, A 2.41 acre site was deeded to the City of Troy as part of a Consent Judgment, with the condition that it be developed as a transit facility; and

WHEREAS, The City of Troy received a \$8,485,212 federal grant for the final design and construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; and

WHEREAS, The facility will be served by AMTRAK and the Suburban Mobility Authority for Regional Transportation (SMART), which will utilize the Troy Multi-Modal Transit Facility as a central hub for their bus network; and

WHEREAS, The Troy Multi-Modal Transit Facility complements transit oriented initiatives throughout southeast Michigan, including the Detroit Region Aerotropolis project; and

WHEREAS, The purpose of the project is to benefit intercity passenger rail service, and the City is committed to helping achieve, to the extent to which it is capable, the anticipated project benefits; and

WHEREAS, The highest rated bidder, Hubbell, Roth & Clark (HRC), Inc. of Pontiac, MI was selected using a Qualifications Based Selection process; a required process as a condition of the grant; and

WHEREAS, On December 19, 2011, City Council took no affirmative action on a proposed MDOT sub-contract between the City of Troy and HRC to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility; and

WHEREAS, Based on express statements made by City Council members at the December 19, 2011 City Council meeting, there was an indication that there may be support for the transit center project if there were cost reductions; and

WHEREAS, HRC volunteered to review the project, at no cost, to see if reductions could be made to the project that would meet the requirements of the federal grant and comply with federal, state and local requirements; and

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THEREFORE, BE IT FURTHER RESOLVED, That the total estimated costs of the Troy Multi-Modal Transit Facility **SHALL NOT EXCEED** \$6,272,500; any overruns and project costs will be absorbed by the construction manager at risk as is to be specified in the project contract documents, and the City of Troy will not authorize or pay for any costs overruns associated with this project beyond \$6,272,500; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** consultants' submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **DIRECTED** to execute the agreements once in acceptable form as approved by the Michigan Department of Transportation.

Yes: Campbell, Fleming, McGinnis, Slater

No: Daniels, Henderson, Tietz

MOTION CARRIED

The meeting **RECESSED** at 8:23 PM.

The meeting **RECONVENED** at 8:33 PM.

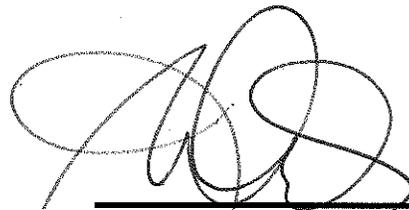
D. PUBLIC COMMENT:

Nowakowski, Anthony	Spoke in opposition of the Transit Facility.
Carrigan, Rob	Spoke in opposition of the Transit Facility.

Vert, John	Spoke about the Troy Chamber of Commerce and AL0eTERRA.
Beck, Paul	Spoke in opposition of the Transit Facility.
Reinhardt, Marvin	Spoke on various topics.
Peters, Richard	Spoke on various topics.
Wilsher, Cynthia	Spoke in support of the Transit Facility.
Bernardi, Mary Ann	Spoke about various topics.
Fair, Daniel G.,	Complimented the City of Troy for being the Safest City in Michigan.
Yagley, Barbara	Spoke in opposition of the Transit Facility.
Femminineo, Charlene	Spoke in opposition of the Transit Facility.
Graczyk, Ed	Spoke in opposition of the Transit Facility.
Hodges, Michele	Spoke in support of the Transit Facility.
Bloomingtondale, Bruce	Thanked Council Members Fleming & Slater for their due diligence and vote in support of the Transit Facility.
Lauve, John	Spoke in opposition of the Transit Facility.
Witz, Jonathan	Spoke in support of the Transit Facility.
Delaforte, Antoine	Spoke in opposition of the Transit Facility.
Binkowski, James	Spoke in opposition of the Transit Facility.
Kajma, Linda	Spoke in support of the Transit Facility.
McMasters, Bill	Spoke on behalf of Taxpayers United in opposition of the Transit Facility.
Davish, Andrew	Spoke in support of the Transit Facility.
Martin, Susan	Thanked Council Members Fleming & Slater for their due diligence and vote in support of the Transit Facility.
Cherasaro, Nicholas	Spoke in opposition of the Transit Facility.
Hodorek, Ellen	Spoke of City Manager and his outstanding leadership.

E. ADJOURNMENT:

The meeting adjourned at 9:41 PM.



Mayor Janice Daniels



M. Aileen Bittner, CMC
City Clerk