

By Senator Brandes

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1 A bill to be entitled
2 An act relating to the Central Florida Regional
3 Transportation Authority; amending s. 343.63, F.S.;
4 revising the organization and membership of the
5 governing board of the authority; creating s. 343.635,
6 F.S.; directing the authority to contract for the
7 management of its system pursuant to a request for
8 proposals; providing a definition; providing for
9 review of the request by the Florida Transportation
10 Commission; providing procedures; directing the Office
11 of Program Policy Analysis and Government
12 Accountability to review and evaluate the
13 organizational management and operational
14 effectiveness of the authority and submit a report to
15 the Governor and Legislature by a specified date;
16 providing a directive to the Division of Law Revision
17 and Information; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Section 343.63, Florida Statutes, is amended to
22 read:

23 343.63 Central Florida Regional Transportation Authority.—

24 (1) There is created and established a body politic and
25 corporate, an agency of the state, to be known as the "Central
26 Florida Regional Transportation Authority," hereinafter referred
27 to as the "authority."

28 (2) The governing board of the authority shall consist of
29 nine voting members:

22-00748-16

2016738__

30 (a) Each chair of the boards of county commissioners of
31 Osceola, Orange, and Seminole Counties shall appoint himself or
32 herself or another member of the respective board of county
33 commissioners.

34 (b) The mayors of the largest municipalities in Osceola,
35 Orange, and Seminole Counties shall each appoint the chair or
36 another member of the governing body of his or her respective
37 municipality.

38 (c) The Governor shall appoint three citizen members, one
39 of whom shall be a citizen of Orange County, one of whom shall
40 be a citizen of Osceola County, and one of whom shall be a
41 citizen of Seminole County. The members appointed by the
42 Governor shall be citizens who are not residents of the largest
43 municipality in his or her respective county.

44
45 The district secretary of the Department of Transportation
46 district within the area served by the authority shall serve as
47 a nonvoting advisor to the governing body of the authority.
48 Appointed members shall serve for 2 years, except that each
49 citizen member appointed by the Governor shall serve for 3
50 years. An appointed member's term expires December 31 of his or
51 her last year of service. The terms of standing board members
52 expire on the effective date of this act. Each appointed member
53 shall hold office until his or her successor is appointed and
54 qualified. A vacancy occurring during a term must be filled for
55 only the balance of the unexpired term. Each appointed member of
56 the board shall be a person of outstanding reputation for
57 integrity, responsibility, and business ability. Except as
58 provided in this subsection, a person who is an officer or

22-00748-16

2016738__

59 employee of a municipality or county may not be an appointed
60 member of the board. Any member of the board is eligible for
61 reappointment.

62 (3) The governing board of the authority shall elect a
63 chair, vice chair, and treasurer from among its membership, who
64 shall each hold his or her office at the pleasure of the board.
65 Five members of the board constitute a quorum, and the vote of
66 five members is necessary for any action taken by the board. A
67 vacancy on the board does not impair the right of a quorum to
68 exercise all rights and perform all duties of the authority.

69 ~~(2) The governing board of the authority shall consist of~~
70 ~~five voting members as follows:~~

71 ~~(a) The chairs of the county commissions of Seminole,~~
72 ~~Orange, and Osceola Counties, or another member of the~~
73 ~~commission designated by the county chair, shall each serve as a~~
74 ~~representative on the board for the full extent of his or her~~
75 ~~term.~~

76 ~~(b) The mayor of the City of Orlando, or a member of the~~
77 ~~Orlando City Council designated by the mayor, shall serve as a~~
78 ~~representative on the board for the full extent of his or her~~
79 ~~term.~~

80 ~~(c) The Secretary of Transportation shall appoint the~~
81 ~~district secretary, or his or her designee, for the district~~
82 ~~within which the area served by the authority is located and~~
83 ~~this member shall be a voting member.~~

84 ~~(3) A vacancy during a term shall be filled in the same~~
85 ~~manner as the original appointment and only for the balance of~~
86 ~~the unexpired term.~~

87 (4) The members of the governing board of the authority are

22-00748-16

2016738__

88 ~~shall not be~~ entitled to compensation, but shall be reimbursed
89 for travel expenses actually incurred in their duties as
90 provided by law.

91 Section 2. Section 343.635, Florida Statutes, is created to
92 read:

93 343.635 System management.—

94 (1) By 60 days after the effective date of this act, the
95 Central Florida Regional Transportation Authority shall develop
96 a request for proposals, consistent with part I of chapter 287,
97 to contract for the management of its system. For purposes of
98 this request for proposals, the term "management" means the
99 management and day-to-day operation of the Central Florida
100 Regional Transportation Authority system and providing
101 consultation to the governing board in all areas of public
102 transportation. The contract shall be bid on a fixed-price
103 basis, and compensation shall be determined by the amount of
104 service provided, such as price per vehicle revenue hour. The
105 contract shall also include specified performance metrics. The
106 contractor shall be evaluated according to the performance
107 metrics on a predetermined schedule during the contract. The
108 contract shall provide penalties for failure to perform in
109 accordance with these performance metrics, including the ability
110 of the governing board to terminate the contract and rebid for
111 contractual services. The purpose of the contract shall be to
112 secure and provide all management and supervisory services
113 reasonably required and necessary for the efficient operation of
114 the system under the policies determined by the Central Florida
115 Regional Transportation Authority. The advisory, management, and
116 supervisory services to be furnished by the contractor shall

22-00748-16

2016738__

117 include, but not be limited to, transportation operations,
118 vehicle maintenance, marketing, schedule operations, labor
119 relations and labor contract negotiations, equipment purchasing,
120 accounting, income and expense projections, safety, employee
121 selection and training, and all other managerial functions
122 normally required in the daily operation of a transit system and
123 all specifications as listed in the request for proposals,
124 including, but not limited to, the following:

125 (a) The contract shall be for a minimum of 5 years, with
126 the option for renewal.

127 (b) The specific responsibilities of the contractor and
128 general manager.

129 (c) The responsibilities of the Central Florida Regional
130 Transportation Authority.

131 (d) General terms and conditions.

132 (e) Payment terms.

133 (f) Disclosure of conflicts of interest.

134 (g) Insurance requirements.

135 (h) The terms of the award.

136 (2) After development of the request for proposals, the
137 Central Florida Regional Transportation Authority shall forward
138 a draft of the request for proposals to the Florida
139 Transportation Commission for review. Within 60 days after
140 receiving the draft, the Florida Transportation Commission shall
141 review the request for proposals for consistency with subsection
142 (1) and part I of chapter 287 and issue a report detailing its
143 findings.

144 (3) After the Florida Transportation Commission review
145 provided for in subsection (2), the Central Florida Regional

22-00748-16

2016738__

146 Transportation Authority shall have 30 days to make any
147 corrections to its proposed request for proposals and issue the
148 request for proposals.

149 (4) After the issuance of the request for proposals,
150 interested parties shall have 90 days to submit responses.
151 Within 30 days after the deadline for submitting responses to
152 the request for proposals, the Central Florida Regional
153 Transportation Authority shall begin negotiations to contract
154 with the most responsive bidder.

155 Section 3. (1) The Office of Program Policy Analysis and
156 Government Accountability shall review and evaluate the
157 operational effectiveness of the Central Florida Regional
158 Transportation Authority using the annual fiscal reports
159 prepared by the authority and submitted to the Florida
160 Transportation Commission. The office shall also evaluate
161 whether the organizational management of the authority is
162 effective and efficient and analyze the governing board
163 structure and whether it is appropriate.

164 (2) By June 30, 2016, the Office of Program Policy Analysis
165 and Government Accountability shall submit a report to the
166 Governor, the President of the Senate, and the Speaker of the
167 House of Representatives detailing its findings and
168 recommendations on the organizational and operational structure
169 of the Central Florida Regional Transportation Authority.

170 Section 4. The Division of Law Revision and Information is
171 directed to:

172 (1) Replace the phrase "on the effective date of this act"
173 wherever it occurs in section 1 with the date this act becomes a
174 law; and

22-00748-16

2016738__

175 (2) Replace the phrase "60 days after the effective date of
176 this act" wherever it occurs in section 2 with such date.

177 Section 5. This act shall take effect upon becoming a law.