

November 2019

MTA Board Action Items



MTA Board Meeting
2 Broadway, 20th Floor Board Room
New York, N.Y. 10004
Thursday, 11/14/2019
9:00 AM - 2:00 PM ET

1. PUBLIC COMMENT PERIOD

2. APPROVAL OF MINUTES

MTA Regular Board Minutes - October 23, 2019

MTA Regular Minutes - October 23, 2019 - Page 5

NYCT/MaBSTOA/SIRTOA/MTA Bus Company Regular Board Minutes - October 23, 2019

NYCT Regular Minutes - October 23, 2019 - Page 14

MTA Metro-North Railroad Regular Board Minutes - October 23, 2019

Metro-North Regular Minutes - October 23, 2019 - Page 20

MTA Long Island Rail Road Regular Board Minutes - October 23, 2019

LIRR Regular Minutes - October 23, 2019 - Page 27

Triborough Bridges & Tunnels Regular Board Minutes - October 23, 2019

TBTA Regular Minutes - October 23, 2019 - Page 34

MTA Capital Construction Regular Board Minutes - October 23, 2019

MTACC Regular Minutes - October 23, 2019 - Page 40

3. CFO PRESENTATION ON MTA 2020 FINAL PROPOSED BUDGET AND NOVEMBER FINANCIAL PLAN 2020-2023 (Materials distributed separately)

4. COMMITTEE ON FINANCE

Action Item

i. New York Power Authority ("NYPA") Energy Services Program Agreement

NYPA Energy Services Program Agreement - Page 43

Information Item

i. 2018-2019 Station Maintenance Receivable

Station Maintenance Billing Update - Page 45

MTAHQ Procurements Report

MTAHQ Procurement Report - Page 48

i. Non-Competitive

MTAHQ Non-Competitive Procurements - Page 51

ii. Competitive

MTAHQ Competitive Procurements - Page 54

iii. Ratifications (No Items)

Real Estate Items

i. Real Estate Agenda and Staff Summaries

Real Estate Agenda and Staff Summaries - Page 56

5. COMMITTEE ON METRO-NORTH RAILROAD & LONG ISLAND RAIL ROAD

October Tabled Items

MNR & LIRR October Tabled Item - Page 62

i. Action Item

PTC Systems Integrator Contract - Page 63

ii. Procurement: Non-competitive

LIRR Non-competitive - Page 65

MNR Procurements Report (no items)

LIRR Procurements Report

LIRR Procurements - Page 67

i. Non-Competitive

Non Competitive - Page 71

ii. Competitive (no items)

iii. Ratification (No Items)

MTACC Procurements Report (No Items)

6. COMMITTEE ON NYCT & BUS

October Tabled Item

NYCT & Bus October Tabled Item - Page 73

i. Procurement: NYCT Ratification

NYCT Ratification - Page 74

Action Items

i. Adoption of Station Closure Notification Policy

Adoption of Station Closure Notification Policy - Page 76

ii. Subway Schedule Changes, B Division, Effective April 2020

Subway B Division Schedule Changes - Page 81

NYCT & Bus Procurements Report

Procurement Cover, Staff Summary & Resolution - Page 84

i. Non-Competitive (no items)

ii. Competitive

NYCT Competitive Action - Page 89

iii. Ratifications

NYCT Ratifications - Page 92

MTACC Ratification - Page 95

7. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS

Action Items (No Items)

B&T Procurements

B&T Procurements - Page 97

i. Non-Competitive (No Items)

ii. Competitive

B&T Competitive - Page 100

iii. Ratification (No Items)

8. FIRST MUTUAL TRANSPORTATION ASSURANCE CO (FMTAC) (no items)

9. Executive Session

Date of next meeting: Wednesday, December 18, 2019

**Metropolitan Transportation Authority
Minutes of
Regular Board Meeting
2 Broadway
New York, NY 10004
Wednesday, October 23, 2019
9:00 a.m.**

The following members were present:

**Hon. Patrick Foye, Chairman & CEO
Hon. Andrew Albert
Hon. Sarah E. Feinberg
Hon. Rhonda Herman
Hon. David Jones
Hon. Linda Lacewell
Hon. Kevin Law
Hon. Robert W. Linn
Hon. David Mack
Hon. Haeda B. Mihaltses
Hon. Robert F. Mujica
Hon. Lawrence Schwartz
Hon. Vincent Tessitore, Jr.
Hon. Veronica Vanterpool**

The following alternate non-voting members were also present:

**Hon. Norman Brown
Hon. Randolph Glucksman**

The following members were absent:

**Hon. Susan Metzger
Hon. Neal Zuckerman**

Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Catherine Rinaldi, President, Metro-North Railroad, Daniel DeCrescenzo, Acting President, TBTA, Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, and Cate Contino, Assistant Director, Government Affairs, also attended the meeting.

The Board of the Metropolitan Transportation Authority also met as the Boards of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, the Metropolitan Suburban Bus Authority, the Triborough Bridge and Tunnel Authority, the Long Island Rail Road, the Metro-North Commuter Railroad Company, the MTA Capital Construction Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

Unless otherwise indicated, these minutes reflect items on the agenda of the Board of the Metropolitan Transportation Authority, the Metropolitan Suburban Bus Authority, and the First Mutual Transportation Assurance Company. Refer to the other agencies' minutes of this date for items on the agendas of the Boards of the other agencies.

1. PUBLIC SPEAKERS SESSION.

Following the Public Safety announcement, Cate Contino, Assistant Director, Government Affairs, reminded speakers of the two (2) minute speaking limit, and called speakers attention to the countdown clock and the warning light, which will come on alerting speakers that thirty (30) seconds remain to conclude their remarks.

The following forty-seven (47) speakers commented during the public speakers' session. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records, and to the other agencies' minutes of this date, for the content of speakers' statements.

John Chiarello, TWU 100
Pete Rosconi, TWU 100
John Ferretti, TWU 100
Richard Roach, TWU 100
Kenneth Murray, TWU 100
Charles Muniz, TWU 100
Alberto Alamo, TWU 100
Nicole Williams, TWU 100
LaToya Chris, TWU 100
Lynwood Richard, TWU 100
Assembly member Harvey Epstein, NYS Assembly 74th District
Senator Brad Hoylman, NYS Senate 27th District
J.P. Patafio, Vice President, Brooklyn Buses
Robert Griswold, Mayday Student Organization
Suzhen Chi, CIDNY
Jesse Gaugher, Mayday Student Organization
Mr. X, private citizen
Brian Burke, retired disabled employee
April Fielder, CCSD
Eric Josephson, retired employee/TWU 100 Member
Diego Opperman, Mayday Student Organization
Erik Loegel, TWU
Yolanda Zhang, Mayday Student Organization
Alex Lanz, Mayday Student Organization
Elias Besem, Mayday Student Organization
Michael Bareverman, Mayday Student Organization

Jason Pinero, private citizen
Tashia Lerebours, CIDNY
Johanna Climenko, CIDNY
Kevin Zeng, private citizen
Alexis Sfikas, Representative of NYS Assembly member Jo Anne Simon, 52nd District
H.P. Shroerer, UMEWE
Ruth Lowenkron, Disability Justice Program NYLPI
Pasquale Cuomo, CURES
Joseph Rappaport / Valerie Joseph, BCID
Eman Rimawi, Disability Justice Program NYLPI
Sasha Blair-Goodenson , Rise and Resist Elevator Action Group
Daniel Ross, NYLPI
Bruce Hain, Rail-NYC-Access
Mr. Charles, private citizen
Gian Pedulla, ACTA (System-wide accessibility group)
Mohammed Sultan, NY Taxi Worker Alliance
Lauren Pine, AARRG
Xian Horn, Forbes
Lisa Daglian, Executive Director, PCAC
Ellen Shannon, PCAC
Rachel Fauss, Reinvent Albany

2. **CHAIRMAN FOYE’S REMARKS.**

Chairman Foye thank the public speakers for their comments and he welcomed everyone to the October Board meeting.

The Chairman stated that he would like to take a moment to recognize and acknowledge some key members of the MTA family:

Chairman Foye recognized and thanked Veronique (“Ronnie”) Hakim, Managing Director, stating that Ronnie has been a tremendous leader at the MTA, a trusted advisor and a good friend during his tenure as MTA Chairman. Ronnie began her service at MTA in 1987 as an attorney with New York City Transit (“NYCT”), and served in a range of capacities, including General Counsel and Executive Vice President of Capital Construction. Ronnie also served as Executive Director of New Jersey Transit, then as Executive Director of the New Jersey Turnpike Authority. Chairman Foye stated that Ronnie returned to NYCT in 2015 as the agency’s first female President, before taking the helm as Managing Director, overseeing the operating agencies and keeping the region moving every day.

Chairman Foye stated that Ronnie has been a true leader in every sense of the word, providing a steady hand in navigating complicated situations; offering support, wisdom and perspective with patience and grace to anyone who asked; and setting a stellar example of what it means to serve the public, always keeping safety, reliability and customer service

foremost in mind. Chairman Foye stated that it has been a pleasure and a privilege to work with Ronnie, and on behalf of the entire MTA family and the 8 million daily riders, he thanked Ronnie for her service to the MTA and to the region.

Chairman Foye invited Catherine Rinaldi, President, Metro-North Railroad and Andy Byford, President, NYCT, to express their thoughts about Managing Director Hakim's service to the organization.

President Rinaldi thanked the Chairman for the opportunity to express how much Ronnie Hakim has meant to her and to Metro-North Railroad throughout the years. President Rinaldi stated that she met Ronnie in 2003 when she first joined the MTA as General Counsel, which was during Ronnie's transition to MTA Capital Construction. President Rinaldi praised Ronnie as being one of the preeminent female leaders of the MTA organization, as President of New York City Transit and during her tenure as Managing Director. President Rinaldi stated that Ronnie has been an inspiration to the women of the MTA organization in terms of her leadership, intelligence, insight and her grace under pressure and she wished Ronnie all the best in the next stage of her career.

President Andrew Byford echoed President Rinaldi's sentiments, and he stated that on behalf of New York City Transit, the organization owes Ronnie a huge debt of thanks. President Byford credited Ronnie for the work that is currently being done at New York City Transit, saying that it builds upon what was initiated by Ronnie during her tenure as the first female President of New York City Transit. President Byford thanked Ronnie for giving him the opportunity to serve and for her support and advice, and he also praised Ronnie for her leadership, intelligence, insight and grace under pressure and he stated that she will be sorely missed.

Janno Lieber, MTA Chief Development Officer, stated that his first experience working with Ronnie was during the rebuilding process of the World Trade Center following 9/11, which he indicated was a complex and controversial process. He stated that during that time Ronnie stood out as somebody who brought everyone together to figure out very complicated issues that served the public optimally. Mr. Lieber credited Ronnie for creating the same type of team work environment within the MTA organization, he commended her for being an inspiration to everyone who has had an opportunity to work with her, and he thanked her for her service.

Board Members Vanterpool stated that 18% of MTA's workforce is comprised of women, which is 15% nationally, and she stated that when she first entered this arena in 2007 Ronnie Hakim was one of the women leading a transportation agency at the time – New Jersey Turnpike Authority. Board Member Vanterpool expressed her appreciation to Ronnie for always being accessible and honest and for the relationship that Ronnie continues to cultivate. Board Member Vanterpool thanked Ronnie for her leadership and support.

Board Member Tessitore thanked Ronnie Hakim, on behalf of himself, labor leaders and the workforce, for her dedication and service throughout the years and wished her all the best.

Board Member Brown thanked Ronnie Hakim for her leadership and grace and he stated that it has been a privilege working with her and he wished her well in her retirement.

Managing Director Hakim thanked the Board Members, the Chairman for the opportunity to work with him and Governor Cuomo for giving her the opportunity when she first returned to transit. Managing Director Hakim stated that she is proud to have been a part of the organization and she stated that she will hold everyone in her prayers, in addition to the 72,000 men and women who delivery service every day. Ms. Hakim stated that working with the organization is the most important work that she has ever done and she is proud to have been a part of the organization, and she thanked everyone for their support.

Chairman Foye acknowledged Darlene Slade, Executive Assistant to the Board, who is retiring after 33 years of superb service. Chairman Foye stated that during Darlene's time at the MTA she provided tireless support to the MTA Board members and senior leadership, keeping the Board office running smoothly, with professionalism, patience and the warmest of smiles. Chairman Foye thanked Darlene for her service and wished her well in her retirement.

Chairman Foye welcomed Chief Communications Officer Abbey Collins, who will oversee all aspects of strategic communications for the agency. The Chairman stated that Ms. Collins's experience in both the public and private sectors will be a tremendous asset to the agency as it moves forward with its historic transformation and deliver on the next Capital Plan.

Chairman Foye recognized important highlights from recent weeks:

Chairman Foye stated that ridership has increased across all agencies, which is a reaffirmation of the relentless focus on on-time performance and system reliability. The Chairman commend Presidents Andy Byford, NYCT, Catherine Rinaldi, Metro-North Railroad, and Phillip Eng, Long Island Rail Road and Acting President Craig Cipriani, MTA Bus/Senior Vice President, NYCT Department of Buses and their teams for their hard work.

Chairman Foye noted that subway ridership is up 4.5% and on-time performance remains above 80% for the fourth month in a row – the first time in five years that benchmark has been sustained. MTA customers are noticing and riding the system more, and weekday major incidents are also down to the lowest number since the agency began tracking this metric in 2015.

Chairman Foye thanked TWU Local 100 for their hard work, stating that the gains in subway performance would not be possible without their partnership. The Chairman thanked TWU President, Tony Utano and all the members of Local 100 for their dedication to making the system more reliable.

Chairman Foye stated that the agency frontline officers also play a part in keeping the system running smoothly, maintaining safety and security throughout the transit network for the customers and employees. The Chairman thanked MTA Police and NYPD for serving and protecting everyone within the MTA system.

The Chairman stated that the agency has seen great gains for its buses, as well, and he commended President Byford and Acting President Cipriano and thanked Commissioner Polly Trottenberg for New York City Department of Transportation's partnership on the 14th Street Busway. Chairman Foye stated that in the first few weeks after the implementation of the 14th Street Busway, it has shown to be a significant success with benefits for more than 30,000 daily riders – with travel time improving up to 36% and M14 SBS ridership increasing between 17% to nearly 40%. On the M15 SBS, Chairman Foye stated that the agency is leveraging legislative wins that have resulted in the expansion of bus lane camera enforcement to ensure bus lanes are kept clear and the buses can keep swiftly moving. Camera enforcement will be expanding to the M14 SBS and B44 SBS by the end of 2019.

Chairman Foye commended TBTA Acting President Daniel DeCrescenzo and Allison de Cerreño, Sr Vice President, Business Operations & Transformation Officer, for the work they have done relating to Central Business District Tolling and for meeting every milestone to-date on or ahead of schedule. The Chairman noted that there is one such milestone today, as the Board will consider the design, build, operate and maintain contract award one month earlier than expected.

Chairman Foye announced the launching of an interactive budget tool, with short overviews of how the MTA budget works and an open budget portal with downloadable data. The Chairman stated that the agency is also rolling out updates to several of its performance dashboards to better focus on customer-facing metrics and improve transparency, including adding performance metrics as required by last year's legislative session and adding new metrics on the Bus and Access-A-Ride dashboards, as part of ongoing review and improvements. Chairman Foye also announced that the agency is revamping its Capital Program dashboard to reflect the 2020-2024 Program, which is expected to launch by early next year. The Chairman stated that the agency will continue to review the data and information it currently provides, and will work to expand its approach to open data for increased transparency.

Chairman Foye provided a brief update on MTA Transformation, and he stated that the agency continues to remain focused on Transformation, and maintaining momentum on multiple fronts. The Chairman stated that after the July Board approval of the Transformation Plan, the agency also set out target deadlines for priority projects and have been tracking and working toward these milestones accordingly. Chairman Foye noted that one particular milestone is a detailed Reorganization Implementation Plan, targeted for October 15, and he stated that a draft detailed Implementation Plan and roadmap have been developed and are currently being reviewed by senior leadership and agency Presidents.

Chairman Foye stated that the Roadmap is a “big picture” look at what the agency is doing in Transformation:

- It is organized by Transformation Objectives that align to MTA's Strategic Priorities – reminding us of the core goals of Transformation to change the way we

work; support our people; modernize and innovate; and strengthen the core operations;

- It outlines initiatives and programs under each Objective, to help the agency transform and achieve specific outcomes.

The details of the Chairman's remarks and Board Members' comments are included in the videotape of the meeting produced by the MTA and maintained in MTA records.

3. **PRESENTATION: TIMEKEEPING UPDATE.**

Chairman Foye introduced Wael Hibri, Senior Vice President of Share Services, to provide an update on the timekeeping modernization initiative.

Mr. Hibri stated that the modernization of the agency's timekeeping system to a biometric system that requires a finger scan is progressing well. Mr. Hibri stated that there are three stages to the project - the first stage is deploying clocks to the workforce locations, and that currently 92% of employees have access to attendance clocks. Mr. Hibri stated that the second phase of the project involves registering/enrolling employees' finger scan into the system, making it available for active use. Thus far 76% of employees have been registered. In terms of active use, Mr. Hibri reported that 26% of employees are using the biometric attendance clocks and the project is targeted to be completed by the first two weeks in January. Mr. Hibri stated that for the remaining population of employees, there are two additional pilot programs being tested, one utilizing authentication via mobile telephones and the other utilizing voice biometrics authentication.

Mr. Hibri proceeded by providing an overview of the progress being made at the individual agencies.

Board Member Schwartz emphasized the importance of integrating the timekeeping system with the payroll system.

The details of Mr. Hibri's presentation and the Chairman's and Board Members' comments are included in the videotape of the meeting produced by the MTA and maintained in MTA records.

4. **APPROVAL OF MINUTES.**

Upon motion duly made and seconded, the Board approved the Minutes of the Regular Board meeting held on September 25, 2019.

5. **COMMITTEE ON FINANCE.**

- A. **Procurement Item.** Upon motion duly made and seconded the Board approved the following procurement item listed below. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

1. RFP All-Agency Omnibus Authorizing Resolution. Pursuant to New York State Public Authorities Law Section 1209(9)(f) and Section 1265-a(4)(f) and/or the MTA All Agency General Contract Procurement Guidelines, the Board declared competitive bidding impractical or inappropriate for all MTA Design/Build projects to be solicited from now to the end of 2022 by any MTA agency, and that it is in the public interest to issue competitive Request for Proposals for such projects. Board approval of each proposed contract award will be required.

- B. Real Estate Items.** Upon motion duly made and seconded the Board approved the real estate items listed below. The specifics are set forth in the staff summaries and documentation filed with the meeting materials

Metro-North Railroad

1. License agreement with PureDC, LLC for retail sale of juice, smoothies and acai bowls, or other permitted uses at the Croton-Harmon Station, Hudson Line, Westchester County, N.Y.

Long Island Rail Road

2. License agreement with All New Season Inc. for the construction of enclosed retail structure within station plaza area for retail concessions, including seasonal open-air carts located at 40-40 Main Street, LIRR Flushing Main Street, Flushing, N.Y.

New York City Transit Authority

3. License agreement with Rockaway KB Company LLC (“Rockaway KB”) (managing agent: Kaufman Realty Corporation) to use and maintain retail concession doorway opening within the subway station wall at the subway stair landing between subway stairs S-7 and M-7 located at the Northwest corner of West 34th Street and Broadway/6th Avenue, 34th Street-Herald Square Station, Manhattan, N.Y.
4. Ground lease with South Brooklyn Railway Company for the design, construction, operation, and maintenance of a railcar receiving, repair, maintenance, and testing facility (the “Railcar Facility”) and track improvements (“NYCT Trackage”), and operation of NYCT Trackage located at Third-Fourth Avenue Yard, (Brooklyn Block 704, portion of Lot 7 (the “Property”) and Block 705, portion of Lot 6), Brooklyn, N.Y.
5. Authorization to enter into a binding Memorandum of Understanding (the “MOU”) with the City of New York (“the City”) to surrender property located at Beach 21st Street, between Mott and Cornaga Avenues (Master Lease property, Block 15705, Lot 69), Far Rockaway, Queens, N.Y.

6. **EXECUTIVE SESSION.** Upon motion duly made and seconded, the Board convene an Executive Session, pursuant to Section 105(1)(a) of the New York State Public Officers

Law, to discuss matters which if disclosed will imperil the public safety.

Chairman Foye noted that no action will be required of the Board in executive session.

7. **PUBLIC SESSION RESUMES.** Upon motion duly made and seconded, the Board voted to resume the public session.

The Chairman announced that the next Board meeting is on Thursday, November 14, 2019.

8. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:00 p.m.

Respectfully submitted,

Victoria Clement
Assistant Secretary

**Minutes of the
Regular Board Meeting
for the New York City Transit Authority,
Manhattan and Bronx Surface Transit Operating Authority,
Staten Island Rapid Transit Operating Authority and
MTA Bus Company
2 Broadway
New York, NY 10004
Wednesday, October 23, 2019
9:00 a.m.**

The following members were present:

**Hon. Patrick Foye, Chairman & CEO
Hon. Andrew Albert
Hon. Sarah E. Feinberg
Hon. Rhonda Herman
Hon. David Jones
Hon. Linda Lacewell
Hon. Kevin Law
Hon. Robert W. Linn
Hon. David Mack
Hon. Haeda B. Mihaltses
Hon. Robert F. Mujica
Hon. Lawrence Schwartz
Hon. Vincent Tessitore, Jr.
Hon. Veronica Vanterpool**

The following alternate non-voting members were also present:

**Hon. Norman Brown
Hon. Randolph Glucksman**

The following members were absent:

**Hon. Susan Metzger
Hon. Neal Zuckerman**

Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Catherine Rinaldi, President, Metro-North Railroad, Daniel DeCrescenzo, Acting President, TBTA, Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, and Cate Contino, Assistant Director, Government Affairs, also attended the meeting.

1. CHAIRMAN FOYE CALLED THE MEETING TO ORDER

MTA Chairman & CEO Patrick Foye called the meeting to order.

2. PUBLIC COMMENT PERIOD

There were forty-seven (47) registered public speakers. The following speakers spoke on MTA NYC Transit/Staten Island Rapid Transit Operating Authority /MTA Bus Company matters during the public speaker session.

John Chiarello, TWU 100
Pete Rosconi, TWU 100
John Ferretti, TWU 100
Richard Roach, TWU 100
Kenneth Murray, TWU 100
Charles Muniz, TWU 100
Alberto Alamo, TWU 100
Nicole Williams, TWU 100
LaToya Chris, TWU 100
Lynwood Richard, TWU 100
Assembly member Harvey Epstein, NYS Assembly 74th District
Senator Brad Hoylman, NYS Senate 27th District
J.P. Patafio, Vice President, Brooklyn Buses
Robert Griswold, Mayday Student Organization
Suzhen Chi, CIDNY
Jesse Gaugher, Mayday Student Organization
Mr. X, private citizen
Brian Burke, retired disabled employee
April Fielder, CCSD
Eric Josephson, retired employee/TWU 100 Member
Diego Opperman, Mayday Student Organization
Erik Loegel, TWU
Yolanda Zhang, Mayday Student Organization
Alex Lanz, Mayday Student Organization
Elias Besem, Mayday Student Organization
Michael Bareverman, Mayday Student Organization
Jason Pinero, private citizen
Tashia Lerebours, CIDNY
Johanna Climenko, CIDNY
Kevin Zeng, private citizen
Alexis Sfikas, Representative of NYS Assembly member Jo Anne Simon, 52nd District
H.P. Shroerer, UMEWE
Ruth Lowenkron, Disability Justice Program NYLPI
Pasquale Cuomo, CURES
Joseph Rappaport / Valerie Joseph, BCID
Eman Rimawi, Disability Justice Program NYLPI
Sasha Blair-Goodenson , Rise and Resist Elevator Action Group
Daniel Ross, NYLPI
Bruce Hain, Rail-NYC-Access

Mr. Charles, private citizen
Gian Pedulla, ACTA (System-wide accessibility group)
Mohammed Sultan, NY Taxi Worker Alliance
Lauren Pine, AARRG
Xian Horn, Forbes
Lisa Daglian, Executive Director, PCAC
Ellen Shannon, PCAC
Rachel Fauss, Reinvent Albany

Please refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the content of the speakers' statements.

3. CHAIRMAN FOYE'S REMARKS

Chairman Foye welcomed everyone to the October Board meeting.

Chairman Foye thanked Ronnie Hakim, the MTA Managing Director, and recognized her retirement. He stated that Ms. Hakim has been a tremendous leader at the MTA, a trusted advisor and a good friend. Ms. Hakim began her MTA career in 1987 as an attorney with MTA NYC Transit and has since served in a range of capacities, including General Counsel and Executive Vice President of Capital Construction. Ms. Hakim then served as Executive Director of the New Jersey Turnpike Authority and Executive Director of New Jersey Transit. Ms. Hakim returned to MTA NYC Transit in 2015 as the agency's first female President before taking the helm as Managing Director, overseeing the operating agencies and keeping the region moving every day.

Chairman Foye remarked that Ms. Hakim has been a true leader in every sense of the word. She has provided a steady hand in navigating complicated situations, offered support, wisdom and perspective with patience and grace to anyone who asked and set a stellar example of what it means to serve the public, always keeping safety, reliability and customer service foremost in mind. Chairman Foye remarked that it has been a pleasure and a privilege to work with Ms. Hakim and that the entire MTA family and each of the eight million daily riders thank her for her service to the MTA and the region.

President Rinaldi, President Byford, MTA Chief Development Officer Janno Lieber, and Board Members Vanterpool, Tessitore and Brown also thanked and recognized Ms. Hakim for her service and leadership. Ms. Hakim expressed her gratitude to the MTA Board and staff and remarked that working for the MTA has been the most important work she has ever done.

Chairman Foye next acknowledged Darlene Slade, Executive Assistant to the Board, who will be retiring after 33 years of service. In that time, Ms. Slade has provided tireless support to MTA Board members and senior leadership and has kept the Board office running smoothly, with professionalism, patience and the warmest of smiles. Chairman Foye thanked Ms. Slade for her service.

Chairman Foye then welcomed Chief Communications Officer Abbey Collins who will oversee all aspects of strategic communications for the MTA. Chairman Foye stated that her experience in both the public and private sectors will be a tremendous asset to the MTA as it moves forward with historic transformation and delivers on the next Capital Plan. Chairman Foye stated that he is excited to have Ms. Collins at the MTA and looks forward to the sharp and strategic insights she will bring.

Chairman Foye also recognized important operating highlights from recent weeks, including increased ridership across all agencies. Chairman Foye stated that the increased ridership is a reaffirmation of the relentless focus on on-time performance (“OTP”) and system reliability and he thanked the agency presidents for their accomplishments. The Chairman noted that subway ridership is up 4.5 percent and OTP remains above 80 percent for the fourth month in a row. He commented that customers are noticing and riding the system more and that weekday major incidents are also down to the lowest number since the MTA started tracking the metric in 2015. Chairman Foye thanked TWU Local 100 and President Tony Utano for their hard work and remarked that the gains in subway performance would not be possible without their partnership.

Chairman Foye also stated that the MTA’s frontline officers play a part in keeping the system running smoothly by maintaining safety and security throughout the transit network. He thanked the MTA police and NYPD for serving and protecting everyone within the system.

Chairman Foye also remarked on the gains made in the bus system. He commended MTA NYC Transit President Andy Byford and Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, and thanked Commissioner Polly Trottenberg for NYC DOT’s partnership on the 14th Street Busway. He noted that in the first few weeks after implementation there has been significant success, with benefits for more than 30,000 daily riders, travel times improving up to 36% and M14 SBS ridership increasing by as much as 40%. Speaking of the SBS, Chairman Foye commented that the MTA is leveraging legislative wins that have resulted in the expansion of bus lane camera enforcement, ensuring that bus lanes are kept clear and buses can keep moving swiftly. Camera enforcement will be expanding to the M14 SBS and B44 SBS by the end of this year.

Chairman Foye also commented that at TBTA, Daniel DeCrescenzo and Allison de Cerreno have done a phenomenal job on Central Business District Tolling and have met every milestone to date on or ahead of schedule. Chairman Foye stated that there is such a milestone today as the Board considers the design, build, operate, and maintain contract award, one month early.

Chairman Foye remarked that the MTA is focused on delivering operational improvements but also on sharing the progress in an open and transparent way. The MTA has launched an interactive budget tool with short overviews of how the MTA budget works and an open budget portal with downloadable data. The MTA is also rolling out updates to several performance dashboards to better focus on customer-facing metrics and improve transparency, including adding performance metrics as required by last year’s legislative session and adding new metrics on the Bus and Access-A-Ride dashboards as part of ongoing reviews and improvements. Chairman Foye also stated that the MTA is in the process of revamping the Capital Program dashboard to reflect the 2020-2024 Capital Program by early next year. The MTA will be continuing to review the data and information it currently provides and working to expand its approach to open data for increased transparency.

Chairman Foye also provided an update on the MTA Transformation. He stated that the MTA continues to remain focused on Transformation and maintaining momentum on multiple fronts. After the July Board approval of the Transformation Plan, the MTA set out target deadlines. One milestone was the creation of a detailed Reorganization Implementation Plan, targeted for October 15, 2019. Chairman Foye remarked that a draft detailed Implementation Plan and Roadmap have been developed and are currently being reviewed by senior leadership and agency presidents. The

Roadmap is a big picture look at what the MTA is doing in Transformation. It is organized by objectives that align with the MTA's strategic priorities and outlines initiatives and programs under each objective to help the MTA transform and achieve specific outcomes.

The video recording of the meeting produced by the MTA and maintained in the MTA records contains a complete record of Chairman Foye's remarks and any comments made by Board Members.

4. TIMEKEEPING UPDATE

Chairman Foye introduced Wael Hibri, Senior Vice President of Shared Services, to provide an update on the timekeeping modernization initiative.

Mr. Hibri stated that the modernization of the MTA's timekeeping system to a biometric system that requires a finger scan is progressing well. He stated that there are three stages to the project. The first of which is deploying clocks to the workforce locations and to date, 92% of employees have access to attendance clocks. Mr. Hibri stated that the second phase of the project involves registering/enrolling employee finger scans into the system to make them available for active use, and to date, 76% of employees have been registered. In terms of active use, Mr. Hibri reported that 26% of employees are using the biometric attendance clocks and the project is targeted to be completed by the first two weeks in January. Mr. Hibri stated that for the remaining population of employees, there are two additional pilot programs being tested, one utilizing authentication via mobile telephones and the other utilizing voice biometrics authentication. Mr. Hibri then provided an overview of the progress being made at the individual agencies.

The details of the foregoing presentation and Board Member comments and questions with respect thereto are included in the video recording of the meeting produced by the MTA and maintained in MTA records.

5. APPROVAL OF MINUTES.

Upon motion duly made and seconded, the Board approved the Minutes of the Regular Board meeting held on September 25, 2019.

6. COMMITTEE ON FINANCE

Real Estate Items:

Upon motion duly made and seconded, the Board approved: (i) a license with Rockaway KB Company, LLC for retail access space in the 34th Street/Herald Square Station, New York, New York; (ii) a ground lease with South Brooklyn Railway Company for a railcar facility and track improvements in Brooklyn, New York; and (iii) the surrender of Master Lease property in Far Rockaway, New York to the City of New York.

The specifics of the above items are set forth in the staff summaries and documentation filed with the meeting materials.

**7. COMMITTEE ON TRANSIT & BUS OPERATIONS
MTA NYC Transit & MTA Bus Company**

Action Item:

Findings Statement for Jamaica Bus Depot Reconstruction: Upon motion duly made and seconded, pursuant to the State Environmental Quality Review Act (“SEQRA”), the Board adopted the Findings Statement for the reconstruction and expansion of the Jamaica Bus Depot located at 165-18 Tuskegee Airmen Way, Jamaica New York, 11433.

Procurements:

Competitive Procurements: Upon motion duly made and seconded, the Board approved competitive procurements requiring a two-thirds vote (Schedules B and C in the Agenda) and a majority vote (Schedule H in the Agenda).

Details of the above items are set forth in staff summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

Ratifications: Upon motion duly made and seconded, the proposed procurement ratifications relating to Siemens Mobility, Inc. were tabled (*see* Schedule D in the Agenda, described in pp. 115-117 in the Board Book). Upon motion duly made and seconded, the Board approved the other procurement ratifications requiring a majority vote (Schedule K in the Agenda).

Details of the above items are set forth in staff summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

8. EXECUTIVE SESSION

Upon motion duly made and seconded, the Board convened an executive session pursuant to Section 105(1)(a) of the NY State Public Officers Law, to discuss a matter that would imperil public safety if publicly disclosed. Prior to the executive session, Chairman Foye stated that no actions would be taken during the executive session.

9. PUBLIC SESSION RESUMES

Upon motion duly made and seconded, the Board voted to reconvene in public session.

Chairman Foye stated that the next Board meeting is on Thursday, November 14, 2019.

10. ADJOURNMENT

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:00 p.m.

Respectfully submitted,
/s/Mariel A. Thompson
Mariel A. Thompson
Assistant Secretary

Minutes of the Regular Meeting
Metro-North Commuter Railroad Company
2 Broadway – 20th Floor
New York, NY 10004
Wednesday, October 23, 2019
9:00 a.m.

The following members were present:

Hon. Patrick Foye, Chairman & CEO
Hon. Andrew Albert
Hon. Sarah E. Feinberg
Hon. Rhonda Herman
Hon. David Jones
Hon. Linda Lacewell
Hon. Kevin Law
Hon. Robert W. Linn
Hon. David Mack
Hon. Haeda B. Mihaltses
Hon. Robert F. Mujica
Hon. Lawrence Schwartz
Hon. Vincent Tessitore, Jr.
Hon. Veronica Vanterpool

The following alternate non-voting members were also present:

Hon. Norman Brown
Hon. Randolph Glucksman

The following members were absent:

Hon. Susan Metzger
Hon. Neal Zuckerman

Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Catherine Rinaldi, President, Metro-North Railroad, Daniel DeCrescenzo, Acting President, TBTA, Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, and Cate Contino, Assistant Director, Government Affairs, also attended the meeting. Unless otherwise indicated, these minutes reflect items on the agenda of the Metro-North Commuter Railroad Company Board (“Metro-North”). Refer to the other agencies’ minutes of this date for items on the agendas of the Boards of the other agencies.

Chairman Foye called the meeting to order.

1. **SAFETY PROCEDURES:**

Cate Contino, Assistant Director, Government Affairs, played the electronic emergency safety procedure announcement and introduced the public speakers.

2. **PUBLIC SPEAKERS:**

There were forty-seven registered public speakers. The following speakers spoke on Metro-North related matters:

Jason Pineiro commented on the need for more transparency and the need for Board Members to be more vocal.

H.P. Schroer, Director of “U and ME Become WE,” commented on the upcoming Veterans Day Holiday and the need for a discount for veterans. He commented on two pending State bills and stated that the public and a majority of State legislators support a discount for veterans.

Lisa Daglian, Executive Director of the Permanent Citizens Advisory Committee (“PCAC”), commented on recent changes that have and will benefit riders and stated that Metro-North riders will specifically benefit from Congestion Pricing. Ms. Daglian also commented on the regional benefits of the FY 2020-2024 Capital Plan’s unprecedented investments.

Ellyn Shannon, with the PCAC, commented on Congestion Pricing and thanked stakeholders and participants for understanding the current transportation crisis. She also commented on the need for the MTA to increase service to address the deficit and implement a “Get on Board” marketing campaign.

Rachel Fauss, with Reinvent Albany, thanked the MTA for the publication of budget data in an open data format and Chairman Foye’s work to overhaul the MTA’s open data and Freedom of Information Law processes.

Additional details of the comments made by the public speakers are contained in the other agencies’ minutes of this date. The video recording of the meeting produced by the MTA and maintained in the MTA records contains a complete record of the public comments.

3. **CHAIRMAN FOYE’S REMARKS:**

Chairman Foye thanked the public speakers for their comments, welcomed everyone to the October Board meeting, and recognized three key MTA staff members.

First, Chairman Foye thanked Ronnie Hakim, the MTA Managing Director, and recognized her retirement. He stated that Ms. Hakim has been a tremendous leader at the MTA, a trusted advisor, and a good friend. Ms. Hakim began her MTA service in 1987 as an attorney with New York City Transit, and has since served in a range of capacities, including General Counsel and

Executive Vice President of Capital Construction. Ms. Hakim then served as Executive Director of New Jersey Transit, and Executive Director of the New Jersey Turnpike Authority. Ms. Hakim returned to New York City Transit in 2015 as the agency's first female President, before taking the helm as Managing Director, overseeing the operating agencies and keeping the region moving every day.

Chairman Foye remarked that Ms. Hakim has been a true leader in every sense of the word. She has provided a steady hand in navigating complicated situations, offered support, wisdom and perspective with patience and grace to anyone who asked, and set a stellar example of what it means to serve the public, always keeping safety, reliability and customer service foremost in mind. Chairman Foye remarked that it has been a pleasure and a privilege to work with Ms. Hakim and that the entire MTA family and each of the eight million daily riders thank her for her service to the MTA and the region.

President Rinaldi thanked Chairman Foye for the opportunity to express how much Ms. Hakim has meant to her and to Metro-North throughout the years. President Rinaldi stated that she met Ms. Hakim in 2003 when she first joined the MTA as General Counsel, which was during Ms. Hakim's transition to MTA Capital Construction. President Rinaldi praised Ms. Hakim for being one of the preeminent female leaders of the MTA as President of New York City Transit and as Managing Director. President Rinaldi remarked that Ms. Hakim has been an inspiration to the women of the MTA and has displayed tremendous leadership, intelligence, insight, and grace under pressure. President Rinaldi wished Ms. Hakim all the best in the next stage of her career.

New York City Transit President Andrew Byford, MTA Chief Development Officer Janno Lieber, and Board Members Vanterpool, Tessitore, and Brown also thanked and recognized Ms. Hakim for her service and leadership. Ms. Hakim expressed her gratitude to the MTA Board and staff and remarked that working for the MTA has been the most important work she has ever done.

Second, Chairman Foye acknowledged Darlene Slade, Executive Assistant to the Board, who will be retiring after 33 years of service. In that time, Ms. Slade has provided tireless support to MTA Board members and senior leadership, and has kept the Board office running smoothly, with professionalism, patience, and the warmest of smiles. Chairman Foye thanked Ms. Slade for her service.

Third, Chairman Foye welcomed Chief Communications Officer, Abbey Collins, who oversees all aspects of strategic communications for the MTA. Chairman Foye stated that her experience in both the public and private sectors will be a tremendous asset to the MTA as it moves forward with historic transformation and delivers on the next Capital Plan. Chairman Foye stated that he is excited to have Ms. Collins at the MTA and looks forward to the sharp and strategic insights she will bring.

Chairman Foye also recognized important operating highlights from recent weeks, including increased ridership across all agencies, subways, buses, Metro-North, and Long Island Rail Road. Chairman Foye stated that the increased ridership is a reaffirmation of the relentless focus on on-time performance ("OTP") and system reliability. Chairman Foye thanked the agency presidents and their teams for their hard work. Of note, subway ridership is up 4.5 percent and OTP remains

above 80 percent for the fourth month in a row. Chairman Foye commented that customers are noticing and riding the system more. Weekday major incidents are also down to the lowest number since the MTA started tracking the metric in 2015. Chairman Foye thanked TWU Local 100 and President Tony Utano for their hard work and remarked that the gains in subway performance would not be possible without their partnership.

Chairman Foye also stated that the MTA's frontline officers play a part in keeping the system running smoothly by maintaining safety and security throughout the transit network. He thanked the MTA police and NYPD for serving and protecting everyone within the system.

Chairman Foye also remarked on the gains made on the bus system. He commended New York City Transit President Andy Byford and Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, and thanked Commissioner Polly Trottenberg for NYC DOT's partnership on the 14th Street Busway. In the first few weeks after implementation, it has shown to be a significant success with benefits for more than 30,000 daily riders, with travel times improving up to 36% and M14 SBS ridership increasing between 17% to nearly 40%. On the M15 SBS, Chairman Foye commented that the MTA is leveraging legislative wins that have fine and buses can keep swiftly moving. Camera enforcement will be expanding to the M14 SBS and B44 SBS by the end of 2019. Commented

Chairman Foye commended TBTA Acting President Daniel DeCrescenzo and Allison de Cerreño, Senior Vice President, Business Operations and Transformation Officer, for the work they have done related to Central Business District Tolling and for meeting every milestone to date on or ahead of schedule. Chairman Foye stated that there is such a milestone today as the Board considers the design, build, operate, and maintain contract award, one month early.

Chairman Foye remarked that the MTA is focused on delivering operational improvements, but also sharing the progress in an open and transparent way. The MTA has launched an interactive budget tool, with short overviews of how the MTA budget works and an open budget portal with downloadable data. The MTA is also rolling out updates to several performance dashboards to better focus on customer-facing metrics and improve transparency, including adding performance metrics as required by last year's legislative session, and adding new metrics on the Bus and Access-A-Ride dashboards as part of ongoing reviews and improvements. Chairman Foye also stated that the MTA is in the process of revamping the Capital Program dashboard to reflect the 2020-2024 Capital Program by early next year. The MTA will be continuing to review the data and information it currently provides, and working to expand its approach to open data, for increased transparency.

Chairman Foye also provided an update on the MTA Transformation. He stated that the MTA continues to remain focused on Transformation and maintaining momentum on multiple fronts. After the July Board approval of the Transformation Plan, the MTA also set out target deadlines for priority projects. One milestone was a detailed Reorganization Implementation Plan, targeted for October 15, 2019. Chairman Foye remarked that a draft detailed Implementation Plan and Roadmap have been developed and are currently being reviewed by senior leadership and agency presidents. The Roadmap is a "big picture" look at what the MTA is doing in

Transformation. It is organized by objectives that align with the MTA's Strategic Priorities. It outlines initiatives and programs under each objective, to help the MTA transform and achieve specific outcomes.

The video recording of the meeting produced by the MTA and maintained in the MTA records contains a complete record of Chairman Foye's remarks and comments made by Board Members and staff.

4. TIMEKEEPING UPDATE:

Chairman Foye introduced Wael Hibri, Senior Vice President of Share Services, to provide an update on the timekeeping modernization initiative.

Mr. Hibri stated that the modernization of the MTA's timekeeping system to a biometric system that requires a finger scan is progressing well. Mr. Hibri stated that there are stages to the project. The first stage involves deploying clocks to the workforce locations and that currently 92% of employees have access to attendance clocks. The second phase of the project involves registering/enrolling employees' finger scans into the system and making it available for active use. Thus far, 76% of employees have been registered. In terms of active use, Mr. Hibri reported that 26% of employees are using the biometric attendance clocks and the project is targeted to be completed by the first two weeks of January. Mr. Hibri stated that for the remaining population of employees, there are two additional pilot programs being tested, one utilizing authentication via mobile telephones and the other utilizing voice biometrics authentication.

Mr. Hibri proceeded to provide an overview of the progress made at the individual agencies. Board Member Schwartz emphasized the importance of integrating the timekeeping system with the payroll system.

The video recording of the meeting produced by the MTA and maintained in the MTA records contains a complete record of Mr. Hibri's presentation and comments made by Board Members and staff.

5. APPROVAL OF MINUTES:

Upon motion duly made and seconded, the Board approved the Minutes of the Metro-North Regular Board meeting held on September 25, 2019.

6. COMMITTEE ON FINANCE:

MTAHQ Procurement:

The Board was presented with the following competitive procurement recommended to it by the Committee on Finance that relates to Metro-North:

- Board declaration that competitive bidding is impractical or inappropriate for all MTA Design/Build projects to be solicited between now and the end of 2022 and

determinization that it is in the public interest to issue competitive Requests for Proposals (“RFPs”) for such contracts pursuant to New York State Public Authorities Law Section 1209(9)(f) and Section 1265-a(4)(f) and/or the All Agency General Contract Procurement Guidelines. Board approval for each proposed contract award will still be required.

Upon motion duly made and seconded, the Board approved the foregoing procurement. The details of the approved procurement are contained in a staff summary and documentation filed with the records of this meeting.

Real Estate Item:

The Board was presented with the following real estate item recommended to it by the Committee on Finance that relates to Metro-North:

- Board authorization to enter into a license agreement with PureDC, LLC for the retail sale of juice, smoothies and acai bowls (or other permitted uses) at the Croton-Harmon Station, Croton-Harmon, NY.

Upon motion duly made and seconded, the Board approved the foregoing real estate item. The details of the above real estate item are contained in a staff summary and documentation filed with the records of this meeting.

7. JOINT METRO-NORTH AND LONG ISLAND RAIL ROAD COMMITTEE:

Action Item:

One joint action item was presented to the Board:

- Board ratification of the Contract Modification dated September 3, 2019 between Bombardier Siemens PTC Project Consortium, Bombardier Transportation (Holdings) USA Inc., and Siemens Rail Automation Corporation (“Siemens and Bombardier”) and Long Island Rail Road and Metro-North to increase Siemens’ and Bombardier’s liability in the event the federal PTC deadline is missed due to the fault of Siemens and Bombardier.

Upon motion duly made and seconded, the Board voted to table the action item. The details of the above action item are contained in a staff summary and documentation filed with the records of this meeting.

8. EXECUTIVE SESSION:

Upon motion duly made and seconded, the Board convened an executive session pursuant to Section 105(1)(a) of the New York State Public Officers Law, to discuss matters that would imperil public safety if disclosed. Prior to the executive session, Chairman Foye stated that no actions would be required of the Board during the executive session.

9. **RETURN TO PUBLIC SESSION:**

Upon motion duly made and seconded, the Board voted to reconvene in public session. In executive session the Board discussed security matters and no actions were taken.

10. **ADJOURNMENT:**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:00 p.m.

Respectfully submitted,



Richard Gans
Vice President, General Counsel and
Secretary

October -2019 Board Minutes – FINAL
Legal/Corporate

**Minutes of the Regular Board Meeting
Long Island Rail Road Company
2 Broadway
New York, NY 10004
Wednesday, October 23, 2019
9:00 a.m.**

The following members were present:

**Hon. Patrick Foye, Chairman & CEO
Hon. Andrew Albert
Hon. Sarah E. Feinberg
Hon. Rhonda Herman
Hon. David Jones
Hon. Linda Lacewell
Hon. Kevin Law
Hon. Robert W. Linn
Hon. David Mack
Hon. Susan Metzger
Hon. Haeda B. Mihaltses
Hon. Robert F. Mujica
Hon. Lawrence Schwartz
Hon. Vincent Tessitore, Jr.
Hon. Veronica Vanterpool**

The following alternate non-voting members were also present:

**Hon. Norman Brown
Hon. Randolph Glucksman**

The following member was absent:

Hon. Neil Zuckerman

Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Catherine Rinaldi, President, Metro-North Railroad, Daniel DeCrescenzo, Acting President, TBTA, Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, and Cate Contino, Assistant Director, Government Affairs, also attended the meeting.

MTA Chairman & CEO (“Chairman”) Patrick Foye called the meeting to order.

1. **PUBLIC SPEAKERS**

Following the Public Safety announcement, Cate Contino, Assistant Director Government Affairs, stated that there were 47 public speakers registered to speak at the meeting. She reminded speakers about the two-minute time limit.

The following four speakers spoke about matters relating to LIRR:

Pasquale J. Cuomo criticized LIRR’s procurement of environmentally friendly locomotives (RFP 2623) for use in freight service, and LIRR procurement methods generally.

Lisa Daglian, Executive Director of the Permanent Citizens Advisory Committee (“PCAC”), commented on recent changes that will streamline procurement procedures and reduce costs. She stated that congestion pricing will benefit all MTA agencies, including to help fund LIRR Forward. Ms. Daglian also commented that the 2020-2024 Capital Plan will transform the transit system with money for rolling stock and infrastructure improvements.

Ellen Shannon, with the PCAC, commented that congestion pricing should trigger a new mindset with the new funding stream to expand and improve service with faster and more reliable trains with increased capacity.

Rachael Fauss, with Reinvent Albany, thanked the MTA for providing more fiscal information in an open format, including budget data, and commented that a revised Freedom of Information process would release more data.

The details of the speakers’ comments are contained in the video recording of the meeting produced by the MTA and maintained in MTA records and in the minutes of the other agencies of this date.

2. **CHAIRMAN FOYE’S REMARKS**

Chairman Foye welcomed everyone to the October Board meeting, and then recognized three MTA employees. First, he acknowledged the retirement of MTA Managing Director Ronnie Hakim on her retirement. Chairman Foye reviewed Ms. Hakim’s career in a range of capacities in MTA agencies, including serving as General Counsel and Executive Vice President of MTA Capital Construction. He also noted her service as Executive Director to New Jersey Transit and to the New Jersey Turnpike Authority. Chairman Foye stated that Ms. Hakim returned to New York City Transit in 2015 as the agency’s first female President, before taking the helm as Managing Director, overseeing the operating agencies and keeping the region moving every day.

Chairman Foye praised Ms. Hakim's outstanding leadership. He stated that she has set a stellar example of what it means to be in public service, always keeping safety, reliability and customer service foremost in mind. Chairman Foye stated that it has been a pleasure and privilege to work with Ms. Hakim, and wished her well on her retirement, on behalf of the entire MTA family and the 8 million daily riders.

Metro-North President Rinaldi, NYCT President Byford, and MTA Chief Development Officer Lieber each thanked Ms. Hakim for her leadership, support, patience and wisdom. Board Member Vincent Tessitore, on behalf of the labor leaders and workforce of the MTA, thanked Ms. Hakim for her dedicated and excellent service over the years. Board Members Vanterpool and Brown also thanked and recognized Ms. Hakim.

Ms. Hakim thanked Chairman Foye and the other speakers. She stated that working for the MTA is the most important work she has ever done. She expressed the pride she feels in having been given this opportunity, and her gratitude to the MTA Board and staff.

Chairman Foye then acknowledged Darlene Slade, Executive Assistant to the Board, who is retiring after 33 years of dedicated service to the MTA Board and senior leadership, keeping the Board office running smoothly, with professionalism, patience and warm smiles.

Chairman Foye then welcomed Chief Communications Officer Abbey Collins who oversees all aspects of strategic communications for the Agency. He observed that her experience in the public and private sectors will be a tremendous asset as we move forward with the Transformation and deliver on our next Capital Plan.

Chairman Foye also recognized some important highlights from recent weeks, including increased ridership at all the MTA Agencies, subways, buses, Metro-North and LIRR, stating this is a reaffirmation of the relentless focus on On-Time Performance and system reliability. He commended the agency presidents for their accomplishments. Chairman Foye also thanked TWU Local 100 and President Tony Utano for their hard work and thanked the MTA Police Department and the New York City Police Department for protecting everyone in the system.

Chairman Foye stated that we are focused on sharing our progress in an open and transparent way, with initiatives that include launching a new interactive budgeting tool with downloadable data; increasing customer-facing metrics to improve transparency; and adding additional performance metrics on the Performance dashboard as required by recent legislation. He also noted the revamping of the Capital Program dashboard to reflect the 2020-2024 Capital Program.

Chairman Foye concluded his remarks with an update on MTA Transformation. Senior leadership is currently reviewing a detailed roadmap and implementation plan and will brief the Board in November. The roadmap is organized to meet MTA priorities and the core goals of the MTA.

The details of the Chairman's remarks and Board Members' comments are contained in the video recording of the meeting produced by the MTA and maintained in MTA records.

3. PRESENTATION: TIMEKEEPING UPDATE

Wael Hibri, Senior Vice President of Shared Services, provided an update on the MTA's timekeeping modernization initiative. The first stage deployed clocks where employees work, which currently covers 92% of employees. The second stage is to register employees on the system and make it available for active use; 76% of employees have been registered. Currently 20% of MTA employees are actively using the system; we are working towards 92% completion in the first two weeks of January. To go from 92% to 100%, we are piloting two systems, one using mobile phones and another using voice biometrics.

Board Member Andrew Albert asked if an employee could clock in with the cell phone of another employee. Mr. Hibri responded in the negative, as an employee's registration by cell phone is specific to that employee.

Board Member Brown expressed concerns about the use of finger scanners from a legal perspective. Mr. Hibri responded that the finger scan is like the scan on iPhones.

Board Member Lawrence Schwartz asked whether we can fully integrate our payroll system as we modernize the time and attendance system, so that there are no errors. He also asked that the Board be apprised of any problems.

Chairman Foye stated that Phase I always contemplated the installation and implementation of biometric clocks without integration into the payroll system and that Phase II provides for integration into the payroll system.

Mr. Hibri responded that the next phase has three initiatives to integrate biometric clocks into the various payroll systems. There are three systems MTA-wide which feed payroll information into PeopleSoft which are not Kronos-based, which are PeopleSoft Native, ATS, and UTS. He hopes to convert PeopleSoft Native and ATS into Kronos in 2020 and the UTS system in 2021.

Board Member Schwartz also expressed concern that payroll systems will not be fully integrated and the time frame for full use of payroll systems by first week of January will not be met.

Mr. Hibri responded that currently, data is being collected and being compared to finger swipes to make sure pay is matching up to swipes and that any discrepancies are highlighted.

The details of the foregoing presentation and Board Members' comments and questions with respect thereto are included in the video recording of the meeting, produced by the MTA and maintained in MTA records.

4. **APPROVAL OF MINUTES**

Upon motion duly made and seconded, the Board approved the minutes of the Regular Board Meeting of September 25, 2019.

5. **COMMITTEE ON FINANCE**

Competitive Procurement Item:

The Board was presented with one (1) competitive procurement item related to LIRR:

- Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts): To request the Board declare competitive bidding impractical or inappropriate for all MTA Design/build projects to be solicited between now and the end of 2022 and determine that it is in the public interest to issue competitive Requests for Proposals (RFP's) for such contracts pursuant to New York State Public Authorities Law section 1209(9)(f) and Section 1265-a(4)(f) and/or the All-Agency General Contract Procurement Guidelines. Board approval of each proposed contract award will still be required.

Upon motion duly made and seconded, the Board approved the foregoing procurement, the details of which are contained in the minutes of the MTA Board meeting held this day, the staff summaries filed with those minutes, and in the video recording of the meeting produced by the MTA and maintained in MTA records.

Real Estate Items:

The Board was presented with five (5) real estate items, one (1) of which related to LIRR:

- License with All New Season Inc. for retail space at Flushing Main Street Station, Flushing NY.

Upon motion duly made and seconded, the Board approved the foregoing real estate item, the details of which are contained in the minutes of the MTA Board meeting held this day, the staff summaries filed with those minutes, and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

6. **JOINT METRO-NORTH AND LONG ISLAND RAIL ROAD COMMITTEE**

Action Item:

One Joint LIRR and Metro-North Action Item for ratification was presented to the Board:

- Request to ratify the Contract Modification dated September 3, 2019, between Bombardier Siemens PTC Project Consortium, Bombardier Transportation Holdings (Holdings) USA Inc., and Siemens Rail Automation Corporation (“Siemens and Bombardier”) and LIRR and Metro-North to increase Siemens’ and Bombardier’s liability in the event the federal PTC deadline is missed due to the fault of Siemens and Bombardier.

Upon motion duly made and seconded, the Board voted to table the foregoing action item, the details of which are contained in the staff summary and documentation filed with the records of this meeting.

Procurement Items

The Board was presented with two (2) procurement items for approval recommended to the Board by the Committee on Metro-North Railroad and Long Island Rail Road, both of which related to LIRR:

- Non-Competitive Purchase and Public Works Contracts: LIRR requests MTA Board approval to award a contract to Siemens Mobility, Inc. (Siemens) in an aggregate amount not-to exceed \$3.1M over a 36-month period to purchase the following: crossing gates, electronic module & various electronic components, signals, signal light lenses, circuit boards, relays, and other proprietary components for signal systems manufactured by Siemens.

Upon motion duly made and seconded, the Board tabled the foregoing procurement item, the details of which are contained in a staff summary and documentation filed with the records of this meeting.

- Competitive Requests for Proposals (Solicitation of Purchase and Public Works Contracts). LIRR requests MTA Board approval to adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is in the public’s best interest to use the Design-build Request for Proposal “D/B RFP” procurement method pursuant to section 1265-a of the Public Authorities Law to award a contract to replace the Babylon and Hillside Motor Generators which are operating beyond their useful life.

Upon motion duly made and seconded, the Board approved the foregoing procurement item, the details of which are contained in the staff summary and documentation filed with the records of this meeting.

7. **EXECUTIVE SESSION**

Upon motion duly made and seconded, the Board convened an executive session pursuant to Section 105(1)(a) of the New York State Public Officers Law, to discuss a matter which if disclosed will imperil the public safety. Prior to the executive session, Chairman Foye stated that no action will be required of the Board in executive session.

8. **RETURN TO PUBLIC SESSION**

Upon motion duly made and seconded, the Board voted to reconvene in public session.

Chairman Foye stated that the next Board meeting is on Thursday, November 14, 2019.

9. **ADJOURNMENT**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:00 p.m.

Respectfully submitted,



Stephen N. Papandon,
Acting Secretary

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

BOARD MINUTES

October 23, 2019

Minutes of the Regular Meeting
Triborough Bridge and Tunnel Authority
October 23, 2019

Meeting Held at
2 Broadway, 20th Floor
New York, New York 10004

9:00 a.m.

Hon. Patrick Foye, Chairman & CEO

Hon. Andrew Albert

Hon. Sarah E. Feinberg

Hon. Rhonda Herman

Hon. David R. Jones

Hon. Linda A. Lacewell

Hon. Kevin Law

Hon. Robert W. Linn

Hon. David S. Mack

Hon. Haeda B. Mihaltses

Hon. Robert F. Mujica

Hon. Lawrence S. Schwartz

Hon. Vincent Tessitore, Jr.

Hon. Veronica Vanterpool

The following alternate non-voting members were also present:

Hon. Norman E. Brown

Hon. Randolph Glucksman

The following members were absent:

Hon. Susan G. Metzger

Hon. Neal Zuckerman

Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andy Byford, President, New York City Transit Authority, Phillip Eng, President, Long Island Rail Road, Catherine Rinaldi, President, Metro-North Railroad, Daniel F. DeCrescenzo, Jr., Acting President, Triborough Bridge and Tunnel Authority, Craig Cipriano, Acting President, MTA Bus Company and Acting Senior Vice President, New York City Transit Department of Buses, and Cate Contino, Assistant Director, Government Affairs also attended the meeting.

The Board of the Metropolitan Transportation Authority also met as the Board of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, the Metropolitan Suburban Bus Authority, the Triborough Bridge and Tunnel Authority, the Long Island Rail Road Company, the Metro-North Commuter Railroad Company, the MTA Capital Construction Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

1. Public Speakers

There were forty-seven (47) public speakers. New York State Senator Brad Hoylman discussed fare evasion. Johanna Climenko, Lisa Daglian (Permanent Citizens Advisory Committee) and Ellyn Shannon (Permanent Citizens Advisory Committee) discussed Central Business District tolling.

Refer to the video recording of the meeting produced by the Metropolitan Transportation Authority and maintained in MTA records, and to the other agencies' minutes of this date, for the content of the speakers' statements.

2. Chairman and Chief Executive Officer Foye's Opening Remarks

Chairman and CEO Foye opened his remarks by thanking Veronique "Ronnie" Hakim, MTA Managing Director, for her service to the MTA as she is retiring. Ronnie began her career with the MTA as an attorney with New York City Transit in 1987 and served in a range of capacities – including General Counsel and Executive Vice President of Capital Construction. She was the Executive Director of New Jersey Transit and then the Executive Director of the New Jersey Turnpike Authority. She returned to New York City Transit in 2015 as the agency's first female president, before becoming Managing Director, overseeing the operating agencies and keeping the region moving. Chairman and CEO Foye also thanked Darlene Slade, Executive Assistant to the Board, for her service to the MTA as she is retiring after 33 years of service. Chairman and CEO Foye then welcomed Abbey Collins, MTA Chief Communications Officer, who oversees all aspects of strategic communications. Chairman and CEO Foye commended Daniel DeCrescenzo, Allison C. de Cerreño, and Peg Terry for their work on Central Business District Tolling, meeting every milestone to date on or ahead of schedule. He noted that the TBTA procurement package included a request for Board approval for the design, build, operate and maintain contract one month early. With regard to transformation, Chairman and CEO Foye stated a draft detailed Implementation Plan and Roadmap have been developed, and are currently being reviewed by senior leadership and agency presidents. The Roadmap is a "big picture" look at what MTA is doing in transformation and it is organized by Transformation Objectives that align with MTA's Strategic Priorities – to change the way the MTA works; support MTA staff; modernize and innovate; and strengthen MTA's core operations. It outlines initiatives and programs under each Objective, to help MTA transform and achieve specific outcomes.

The details of Chairman Foye's remarks are contained in the video recording of this meeting, produced by the MTA and maintained in MTA records, and the MTA's and other agencies' minutes of the meeting of this date.

3. Timekeeping Modernization Update Presentation

Wael Hibri, Senior Vice President Shared Services, stated that 92% of employees have access to attendance clocks, 76% of employees have registered/enrolled for biometric attendance clocks and 26% of employees are using the biometric attendance clocks. Two additional pilot programs are being tested: one utilizing authentication via mobile phone and the other utilizing voice authentication. Commissioner Albert questioned whether another employee could use a registered mobile phone to check someone else in and Mr. Hibri explained that only the employee registered to check in on that device could do so. Commissioner Brown asked whether the use of finger scans on a mobile device falls within the legal parameters for use of fingerprints and Mr. Hibri responded that the finger scan is similar to the scan used on most Apple iPhones and it is saved in the AirWatch application. Commissioner Schwartz questioned whether the biometric attendance clocks would be integrated with the payroll system and Chairman and CEO Foye responded that phase one of the project was the installation of the biometric clocks and phase two would be integration with the payroll systems. Mr. Hibri also stated that it will take approximately six months for Peoplesoft and the other payroll systems to be integrated with the biometric clocks.

The details of the presentation are contained in the video recording of this meeting, produced by the MTA and maintained in MTA records, and the MTA's and other agencies' minutes of the meeting of this date.

4. Approval of Minutes of Regular Meeting September 25, 2019

Upon a motion duly made and seconded, the minutes of the Regular Board Meeting held on September 25, 2019 were approved.

5. Committee on MTA Bridges and Tunnels Operations Procurements

Prior to the presentation of the MTA Bridges and Tunnels procurements, Chairman and CEO Foye acknowledged Acting President DeCrescenzo, who expressed his gratitude to those involved in getting the Central Business District Tolling Program design, build, operate and maintain contract to the Board for approval. He thanked Governor Andrew Cuomo, Patrick Foye, MTA Chairman and CEO, Veronique Hakim, MTA Managing Director, Dr. Allison C. de Cerreño, Senior Vice President Business Operations and Transformation Officer, Peg Terry, Senior Vice President and General Counsel, Brian Bajor, Vice President and Chief Procurement Officer, Lynn Gore, Deputy Chief Procurement Officer, Sergio Reis, Senior Deputy Director Tolls and Facility Systems, Jason Lange, Executive Assistant General Counsel, Romolo Desantis, Deputy Chief Engineer, Linda Lacewell, TBTA Committee Chair and others who were part of this historic event. Commissioner Lacewell congratulated the entire team for their superb and professional work in getting the Central Business District Tolling Program contract to the Board ahead of schedule.

Commissioner Lacewell stated that there are five (5) procurements totaling \$585.66 million.

Non-Competitive Procurements

Commissioner Lacewell stated that there are no non-competitive procurements.

Competitive Procurements

Commissioner Lacewell stated that there are five (5) competitive procurements totaling \$585.66 million.

Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)

TransCore, LP	Contract No. 19-CBDT-2978 TBTA is seeking Board approval under the All Agency General Contract Procurement Guidelines to award a competitively solicited miscellaneous procurement contract to design, build, operate, and maintain (DBOM) the Central Business District Tolling Program infrastructure and toll collection system.	\$507,244,615.00
Trevcon Construction Co., Inc.	Contract No. BW07/BW32 TBTA is seeking Board approval under the All Agency General Contract Procurement Guidelines to award a competitively solicited public work contract for Design-Build Services for the Fender Protection and Fire Standpipe System at the Bronx-Whitestone Bridge to Trevcon Construction Co., Inc.	\$17,738,825

Personal Service Contracts

Hardesty & Hanover Construction/LiRo Engineers JV	Contract No. PSC-19-3025 TBTA is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a competitively solicited personal service contract for Construction Administration and Inspection Services for Project VN-84A.	\$15,565,827.00
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Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded

Various Contractors	Contract No. PSC-16-2991 TBTA is seeking Board approval under the All Agency Service Procurement Guidelines to increase funding for As-Needed Inspection and Design, Expert Engineering, and Engineering Support Services.	\$38,000,000.00
HNTB/WSP/Parsons Brinckerhoff JV	Contract No. PSC-15-2984 TBTA is seeking Board approval under the All Agency Service Contract Procurement Guidelines to amend this personal service contract with HNTB/WSP/Parsons Brinckerhoff JV to provide construction support services for Project VN-84, Reconstruction and Rehabilitation of the Upper Level Approach Decks at the Verrazzano-Narrows Bridge.	\$7,111,118.29

Ratifications

Commissioner Lacewell stated that there are no ratifications.

Upon a motion duly made and seconded, the Board approved the procurements recommended to it by the Committee for MTA Bridges and Tunnels Operations. Commissioner Law recused himself from the following procurements: Trevcon Construction Co., Inc.; Hardesty & Hanover Construction/LiRo Engineers JV; Various Contractors; and HNTB/WSP/Parsons Brinckerhoff JV. Commissioner Vanterpool stated that the advocacy community should also be acknowledged for contributing to the historic adoption of Central Business District Tolling.

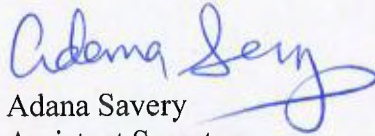
6. Executive Session

Upon a motion duly made and seconded, the Board unanimously voted to convene in Executive Session pursuant to Public Officers Law §105(1)(a) to discuss matters which if disclosed will imperil the public safety.

7. Adjournment

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:00 p.m.

Respectfully submitted,



Adana Savery
Assistant Secretary

Regular Board Meeting
MTA Capital Construction Company
2 Broadway
New York, NY 10004
Wednesday October 23, 2019
9:00 AM

The following members were present:

Hon. Patrick Foye, Chairman & CEO
Hon. Andrew Albert
Hon. Sarah E. Feinberg
Hon. Rhonda Herman
Hon. David Jones
Hon. Linda Lacewell
Hon. Kevin Law
Hon. Robert W. Linn
Hon. David Mack
Hon. Haeda B. Mihaltses
Hon. Robert F. Mujica
Hon. Lawrence Schwartz
Hon. Vincent Tessitore, Jr.
Hon. Veronica Vanterpool

The following alternate non-voting members were also present:

Hon. Norman Brown
Hon. Randolph Glucksman

The following members were absent:

Hon. Susan Metzger
Hon. John Samuelsen
Hon. Neal Zuckerman

Veronique Hakim, Managing Director, MTA; Helene Fromm, Chief of Staff, MTA; Janno Lieber, Chief Development Officer, MTA/President, MTA Capital Construction; Robert Foran, Chief Financial Officer, MTA; Thomas J. Quigley, General Counsel, MTA; Wael Hibri, Senior Vice President, Business Service Center, MTA; Cate Contino, Assistant Director, Government Affairs, MTA; Andrew Byford, President, NYCT; Phillip Eng, President, Long Island Rail Road; Catherine Rinaldi, President, Metro-North Railroad; Daniel DeCrescenzo, Acting President, TBTA; Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses; Evan Eisland, Executive Vice President, General Counsel and Secretary, MTA Capital Construction; and David Cannon, Vice President, Chief Procurement Officer and Assistant Secretary also attended the meeting.

The Board of the Metropolitan Transportation Authority (the "MTA") met as the Board of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, the Triborough Bridge and Tunnel Authority, the Long Island Rail Road, the Metro-North Commuter Railroad Company, the MTA Capital Construction Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

Unless otherwise indicated, these minutes reflect items concerning the business of MTA Capital Construction Company ("MTACC"). Refer to the other Agencies' minutes of this date for items on the agendas of the Boards of the other Agencies.

Chairman and Chief Executive Officer ("Chairman") Patrick Foye called the meeting to order.

Public Comment Period

There were forty-seven (47) public speakers, none of whom spoke on MTACC matters. The names of the public speakers and their remarks are contained in the minutes of Regular Board Meeting of the MTA and in the minutes of the other Agencies of this date.

Chairman and Chief Executive Officer's Remarks

Chairman Foye expressed his appreciation for MTA's Managing Director, Veronique Hakim (who is attending her last Board meeting and will be retiring) for her years of service with New York City Transit ("NYCT"), MTACC and the MTA. Chairman Foye recognized Managing Director Hakim as a leader and advisor for all, and noted that she served in a range of capacities within the MTA, including as Executive Vice President of MTACC, the first female President of NYCT, and Executive and Managing Director of MTA. Chairman Foye further noted that Managing Director Hakim has been a true leader in every sense of the word, providing a steady hand in navigating complicated situations, offering support, wisdom and perspective with patience and grace to anyone who asked, and setting a stellar example of what it means to serve the public. He went on to recognize that Managing Director always kept safety, reliability and customer service foremost in her mind and has lead agencies of every mode. Metro North Rail Road President Catherine Rinaldi, NYCT President Andrew Byford, MTA Chief Development Officer/MTACC President Janno Lieber and Board Members Veronica Vanterpool, Vincent Tessitore, Jr., and Norman Brown also expressed their appreciation for the role Managing Director Hakim played for the MTA.

Managing Director Hakim thanked everyone for the support she received at the MTA, and specifically referenced Chairman Foye and Governor Cuomo for providing her with the opportunity to come back to NYCT as President. Managing Director Hakim went on to note that this is the most important work she has ever done and that she takes pride in having been a part of the MTA organization. She closed by stating that she will hold all, including the 72,000 who deliver the MTA service, in her prayers.

Chairman Foye also recognized and expressed his appreciation to Darlene Slade, Executive Assistant to the Board, who is retiring after 33 years of superb service. Chairman Foye noted that Ms. Slade has provided tireless support to the Board and MTA senior leadership, and that she has kept the Board running smoothly with professionalism and patience.

The remainder of Chairman Foye's remarks are contained in the minutes of the Regular Board Meeting of the MTA of this date.

Time Keeping Modernization Update Presentation

Wael Hibri, Senior Vice President of the MTA's Business Service Center, gave an update and presentation of the new timekeeping initiative. A discussion amongst Board Members followed.

Details of Senior Vice President Hibri's presentation and the Board Members' discussion and comments are filed with the records of the Regular Meeting of the Board of the MTA of this date.

Approval of Minutes

Upon motion duly made and seconded, the Board approved the minutes of the Regular Board Meeting of MTACC and the minutes of the Regular Board Meeting of the MTA held on September 25, 2019.

Finance Committee

Procurement

Upon motion duly made and seconded, the Board authorized the following competitive item:

An All-Agency Omnibus Authorizing Resolution declaring competitive bidding to be impractical or inappropriate for all MTA Design/Build contracts to be solicited between October 23, 2019 and the end of 2022, and that it is in the public interest to issue such contracts in accordance with the New York State Public Authorities Law Section 1209 (9)(f) and Section 1265-a(4)(f) and/or the All Agency General Contract Procurement Guidelines.

A copy of the Resolution and the Staff Summary for the above item is filed with the records of Regular Board Meeting of the MTA of this date

Executive Session

Upon motion duly made and second, the Board convened an executive session, pursuant to Section 105(1)(a) of the New York State Public Officers Law, to discuss matters that will imperil the public safety if disclosed.


Thereafter, upon motion duly made and seconded, the Board voted to resume proceedings in public session.

Acting Chairman Ferrer announced that, upon motion duly made and seconded, the Board approved the salary and other terms of employment for Patrick Foye as MTA Chairman and Chief Executive Officer.

Adjournment

Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 12:00 PM.

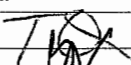
Respectfully submitted,



David K. Cannon
Assistant Secretary

Staff Summary

Schedule F: Personal Service Contracts

Item Number:					
Dept & Dept Head Name: Chief Financial Officer/Environmental Sustainability					
Division & Division Head Name: Bob Foran					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Finance	11/12/19	X		
2	Board	11/14/19	X		
Internal Approvals					
Order	Approval	Order	Approval		
1	Legal 				
2	CFO 				
3	Chief of Staff 				

SUMMARY INFORMATION	
Vendor Name: NYPA	Contract Number:
Description: Energy Services Program Agreement	
Total Amount:	
Contract Term (including Options, if any): Two (2) Year Extension	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal – two (2) one-year renewals	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type:	
<input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	
Solicitation Type:	
<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: [e.g., Ride -- Contract]	
Funding Source:	
<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

To obtain Board approval for an extension of the Energy Services Program Agreement between the New York Power Authority (NYPA) and the MTA.

II. DISCUSSION

NYPA supplies electric energy, capacity and ancillary services for the MTA in Con Edison territory. In March of 2005, the MTA entered into a long-term agreement with NYPA containing supplemental terms and conditions to the original 1976 Application for Electric Service and providing for NYPA’s continuing supply of energy and capacity to the MTA through December 31, 2017 (the “2005 LTA”). At that time, the MTA and NYPA also entered into the Energy Services Program Agreement (“ESP Agreement”) in order to identify and finance energy efficiency and clean energy technology projects at MTA facilities and to implement such projects that were economically feasible. The ESP Agreement was tied to the 2005 LTA and was set to expire on December 31, 2017, as well. In December of 2017, the MTA extended the 2005 LTA and the ESP Agreement through December 31, 2018 to maintain the continuity of electricity supply and energy efficiency services.

In September of 2018, the MTA entered into a new long-term agreement with NYPA, and in December 2018 the ESP was extended through December 2019. Negotiations for a new Energy Services Program Agreement are still on-going. Therefore, to enable the orderly continuation and completion of these negotiations, and the efficient transition to the new Energy Services Program Agreement, the MTA is requesting an extension of the 2005 ESP Agreement for two more years, through December 31, 2021. This extension is considered to be in the interests of the MTA in order to continue the existing NYPA fee structure. The extension will be null and void upon the execution of a new Energy Services Program Agreement.

III. D/M/WBE INFORMATION

No DBE/WBE goals were established by the MTA DDCR for this contract.

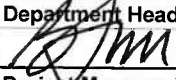
IV. IMPACT ON FUNDING

There will be no impact. The extension will carry forward the terms and conditions established under the 2005 ESP Agreement.

V. ALTERNATIVES

The alternative would be to postpone development of new energy-efficiency projects, which have been of benefit to the MTA and its Agencies.

Staff Summary

Subject 2018-2019 Station Maintenance Receivable	Date November 1, 2019
Department Chief Financial Officer	Vendor Name
Department Head Name Robert E. Foran	Contract Number
Department Head Signature 	Contract Manager Name
Project Manager Name Noemi Lopez <i>ML</i>	Table of Contents Ref #

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	Finance Com.	11/12				1	Legal <i>TQ</i>		
2	Board	11/14				2	Chief of Staff <i>NJ</i>		

Narrative

The MTA billed the counties and the City of New York for station maintenance for the period 04/01/18 – 03/31/19 based on a statutory formula, which incorporates an annual CPI adjustment factor.

Under Section 1277 of the Public Authorities Law, if a municipality fails to make a full payment of the amounts owed the MTA, the Chief Executive Officer of the MTA or such other person as the Chairman shall designate and shall certify to the State Comptroller for the collection of the amount due and owing.

The attached schedule shows the Station Maintenance billings and collections as of September 30, 2019.

The balance due of \$21,685 from Nassau County for the prior period 04/01/17 – 03/31/18 was received on 01/16/2019.

**METROPOLITAN TRANSPORTATION AUTHORITY
STATION MAINTENANCE RECEIVABLE AS OF 9/30/19**

	<u>AMOUNT BILLED</u>	<u>AMOUNT RECEIVED</u>	<u>BALANCE DUE</u>
NEW YORK CITY	\$ 97,460,592	\$ 97,460,592	\$ 0
NASSAU	30,458,751	30,458,751	0
SUFFOLK	18,773,521	18,773,521	0
WESTCHESTER	21,050,344	21,050,344	0
DUTCHESS	2,509,484	2,509,484	0
PUTNAM	981,372	981,372	0
ORANGE	519,142	519,142	0
ROCKLAND	55,194	55,194	0
TOTAL	<u>\$171,808,400</u>	<u>\$171,808,400</u>	<u>\$ 0</u>

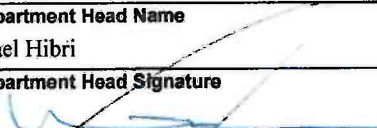

Metropolitan Transportation Authority
 Station Maintenance Period Ending September 30, 2019

2019	New York	Nassau	Suffolk	Westchester	Rockland	Dutchess	Orange	Putnam	
Date	City	County	County	County	County	County	County	County	Total
Billed Amount	\$ 97,460,592	\$ 30,458,751	\$ 18,773,521	\$ 21,050,344	\$ 55,194	\$ 2,509,484	\$ 519,142	\$ 981,372	\$ 171,808,400
Billed %	56.73%	17.73%	10.93%	12.25%	0.03%	1.46%	0.30%	0.57%	100.00%
Receipts:									
July 2019		\$ 30,458,751							\$ 30,458,751
August 2019			\$ 18,773,521		\$ 55,194	\$ 2,509,484	\$ 519,142	\$ 981,372	\$ 22,838,713
September 2019	\$ 97,460,592			\$ 21,050,344					\$ 118,510,936
Balance due									
September 30, 2019	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

PROCUREMENTS

The Procurement Agenda this month includes 6 actions for a proposed expenditure of \$22M.

Staff Summary

Subject Request for Authorization to Award Various Procurements
Department MTA Business Service Center
Department Head Name Wael Hibri
Department Head Signature 
Division Head Name David N. Ross 

Date November 5, 2019
Vendor Name Various
Contract Number Various
Contract Manager Name Various
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	11/12/2019	X		
2	Board	11/14/2019	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Procurement 	3	CFO 
2	Legal 		

PURPOSE:

To obtain Board approval to award various contracts/contract modifications and purchase orders, as reviewed by the MTA Finance Committee.

DISCUSSION:

MTAHQ proposes to award Non-competitive procurements in the following categories:

Schedules Requiring Majority Vote:

Schedule G: Miscellaneous Service Contracts	1	\$	12,523,740
Schedule J: Modifications to Miscellaneous Procurement Contracts	1	\$	4,616,606
SUBTOTAL	2	\$	17,140,346

MTAHQ proposes to award Competitive procurements in the following categories:

Schedules Requiring Majority Vote:

Schedule H: Modifications to Personal Service & Miscellaneous Service Contracts	3	\$	4,805,000
SUBTOTAL	3	\$	4,805,000
TOTAL	5	\$	21,945,346

BUDGET IMPACT: The purchases/contracts will result in obligating MTAHQ operating and capital funds in the amount listed. Funds are available in the current MTAHQ operating/capital budgets for this purpose.

RECOMMENDATION: That the purchases/contracts be approved as proposed. Items are included in the resolution of approval at the beginning of the Procurement Section.

BOARD RESOLUTION

METROPOLITAN TRANSPORTATION AUTHORITY

WHEREAS, in accordance with Section 1265-a and Section 120 of the Public Authorities Law and the All Agency Procurement Guidelines, the Board authorizes the award of certain non-competitive purchase and public work contracts, and the solicitation and award of request for proposals in regard to purchase and public work contracts; and

WHEREAS, in accordance with the All Agency Procurement Guidelines, the Board authorizes the award of certain non-competitive miscellaneous procurement contracts, and certain change orders to procurement, public work, and miscellaneous procurement contracts; and

WHEREAS, in accordance with Section 2879 of the Public Authorities Law and the All Agency Guidelines for Procurement of Services, the Board authorizes the award of certain service contracts and certain change orders to service contracts.

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in the annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.
2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals and authorizes the solicitation of such proposals.
3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.
4. The Board ratifies each action taken set forth in Schedule D for which ratification is requested.
5. The Board authorizes the execution of each of the following for which Board authorization is required: i) the miscellaneous procurement contracts set forth in Schedule E; ii) the personal service contracts set forth in Schedule F; iii) the miscellaneous service contracts set forth in Schedule G; iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; v) the contract modifications to purchase and public works contracts set forth in Schedule I; and vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.
6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.
7. The Board authorizes the budget adjustments to estimated quantity contracts set forth in Schedule L.

NOVEMBER 2019

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

G. Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$1M Sole Source; \$1M Other Non-Competitive; \$1M RFP;
No Staff Summary required if Sealed Bid Procurement)

- | | | | |
|----|---|---------------------|--------------------------------------|
| 1. | Solari Corporation
Ongoing Maintenance and Support (not-to-exceed)
of MTA's Passenger Information Display Systems (PIDS)
Contract No. 15523
Non-competitively negotiated – 60 months | \$12,523,740 | <u>Staff Summary Attached</u> |
|----|---|---------------------|--------------------------------------|

MTA Board approval is sought to award an all-agency non-competitive miscellaneous service contract to Solari Corporation (Solari) to continue 24/7 on-call remedial maintenance and scheduled preventative maintenance for MTA's Solari Passenger Information Display Systems (PIDS). This contract is for five years for an amount not-to-exceed \$12,523,740.

J. Modification to Miscellaneous Procurement Contracts

(Staff Summaries required for individual change orders greater than \$1M.)

- | | | | |
|----|--|---------------------------------------|--------------------------------------|
| 2. | Bentley Systems, Inc.
Bentley Systems Software
Maintenance and Support
Contract No. 90000000002257, Modification No. 1
Base Amount: \$3,458,564
Current Value: \$3,458,564
Proposed New Contract Value: \$8,075,170 | \$4,616,606
(not-to-exceed) | <u>Staff Summary Attached</u> |
|----|--|---------------------------------------|--------------------------------------|

Board approval is sought to modify a contract with Bentley Systems to add software-as-a-service (SaaS) cloud subscription services for MTA's existing suite of asset management software products called AssetWise CONNECT Edition (AWCE). The SaaS subscription provides cloud hosting, software maintenance and support from October 2019 through September 2022 and shall not exceed \$4,616,606.

Staff Summary

Schedule G: Miscellaneous Service Contracts

Item Number:1

Vendor Name (& Location): Solari Corporation, 43-30 36 th Street, Long Island City, NY 11101
Description: On-going Maintenance & Support of MTA's Passenger Information Display Systems (PIDS)
Contract Term (including Options, if any): 12/1/19 through 11/30/24
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type: <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive
Solicitation Type: <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source

Contract Number: 0000015523	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount: \$12,523,740	
Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Michael Moran	
Contract Manager: Reggie Matela/Sharon Gardner	

PURPOSE:

MTA Board approval is sought to award an all-agency non-competitive miscellaneous service contract to Solari Corporation (Solari) to continue 24/7 on-call remedial maintenance and scheduled preventative maintenance for MTA's Solari Passenger Information Display Systems (PIDS). This contract is for five years for an amount not-to-exceed \$12,523,740.

DISCUSSION:

PIDS electronic displays provide travel information, real time train schedules, and Variable Message Signage (VMS) that enables MTA to immediately alert customers of emergency conditions. The Solari signs were manufactured and integrated by Solari and MTA agencies do not possess in-house expertise, staffing or the authority to maintain them. Solari does not have authorized service partners for their signs. Advertisement of MTA's need for maintenance was placed in the NYS Contract Reporter, El Diario and the NY Post and yielded no interest from other firms.

Under this all-agency agreement, Solari will provide 24/7/365 on-call remedial maintenance, scheduled preventative maintenance, repair parts, and training services as requested by field engineers for operating the system and field equipment, as well initial troubleshooting and diagnostics. MTA currently has 2,563 Solari devices installed throughout the region including 450 units LIRR's Jamaica, Penn and Atlantic Stations; 317 at MNR's Grand Central Terminal and Branch Lines (Harlem, Hudson, New Haven); 1735 at 300 NYC Transit Stations and 61 at 22 Staten Island Stations.

Solari's initial cost proposal of \$13,182,000 included fully-loaded hourly labor rates of \$100 and \$150 for hardware and software engineers and technicians respectively. Negotiations reduced those rates to \$95 and \$120 per hour respectively. Solari confirmed that no other customers receive better discounts than the MTA. Additionally, education and training services will be provided at no additional cost. Based on the foregoing, all negotiated pricing and terms are deemed fair and reasonable.

The MTA Department of Diversity & Civil Rights (DDCR) has assigned 0% MWBE/SDVOB participation goals due to a lack of subcontracting opportunities. No subcontracting goals have been assigned to MTA contracts previously awarded to Solari; therefore, no assessment of the firm's MWDBE performance can be determined at this time.

A responsibility review of Solari was conducted pursuant to the All-Agency Responsibility Guidelines and revealed no significant adverse information and therefore, Solari has been found to be responsible.

Staff Summary

Schedule J: Modifications to Miscellaneous Procurement Contracts

Item Number: **2**

Page 1 of 1

Vendor Name (& Location): Bentley Systems, Inc.	
Description: Bentley Systems Software Maintenance & Support	
Contract Term (including Options, if any): October 1, 2019 -September 30, 2022	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type: <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	
Solicitation Type: <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: sole source	
Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: IT Department/ M. Moran	

Contract Number: 900000000002257	AWO/Modification # 1
Original Amount:	\$3,458,564
Prior Modifications:	
Prior Budgetary Increases:	\$ 0
Current Amount:	\$3,458,564
This Request:	\$4,616,606
% of This Request to Current Amount:	133%
% of Modifications (including This Request) to Original Amount:	133%

PURPOSE

Board approval is sought to modify a contract with Bentley Systems to add software-as-a-service (SaaS) cloud subscription services for MTA’s existing suite of asset management software products called AssetWise CONNECT Edition (AWCE). The SaaS subscription provides cloud hosting, software maintenance and support from October 2019 through September 2022 and shall not exceed \$4,616,606.

DISCUSSIONS:

The AWCE system provides analytic tools that automate tracking and monitoring of MTA assets including but not limited to rolling stock, track and signal equipment, turnstiles, etc. The system interfaces with and supplements MTA’s enterprise asset management (EAM) system and runs algorithms that forecast mean time between failures, repair and replacement schedules, and asset life cycles.

In September 2017, the Board approved a five-year non-competitive miscellaneous procurement contract with Bentley Systems for SaaS cloud subscription service for CADD/BIM software and design software tools in the not-to-exceed amount \$3,458,564. These products are used for architectural design documentation, offering 3D modeling tools for MTA architects, engineers and construction professionals.

In first quarter 2019, MTA migrated its AWCE products from on-premise licenses to the SaaS/cloud solution. The cloud/SaaS products better support agency-wide EAM projects because they leverage high-capacity networks and storage capabilities, allowing MTA applications to run faster and with improved reliability. Moreover, migrating to SaaS provides MTA access to the most up-to-date software products and bundles that are not offered with the previously site-based licenses.

The cloud solution eliminates the need for separate on-premise hardware and associated maintenance and support, resulting in an estimated cost savings of about \$4 million over the 36-month term for the MTA. Additionally, MTA will avoid the need for inhouse staff to support additional servers that would be necessary to meet the growing data and associated equipment needs. Finally, migration to the cloud will allow the MTA to repurpose hardware that is currently devoted to supporting the on-premise applications to host other applications.

Under the modified agreement, Bentley will assume responsibility for assuring system access and optimal performance. The MTA does not have the expertise or rights to maintain these systems without voiding warrantee.

Bentley’s original cost proposal was \$5,850,895 for unlimited users. Negotiations resulted in a 21% (or \$1.2 million) reduction. The negotiated price covers an unlimited number of users and is \$7.7 million below General Services Administration (GSA) rates. Accordingly, the price is considered fair and reasonable.

The MTA Department of Diversity and Civil Rights assigned no participation requirements. A responsibility review of Bentley conducted pursuant to the All-Agency Responsibility Guidelines revealed no significant adverse information within the meaning of the All-Agency Responsibility Guidelines and Bentley has been found to be responsible.

NOVEMBER 2019

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

H. Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services

(Approvals/Staff Summaries required for substantial change orders and change orders that cause the original contract to equal or exceed the monetary threshold required for Board approval.)

3-5.	Various	\$4,805,000	<u>Staff Summary Attached</u>
	Benefits Consulting Services	(not-to-exceed)	
	Contract No. 1567, Modification No 8		
	Base Amount: \$2,700,000		
	Current Value: \$13,256,111		
	Proposed New Contract Value: \$18,061,111		
	a. AON Consulting, Inc.		
	b. Mercer Health & Benefits, LLC		
	c. The Segal Company (Eastern States), Inc.		

Board approval is sought for twelve-month extensions (November 1, 2019 – October 31, 2020) of the multi-agency personal service contracts with Aon Consulting, Inc. (“Aon”), The Segal Company (Eastern States), Inc. (“Segal”), and Mercer Health & Benefits, LLC (“Mercer”). These contracts were originally awarded by NYC Transit and currently are utilized by NYC Transit and MTA Headquarters.

Staff Summary

Schedule H: Modifications to Personal Service & Miscellaneous Service Contracts

Item Number: **3-5**

Page 1 of 1

Vendor Name (& Location): Aon Consulting, Inc., Mercer Health & Benefits, LLC, The Segal Company (Eastern States), Inc.		Contract Number: CMM-1567A/B/C	AWO/Modification # 8
Description: Benefits Consulting Services		Original Amount: \$2,700,000	
Contract Term (including Options, if any): December 7, 2009 to October 31, 2020		Prior Modifications: \$2,436,111	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Prior Budgetary Increases: \$8,120,000	
Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		Current Amount: \$13,256,111	
Solicitation Type: <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other:		This Request: \$4,805,000	
Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		% of This Request to Current Amount: 36%	
Requesting Dept/Div & Dept/Div Head Name: Human Resources, Margaret Connor		% of Modifications (including This Request) to Original Amount: 178%	

PURPOSE:

Board approval is sought for twelve month extensions (November 1, 2019 – October 31, 2020) of the multi-agency personal service contracts with Aon Consulting, Inc. (“Aon”), The Segal Company (Eastern States), Inc. (“Segal”), and Mercer Health & Benefits, LLC (“Mercer”). These contracts were originally awarded by NYC Transit and Board approved on September 23, 2009, and currently are utilized by NYC Transit and MTA Headquarters (“MTA-HQ”).

DISCUSSION:

These firms provide advice on the cost impact of proposed changes in benefits discussed during labor negotiations, and technical assistance with the preparation of Requests for Proposals (RFPs) for new benefit contracts. They also assist in reviewing proposers’ responses to RFPs. Their services are used when negotiating with benefit providers, interpreting; interpretation of applicable state, local, and federal regulations; calculating various benefit funding methods; renewing insurance policies; evaluating and monitoring provider performance; developing strategies for implementing of new benefit programs; conducting audits of paid claims to ensure compliance with benefit plans and identification of potential fraud; and planning and implementing wellness initiatives.

The requested twelve-month extension will allow time to solicit and award new multi-agency benefit consulting contracts through a competitive RFP. The RFP release is currently planned to occur by December 2019.

Demand for these services has increased since 2012, when both agencies started using this contract. The combined NYC Transit and HQ usage of these contracts has ranged from about \$600k to \$1.2 million for each of the past eight years, with higher demand during years when existing contracts are approaching expiration and new RFPs are issued to assess market conditions. In recent years, more benefit contracts have been transitioned to MTAHQ to optimize and consolidate benefits and to manage and competitively award new RFPs with the increased demand.

The significantly higher spending projection for the coming year is driven by audits that are anticipated to be performed during the extension period that are not performed annually. These audits will include verifying the eligibility of dependents and a review of claims paid for medical and prescription drugs, both of which may result in significant savings to the MTA; the dependent eligibility verification audit is expected to result in about \$5 million savings. Expenditures will also be higher than usual because support is needed for the procurement and implementation of new contracts.

In connection with the award of the base contract to Aon, that firm was found to be responsible notwithstanding significant adverse information pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved in October 2016 by the MTA Chairman/CEO. A responsibility review of Aon was conducted in connection with this extension request and no new significant adverse information was identified and Aon has been found to be a responsible vendor. Responsibility reviews were conducted for the other two vendors, and each has been found responsible.

NOVEMBER 2019
MTA REAL ESTATE ACTION ITEMS
FOR
BOARD APPROVAL

MTA METRO-NORTH RAILROAD

Short-term permit for use of parking spaces at the Harriman Station, NY

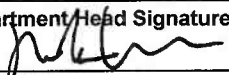
License with Area 4 LLC for short term use of retail space at 2 Broadway, New York, NY

MTA NEW YORK CITY TRANSIT

License at 7112 Avenue U for bus restroom facilities in Brooklyn, NY





MTA METRO NORTH RAILROAD

Staff Summary

Subject SHORT TERM PERMIT FOR USE OF PARKING SPACES AT THE HARRIMAN STATION
Department REAL ESTATE
Department Head Name JOHN N. LIEBER
Department Head Signature 
Project Manager Name STEPHEN BROWN

Date NOVEMBER 14, 2019
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/12/19	X		
2	Board	11/14/19	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Development Officer		
3	Chief of Staff		
4	Chief Financial Officer		

AGENCY: MTA Metro-North Railroad ("Metro-North")
PERMITTEE: Premium Outlet Partners, L.P. ("Premium")
LOCATION: Harriman Station Parking Facility, Harriman, New York (the "Parking Facility")
ACTION REQUESTED: Authorization to enter into a Short-term Permit for Use of Parking Facility
TERM: Four days – Thursday, November 28 through Sunday, December 1, 2019
SPACE: Up to 700 spaces at the Harriman Station parking facility
COMPENSATION: \$9,744

COMMENTS:

Premium owns and operates Woodbury Common, a shopping center in Harriman, New York. Premium has requested that Metro-North permit Premium to use up to 700 parking spaces in the Metro-North Harriman Station parking lot for employee parking during Premium's 2019 Thanksgiving weekend shopping event. Metro-North does not routinely charge a parking fee for commuter holiday and weekend parking, and therefore the lot is normally underutilized during these times.

MTA Policy #26 — All Agency Policy for Short-Term Agreements with For-Profit Entities ("Policy #26") authorizes MTA Real Estate to permit for-profit entities to use MTA Agency property for periods not to exceed 72 hours, provided the commercial entity is charged a base fee per space at current rate. Examples of the uses expressly authorized by Policy #26 include use of a commuter parking lot for parking of employees of an adjacent business during a holiday period (typically not longer than 3 days). However, as Premium has requested 4 days, rather than 3 to facilitate the Thanksgiving holiday period, it will extend beyond the 72-hour limit. For this reason, MTA Board approval is being sought. Premium will be charged the current rate of \$3.48 per space per day, which fee is consistent with the MTA Policy. Additionally, Premium will be required to provide appropriate insurance coverage and indemnification, comply with Metro-North's operating requirements, and clean up the Location after the event. The form of permit will be approved by MTA Legal.




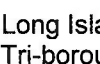
Based on the forgoing, MTA Real Estate requests authorization for Metro-North to enter into a short-term permit agreement for the use of the Parking Facility on the above-described terms and conditions.

Staff Summary

Subject SHORT-TERM LICENSE FOR TEMPORARY USE OF VACANT RETAIL SPACESPACE AT 2 BROADWAY
Department REAL ESTATE
Department Head Name JOHN N. LIEBER
Department Head Signature 
Project Manager Name ALICIA BIGGS

Date NOVEMBER 14, 2019
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/12/19	X		
2	Board	11/14/19	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Development Officer		
3	Chief of Staff		
4	Chief Financial Officer		

LICENSOR: Metropolitan Transportation Authority ("MTA"), as agent for MTA Long Island Rail Road, MTA Metro-North Railroad, New York City Transit Authority, and Tri-borough Bridge and Tunnel Authority (collectively, the "MTA Parties")

LICENSEE: Area 4 LLC

LOCATION: Ground floor retail space at 2 Broadway, New York, NY

ACTIVITY: Short-term license for temporary use of vacant retail space as office and storage space

ACTION REQUESTED: Approval of terms

DURATION: November 27 – December 27th, 2019

SPACE: 1,480 square feet

COMPENSATION: \$10,000 rent plus an additional \$300 for electric utility fee

COMMENTS:

Area 4 LLC will be producing the Marche de Noel Strasbourg holiday market across from 2 Broadway in Bowling Green Park and has requested temporary use of the vacant retail space at 2 Broadway for their back-office operations and storage for the period November 27 through December 27, 2019. The event is being hosted and funded by the Tourism Office of Strasbourg and the Region based in Strasbourg, France.


The space will be used to house computers, printers, and light production equipment for the proposed Licensee's employees and will not be accessible to the public. The proposed Licensee will also be storing artisanal products, non-perishable food items, French craft beers and wine that will be offered for sale in the market.

MTA Real Estate is currently marketing the space but this use will not impair that effort. MTA Real Estate's retail consultant views the proposed compensation as reasonable given the temporary use.

Based on the foregoing, MTA Real Estate requests authorization for MTA, as agent for the MTA Parties, to enter into a license agreement with Area 4 LLC for the temporary use of vacant retail space at 2 Broadway on the above-described terms and conditions.





MTA NEW YORK CITY TRANSIT

Staff Summary

Subject LICENSE AT 7112 AVENUE U, BROOKLYN NY FOR BUS RESTROOM FACILITIES
Department REAL ESTATE
Department Head Name JOHN N. LIEBER
Department Head Signature 
Project Manager Name MICHAEL DANIELS

Date NOVEMBER 14, 2019
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/12/19	X		
2	Board	11/14/19	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Development Officer		
3	Chief of Staff		
4	Chief Financial Officer		

AGENCY: MTA New York City Transit ("NYCT")
LICENSOR: Bergen Beach Café, Inc.
LOCATION: 7112 Avenue U, Brooklyn, NY
ACTIVITY: License of restroom facilities for use by bus operators and dispatchers
ACTION REQUESTED: Authorization to enter into a license agreement for restroom facilities
TERM: One year, with automatic extensions from year to year
COMPENSATION: \$300.00 per month / \$3,600.00 per annum

COMMENTS:

NYCT has an immediate need for bus operators and dispatchers (routes B3 & B41) to have access to restroom facilities in Brooklyn. This license is for the continuing use of an existing restroom facility, which has been in use without a fee increase (currently, the fee is \$99 per month) since 2014. Licensor requires the increase to cover paper goods, soap and daily labor costs for cleaning.

Approximately 75 bus operators and dispatchers per day will utilize the restroom due to the addition of one bus line. NYCT employees will use the facility seven days per week during normal business hours. NYCT surveyed the area and there is currently no other available space at the end of the bus line.

Current Board policy (originally adapted in 1994 and revised in 2015) authorizes MTA Real Estate to enter into restroom facilities/swing space license agreements without further Board approval provided that the fee does not exceed \$200 per month. MTA Real Estate is seeking Board approval to enter into this License for the higher negotiated monthly fee, which it believes is reasonable and appropriate given the need for this employee facility, and the fact that the current \$200 monthly fee threshold set forth in the existing Board policy dates back to 2015. With the passage of time, MTA Real Estate and NYCT staff are re-examining the current dollar threshold for licensing such facilities.

Based on the foregoing, MTA Real Estate requests authorization for NYCT to enter into a License on the above described terms and conditions.

**Committee on Metro-North Railroad &
Long Island Rail Road:**

October Tabled Items

Staff Summary

Subject PTC Systems Integrator Contract	Date October 23, 2019
Department N/A	Vendor Name Bombardier Siemens PTC Project Consortium, Bombardier Transportation (Holdings) USA Inc. and Siemens Rail Automation Corporation
Department Head Name N/A	Contract Number 1712 and 29544; PTC Integrator, LIRR Modification 11 and MNR Change Order 8.
Department Head Signature N/A	Contract Manager Name N/A
Project Manager Name N/A	Table of Contents Ref # N/A

Board Action

Order	To	Date	Approval	Info	Other
1	MNR and LIRR Joint Committee	10/21/19	X		
2	Board	10/23/19	X		

Internal Approvals

Order	Approval	Order	Approval
1	General Counsel <i>[Signature]</i>	2	LIRR President <i>[Signature]</i>
3	MNR President <i>[Signature]</i>		

Purpose:

To obtain Board ratification of the Contract Modification dated September 3, 2019 between Bombardier Siemens PTC Project Consortium, Bombardier Transportation (Holdings) USA Inc., and Siemens Rail Automation Corporation (“Siemens and Bombardier”) and Long Island Rail Road and Metro-North Railroad (collectively, the “Railroads”).

Discussion:

In 2013, the Railroads awarded the Siemens and Bombardier Consortium separate contracts for each railroad (the “Contracts”) to complete the system design, upgrades and implementation of Positive Train Control (“PTC”) by the federally-mandated deadline of December 31, 2015. The statutory deadline was subsequently extended to December 31, 2020. Because of concerns that Siemens and Bombardier were not providing adequate technical support and project management resources to meet interim milestones and to ensure that both railroads would be in compliance with the federal deadline, the Chairman and the MTA Board demanded assurances from executives of both companies, including Siemens’ Global Chief Executive Officer Joe Kaeser, that the Consortium would take all necessary steps to meet the federal deadline. To give effect to these assurances, the Railroads have modified the existing Contracts to increase Siemens’ and Bombardier’s liability in the event the federal PTC deadline is missed through the Consortium’s fault.

The Contract Modification provides that if the Railroads do not receive PTC System Certification by the statutory deadline of December 31, 2020 due to the fault of Siemens and Bombardier, the Consortium will be liable for all of the Railroads’ actual proven damages including any penalties imposed by the Federal Railroad Administration (“FRA”). The maximum liability for such damages and penalties is a combined aggregate of \$4 million per month with an aggregate cap of \$100 million. The Agreement further provides that if the Board ratifies the Agreement, the Railroads will confirm there are presently no grounds for debarment of Siemens and Bombardier under these Contracts as a result of agreed-upon adjustments to certain milestones in the contracts, and that the Railroads will not initiate debarment proceedings against Siemens or Bombardier under the

Staff Summary

Contracts pending the December 31, 2020 deadline. In sum, Siemens and Bombardier have committed to provide whatever support is necessary to meet the December 2020 deadline. The Railroads and the MTA will continue to hold them accountable under the Contracts by shifting the financial liability of potentially failing to meet the deadline onto Siemens and Bombardier. In addition, the Consortium remains contractually responsible for completing all requirements of the Contracts, including supporting the reliability of the Railroads' PTC systems after full PTC implementation.

It is recommended that the Board ratify the Contract Modification.

Staff Summary



Item Number: 1

Page 1 of 2

Vendor Name Siemens Mobility, Inc.– Louisville, KY
Description Various Signals, Crossing Gates and Electronic Components
Contract Term (including Options, if any) 3 Years
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-Competitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source

Contact Number TBD	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount: \$3,100,000 (Not-to-Exceed)	
Funding Source <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Maintenance of Way – Christopher Calvagna, Chief Engineer	
Contract Manager: Doug Bartels	

Discussion:

Long Island Rail Road (LIRR) requests MTA Board approval to award a contract to Siemens Mobility, Inc. (Siemens) in an aggregate amount not-to-exceed \$3.1M over a 36-month period to purchase the following: crossing gates, electronic module & various electronic components, signals, signal light lenses, circuit boards, relays, and other proprietary components for signal systems manufactured by Siemens.

Siemens, the Original Equipment Manufacturer (OEM) is the designer of various signals, relays, crossing gates and components installed and operated by LIRR. The LIRR will procure these items on an “as required” basis, in various quantities during the 36-month term of this contract to allow the LIRR to operate and maintain the numerous signal systems designed and manufactured by Siemens that are currently in operation along the LIRR’s right of way.

Siemens is the OEM designer of these components and holds proprietary rights for essential safety critical grade crossing mechanisms. Siemens possess the proprietary software and manufacturing expertise and therefore is the only source able to successfully supply the replacement parts for automatic grade crossing warning systems on behalf of the Railroad. These systems are safety critical and it is imperative that they operate reliably and as designed.

Siemens quoted a 7% discount off the current Siemen’s list price book, as they have in previous contracts. As a result of negotiations, Siemens is no longer charging the LIRR the freight cost to ship the material as they have on prior contracts. Sixteen (16) high dollar/usage items which results in about 70% of the items purchased from Siemens had an average increase of 2.2% from the last purchase price. The PPI industry data for the category “Railroad rolling stock manufacturing - Railway maintenance of way, parts and accessories,” showed an approximate 4.3% increase.

Based on this review, prices are within the acceptable industry increase reported by the PPI. Additionally, Siemens has certified that the prices quoted to the Agencies are not greater than the prices they charge their most favored customers. Based on the above, the prices have been determined to be fair and reasonable. There is no obligation for the Agencies to procure any minimum quantity of parts under these contracts. The parts identified above will be funded via the Agencies Operating or Federal Budgets.

Staff Summary



In connection with a previous contract awarded to Siemens, Siemens was found to be responsible notwithstanding significant adverse information (“SAI”) pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Chairman and Chief Executive Officer in consultation with the MTA General Counsel in August 2016. No new SAI has been found relation to Siemens and Siemens has been found to be responsible. As an additional step to ensure continued responsibility, a contractor Compliance Program was put into place for Siemens in April 2018.

LONG ISLAND RAIL ROAD

PROCUREMENTS

FOR

BOARD ACTION

November 14, 2019

METROPOLITAN TRANSPORTATION AUTHORITY

WHEREAS, in accordance with Section 1265-a and Section 1209 of the Public Authorities law and the All Agency Procurement Guidelines, the Board authorizes the award of certain non-competitive purchase and public work contracts, and the solicitation and award of request for proposals in regard to purchase and public work contracts; and

WHEREAS, in accordance with the All Agency Procurement Guidelines, the Board authorizes the award of certain non-competitive miscellaneous procurement contracts, and certain change orders to procurement, public work, and miscellaneous procurement contracts; and

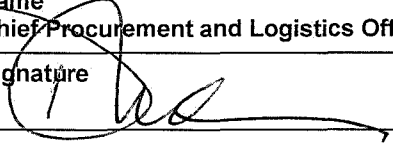

WHEREAS, in accordance with Section 2879 of the Public Authorities Law and the All Agency Guidelines for Procurement of Services, the Board authorizes the award of certain service contracts and certain change orders to service contracts.

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in the annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.
2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which it is deemed in the public interest to obtain authorization to solicit competitive proposals through a publicly advertised RFP for the reasons specified therein the Board declares it to be impractical or inappropriate to utilize a procurement process inviting sealed bids with award to the lowest responsive/responsible bidder.
3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.
4. The Board ratifies each action taken set forth in Schedule D for which ratification is requested.
5. The Board authorizes the execution of each of the following for which Board authorization is required: i) the miscellaneous procurement contracts set forth in Schedule E; ii) the personal service contracts set forth in Schedule F; iii) the miscellaneous service contracts set forth in Schedule G; iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; v) the contract modifications to purchase and public work contracts set forth in Schedule I; and vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.
6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.



Staff Summary

Subject: Request for Authorization to Award Various Procurements						Date November 14, 2019			
Department Procurement and Logistics									
Department Head Name Dennis L. Mahon, Chief Procurement and Logistics Officer									
Department Head Signature 									
Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LI Committee	11.12.19				X	President 		
2	MTA Board	11.14.19							

PURPOSE:

To obtain approval of the Board to award various contracts and purchase orders, and to inform the Long Island Rail Road Committee of these procurement actions.

DISCUSSION:

LIRR proposes to award Non-Competitive Procurements in the following	<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Majority Vote</u>		
Schedule G: Non-Competitive Miscellaneous Service Contracts	1	\$ 246,207
SUBTOTAL:	1	\$ 246,207

LIRR proposes to award Competitive Procurements in the following	<u># of Actions</u>	<u>\$ Amount</u>
	None	

LIRR proposes to award Ratifications in the following categories:	<u># of Actions</u>	<u>\$ Amount</u>
	None	
TOTAL:	<u>1</u>	<u>\$ 246,207</u>

BUDGET IMPACT:

The purchases/contracts will result in obligating LIRR operating and capital funds in the amounts listed. Funds are available in the current operating budget for this purpose.

RECOMMENDATION:

That the purchases/contracts be approved as proposed. (Items are included in the resolution of approval at the beginning of the Procurement Section.)

NOVEMBER 2019

MTA LONG ISLAND RAIL ROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote

Schedule G: Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M RFP; No Staff Summary required if Sealed Bid Procurement)

1. **Basin Haulage, Inc.** **\$246,207** *Staff Summary Attached*

Sole Source

Contract No. 40000000002091

Long Island Rail Road (“LIRR”) requests Metropolitan Transportation Authority (“MTA”) Board approval to award a thirty-six (36) month miscellaneous service contract - with an option to renew for two additional one-year terms - to Basin Haulage, Inc. in the not-to-exceed amount of \$246,207 for the provision of rubbish removal services at LIRR’s leased Bethpage, NY employee facility. LIRR’s Structures Department occupies a facility located at 610 Hicksville Road, Bethpage, NY pursuant to an ongoing lease agreement with the building’s owner, Steel B, LLC (the “landlord”), set to expire on 12/1/2024. Under the terms of the lease, the “Tenant agrees to utilize the services of the garbage collector designated by Landlord, provided the garbage collector’s rates are competitive”. In accordance with this provision, Basin Haulage, Inc., which continues to be the Landlord’s designated garbage collector, is to provide these services under this successor contract for a thirty-six (36) month period from December 1, 2019 through November 30, 2022, with LIRR retaining the option to renew for two additional one-year terms, with no changes in services.

Schedule G: Miscellaneous Service Contracts

Staff Summary



Item Number: 2

Vendor Name (& Location) Basin Haulage, Inc. (Maspeth, NY)
Description Rubbish Removal Services at LIRR's Bethpage Facility
Contract Term (including Options, if any) December 1, 2019 – November 30, 2024
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-Competitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source

Contact Number 40000000002091	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount:	\$246,207 NTE
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: LIRR Engineering, Glenn Greenberg	
Contract Manager: Kevin Humphrey	

Discussion:

Long Island Rail Road (“LIRR”) requests Metropolitan Transportation Authority (“MTA”) Board approval to award a thirty-six (36) month miscellaneous service contract - with an option to renew for two additional one-year terms - to Basin Haulage, Inc. in the not-to-exceed amount of \$246,207 for the provision of rubbish removal services at LIRR’s Bethpage, NY employee facility.

LIRR’s Structures Department occupies a facility located at 610 Hicksville Road, Bethpage, NY pursuant to an ongoing lease agreement with the building’s owner, Steel B, LLC (the “landlord”), set to expire on 12/1/2024. Under the terms of the lease, the “Tenant agrees to utilize the services of the garbage collector designated by Landlord, provided the garbage collector’s rates are competitive”. In accordance with this provision, Basin Haulage, Inc., which continues to be the Landlord’s designated garbage collector, is to provide these services under this successor contract for a thirty-six (36) month period from December 1, 2019 through November 30, 2022, with LIRR retaining the option to renew for two additional one-year terms, with no changes in services.

Basin initially proposed a monthly cost of \$4,936.40 for these services. Through negotiation, LIRR and Basin Haulage agreed upon and finalized a revised fixed monthly cost of \$4,030.18 for the base contract, which breaks down as follows: \$126.50 per month for a 6 cubic yard container, picked up once per week; \$169.05 per month for a 8 cubic yard container, picked up once per week; and \$3,734.63 per month for a 20 cubic yard container, picked up twice per week. Basin’s revised monthly rate of \$4,030.18 is 18% lower than their original proposed cost. While the prior contract monthly rate of \$3504.50 remained unchanged over the past five years, it is important to note that the Bureau of Labor Statistics’ Producer Price Index (“PPI”) indicates a 14% cost increase from 2014 to present for these services; which aligns with Basin’s revised pricing. Should the LIRR elect to exercise the renewal option, a 3% escalation for each of the subsequent years would apply. LIRR also compared the proposed rates to existing rubbish removal contracts within the MTA and found the proposed rates to be approximately 9% less than the rates charges on those contracts. Based on the above, Basin Haulage’s revised and finalized rates are considered fair and reasonable.

LIRR conducted a responsibility review on Basin Haulage, Inc., which yielded no adverse findings. The MTA Department of Diversity and Civil Rights (“DDCR”) has established 0% goals for this procurement. Funding for the contract is included in LIRR’s Operating Budget.

Committee on NYCT & Bus:

October Tabled Items

Item Number: 1-2

Vendor Names (Locations) Siemens Mobility, Inc. (New York, New York) Thales Transport and Security, Inc. (Pittsburgh, Pennsylvania)	Contract Numbers S-48013-1 (Siemens) S-48013-2 (Thales)	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description R179/R211 Carborne Equipment for Communications-Based Train Control on the Eighth Avenue Line	Total Amount: \$44,001,315 Siemens: R179 \$20,675,413 Thales: R211 (base) \$23,325,902	
Contract Terms (including Options, if any) Siemens R179: 48 Months Thales R211: 60 months	Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a	Requesting Dept./Div., Dept./Div. Head Name: Capital Program Management, Alok Saha	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		

Discussion:

It is requested that the Board ratify the contract awards made on March 27, 2019, pursuant to the declaration of an Immediate Operating Need (“ION”) requested by NYC Transit Capital Program Management (“CPM”) and approved by the VP, Materiel, for procurement of Communications-Based Train Control (“CBTC”) Carborne Equipment for the Eighth Avenue Line: S-48013-1 in the amount of \$20,675,413 to Siemens Mobility, Inc. (“Siemens”) for R179 subway cars; and S-48013-2 to Thales Transport and Security, Inc. (“Thales”) in the amount of \$23,325,902 for R211 subway cars.

The contract for the R211 CBTC carborne equipment includes options for additional carborne equipment that corresponds with the R211 Kawasaki subway car procurement: the first option for 128 (five-car) operating units and the second option for 89 (four- and five-car) operating units. In addition, both the R179 and R211 CBTC carborne equipment contracts have options for long-term maintenance where, after the expiration of the warranty, NYC Transit employees will perform the diagnoses, removal, and repair of certain designated components; the contractor will perform repair of other designated components. In all instances, NYC Transit will re-install the repaired equipment on the car. Maintenance for the 20-year useful life of the equipment will be covered in the form of four 5-year option periods. All options, if exercised, will require future Board approval.

CBTC is a train control system that uses equipment, installed along the wayside and on the subway cars, that provides improved safety and shorter headways between trains, allowing for increased passenger capacity through a more efficient use of the track and car fleet. There are currently two companies whose systems have been pre-qualified to participate on this project: Siemens and Thales. Siemens’ CBTC system is currently in use on the Canarsie line, and Thales completed the installation of its CBTC system on the Flushing line in November 2018; that system is currently in service. Both Siemens and Thales have successfully demonstrated interoperability between their CBTC systems under the Culver Test Track project. As a result, both Siemens and Thales are providing equipment for the Queens Boulevard Line (“QBL”) Signal System Modernization project. In October 2018 the Board authorized the use of a streamlined competitive Request for Proposal (“RFP”) to facilitate the procurement of R179/R211 Eighth Avenue line CBTC carborne equipment from the only two qualified CBTC suppliers: Siemens and Thales.

This streamlined RFP for CBTC carborne equipment for the new R179 and new R211 subway cars (base and options) utilized the terms and conditions of the existing QBL contracts, and are implemented as separate supplemental agreements under those respective contracts. The CBTC carborne equipment purchase for the R179 subway cars will provide CBTC equipment to outfit 73 (four- and five-car) operating units that will be installed by NYC Transit personnel in NYC Transit facilities. The R179 subway car specification required that the subway cars be built to later accommodate CBTC equipment. The R211 CBTC carborne equipment purchase will furnish CBTC equipment to outfit 92 (five-car) operating units under the base car builder contract (with Kawasaki Rail Car, Inc.); 128 (five-car) operating units under Option 1 and 89 (four- and five-car) operating units under Option 2 to the car builder contract. The R211 subway cars are being designed to have CBTC equipment installed by Kawasaki at its U.S. manufacturing facilities. The CBTC contractors under the subject awards will conduct training for installation personnel and will support installation of all the purchased units.

Siemens/Thales Continued:

The declaration of an ION was made on January 24, 2019, as a result of the request by the VP, Network and Resignaling, Capital Program Management. The ION was needed in order to expeditiously award this contract as Kawasaki, the R211 subway car manufacturer, had reached a critical point in its accelerated design whereby detailed CBTC design input from the actual CBTC supplier was needed in order for Kawasaki to advance the R211 car design and hold its extremely aggressive delivery schedule. The award to Thales for the R211 carborne equipment allowed Kawasaki and Thales to engage in meaningful technical discussions. The ION allowed Procurement to take appropriate actions to accelerate the award of these contracts.

Technical proposals were received from Siemens and Thales in January 2019, followed by price proposals in February 2019. Both firms submitted initial proposals for the CBTC carborne equipment, including the options for additional quantities of carborne equipment for the corresponding R211 subway car options. Pricing for long-term maintenance from both proposers was initially incomplete and required further discussions resulting in each proposer offering two variations of long-term maintenance plans. Negotiations were conducted that centered on price and schedule as well as firming up the details and pricing for long-term maintenance.

Best and Final Offers (“BAFOs”) were received in March 2019 as indicated in the following table and were found to be fair and reasonable based on adequate price competition and in comparison with the estimate.

	Siemens	Thales
R179	\$20,675,413	\$17,209,565
Long-Term Maintenance	<u>\$3,950,863</u>	<u>\$6,027,000</u>
Total	\$24,626,276	\$23,236,565
R211 (Base)	\$21,228,070	\$23,325,902
R211 (Options 1 & 2)	\$29,083,037	\$23,848,665
Long-Term Maintenance	<u>\$11,471,567</u>	<u>\$14,784,000</u>
Total	\$61,782,674	\$61,958,567

***Bold** indicates the recommended award inclusive of options for long-term maintenance and additional carborne equipment for the R211 subway car options. Maintenance pricing represents the highest level of support offered by each proposer.

Both companies were deemed technically competent and capable of performing the work. The Selection Committee (“SC”) unanimously deemed the proposal from Thales to be technically superior based on the evaluation criteria, which included previous experience, schedule, approach to the work, and other technical matters. Thales’ proposed schedule for the delivery of CBTC equipment for the R211 prototype trains was in full compliance with the schedules outlined in the solicitation and Kawasaki’s specified dates for receipt of CBTC carborne equipment for the prototype subway cars. Siemens was unable to fully comport with this critical requirement. Additionally, the SC evaluated the maintenance plans from each proposer and determined that while both provided compliant maintenance plans, Thales’ full repair service plan offered additional features that demonstrated a more comprehensive approach to maintenance and obsolescence management. After consideration of the technical and price proposals for the base contract and all options, the SC unanimously determined that the award strategy affording best value to NYC Transit was to split the award, recommending Siemens for the R179 requirements and Thales for the R211 requirements. This approach mitigates the risk of potential delays in the completion of the overall work for the Eighth Avenue line and provides a higher degree of delivery certainty for the critical R211 subway car contract. Accordingly, Thales will focus solely on supporting Kawasaki in meeting its aggressive delivery schedule for the R211 subway cars, the first fleet to be provided to NYC Transit with CBTC equipment installed by the car builder. Siemens will focus solely on the R179 subway car requirements.

In connection with a previous contract awarded to Siemens, Siemens was found to be responsible notwithstanding significant adverse information (“SAI”) pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Chairman and Chief Executive Officer in consultation with the MTA General Counsel in August 2016. No new SAI has been found relating to Siemens and Siemens has been found to be responsible. A Contractor Compliance Program was put in place for Siemens in April 2018.

STATE-MANDATED STATION CLOSURE NOTIFICATION

Sarah Meyer, SVP Strategy & Customer Experience and Chief Customer Officer

Issue

Chapter 224 of the Laws of 2019, signed by the Governor on August 30, 2019, amended NYS Public Authorities Law (NYS PAL), Section 1205 (5) to add subdivision (b) that mandates the New York City Transit Authority (“NYC Transit”) to adopt a policy that ensures “adequate communication...to impacted stakeholders” whenever there is a planned complete closure of a passenger station for repairs or renovations, and where such station will be out of service for a period of 60 days or more. Such policy is to be adopted by the MTA Board within 90 days of the effective date of Chapter 224.

Recommendation

It is recommended that the MTA adopts and formalizes existing policies to ensure full compliance with NYS PAL Section 1205 (5)(b) as hereinafter summarized.

Upon adoption by the MTA Board, it shall be NYC Transit’s policy to:

- Review its station repair and renovation schedules to identify planned complete closures of a subway station that will remove it from service for a period of 60 days or more; and in such cases where such closures are identified, NYC Transit’s shall provide notice as follows:
 - At least 45 days prior to the planned full-closure, written notice shall be given to impacted stakeholders such as elected representatives, NYS Senate and Assembly representatives, and to the community board whose district contains a station subject to a planned complete closure, or is contiguous to a district that contains a station subject to a planned complete closure on the same subway line. The notice to each community board shall include an option to request, on a date convenient to them, a presentation by NYC Transit to provide closure-related information prior to the closure and allow public comment.
 - At least 30 days prior to the planned full-closure, notice shall be given to the public by posting relevant information in affected stations and on NYC Transit website and social media accounts about the planned closure, service alternatives, and how the public may submit comments to NYC Transit.

Budget Impact

This action will have only a nominal cost.

Proposed Implementation Date

The chapter amendment to the NYS PAL requires that a station closure notification policy be in place by November 30.

Staff Summary



Subject	State-Mandated Station Closure Notification
Department	Strategy and Customer Experience
Department Head Name	Sarah Meyer, SVP and Chief Customer Officer
Department Head Signature	
Project Manager Name	Robert Marino

Date	November 12, 2019
Vendor Name	N/A
Contract Number	N/A
Contract Manager Name	N/A
Table of Contents Ref #	N/A

Board Action					
Order	To	Date	Approval	Info	Other
1	Board				

Internal Approvals			
Order	Approval	Order	Approval
7	President	3 X	SVP, Subways
6 X	VP Gen. Counsel	2 X	Chief, OP
5 X	SVP CPM	1 X	Acting VP GCR
4 X	Chief Cust. Officer		

Purpose

The purpose of this staff summary is to request the MTA Board to adopt a policy that requires NYC Transit to inform elected officials, community boards, customers, and other stakeholders whenever there is a planned full-time closure of a subway station to facilitate station repairs and renovations and when the station will be out of service for 60 days or longer. A recent amendment to the NYS PAL Section 1205, mandates a 45 day notice to elected officials and community boards prior to the planned closure of a station, as well as 30 day notice to the public, except when the full station closure is required to ensure public health, safety, and welfare after the occurrence of unforeseen circumstances.

Discussion

Effective August 30, 2019, Section 1205 of NYS PAL was amended to add notice requirements in the event of complete closures of NYC Transit “passenger stations.”¹ The new subdivision, (5)(b), mandates MTA to adopt a policy that ensures adequate communications whenever an NYC Transit passenger station is fully closed for 60 days or more in order to facilitate planned repairs or renovations to the station. The notice requirements of PAL Section 1205 (5)(b) do not apply to emergency station closures or station closures that are planned to last for fewer than 60 days.

The chapter amendment specifies that “adequate communication” giving notice of such planned full station closures be given to elected representatives, NYS Senate and Assembly representatives, and community boards representing the affected districts, at least 45 days prior to commencing the full station closure, and to the public at least 30 days prior to commencing the full station closure.

¹ The underlying Sponsor Memo dated January 21, 2019, states the purpose of the chapter amendment was to clarify notice requirements “prior to subway station closures.” As a result, NYC Transit has concluded that “passenger stations” refers only to stations relating to subway service, not bus service.

NYS PAL Section 1205 (5)(b) provides specific requirements for the notice to community boards and the public, included in the proposed policy statement. As a result, upon adoption by the MTA Board, NYC Transit's written notice policy to a community board will include the option for the community board to request a presentation by the agency regarding the planned full station closure. Upon request from a community board, at a date convenient to them, NYC Transit must present information concerning the closure and related service alternatives prior to such closure, and allow for public comment on the information presented.

Pursuant to the subject NYS PAL chapter amendment, NYC Transit must also provide notice to the public at least 30 days in advance of a planned full-station closure by posting notice in the passenger stations scheduled for closure, and on NYC Transit's website and social media accounts that provide details on the planned closure, service alternatives, and directions to how the public can offer comments to the agency on such information.

Recommendation

It is recommended that the MTA adopt a policy that fully complies with NYS PAL Section 1205 (5)(b), as amended by Chapter 224 of the Laws of 2019 adopted on August 30, 2019, requiring:

- Written notice be provided at least 45 days prior to the planned full-closure of any passenger station for 60 days or more to impacted stakeholders including elected representatives and community boards, and that such notice to community boards will offer the option of a presentation by NYC Transit on the station closure and travel alternatives, and provide an opportunity for public comment at a time convenient to the community board(s) prior to the station closure.
- Written notice to the public via notice posted in stations slated for closure, as well as notice posted on the MTA website and on social media, at least 30 days in advance of any planned full-station closure for 60 days or more. Such notice will provide details on the planned closure, service alternatives, and directions as to how the public can offer comments to the agency on the station closure and travel alternatives.

Alternatives

None. Taking no action would render the agency non-compliant with the NYS PAL Section 1205 (5)(b).

Budget Impact

This action will have a nominal cost impact, as the notifications to elected representatives, community boards and the public will be provided through existing channels of communication and standard posterung procedures.

Implementation Date

The chapter amendment went into effect immediately, and therefore applies to any subway station closures that occur no sooner than 90 days after the effected date, which is November 28, 2019. The MTA is required to adopt its compliant policy by that same date.



Service Changes: B Division Subway Schedule Changes Effective April 2020

Judith McClain, Chief, Operations Planning

Service Issue

NYCT is proposing to adjust **M** service to accommodate long-term construction and maintenance work in Queens.

The following schedule changes will be implemented on this line:

- Weekdays, **M** service will be rerouted to Essex Street instead of Forest Hills-71 Av to accommodate long-term construction and maintenance work along the Queens Boulevard Line.
- The evening schedule change reflects a commonly implemented reroute to accommodate critical work; during the **L** Tunnel Project, as well as prior to the start of the **L** Project, the **M** has not routinely (>80% of weekdays) operated along the Queens Boulevard Line weekday evenings because of CBTC and other construction and maintenance work.
- Customers traveling between the Myrtle Av **M** line and the 6 Av Line can transfer between the **M** and **F** line at Delancey St-Essex St. Some customers may prefer other travel options, such as the **L** (transfer to/from the **M** at Myrtle-Wyckoff Avs). Customers on Queens Boulevard can take the **E F R** as alternatives to the **M**, and customers on 6 Av can take the **F**.

Recommendation

Implement schedule adjustments for the **M** route on weekdays to accommodate long-term construction and maintenance work in Queens.

Budget Impact

Implementation of the proposed **M** schedule change would save approximately \$0.2 million annually in the operating budget and avoid capital supplemental service costs of approximately \$0.7 million annually.

Proposed Implementation Date

The **M** schedule change would be implemented in April 2020 and would continue through the end of the CBTC projects along the Queens Boulevard, 8 Av and 6 Av Lines.

Note: Simultaneous with this service change, the completion of the phase of the **L** Tunnel project requiring overnight and weekend single-track operation will permit restoration of full **L** service overnights and on weekends and the return to prior levels of overnight and weekend service on the **G** and **M** routes.

Staff Summary



Subject	NYCT COMMITTEE STAFF SUMMARY: Subway Schedule Changes Effective April 2020
Department	Operations Planning
Department Head Name	Judith McClain
Department Head Signature	
Project Manager Name	Glenn Lunden

Date	October 30, 2019
Vendor Name	N/A
Contract Number	N/A
Contract Manager Name	N/A
Table of Contents Ref #	N/A

Board Action					
Order	To	Date	Approval	Info	Other
1	President		X		
2	NYCT Comm		X		
3	Board		X		

Internal Approvals			
Order	Approval	Order	Approval
8	President	4	VP General Counsel
7	CFO	3	Director OMB
6	SVP Subways	2	Acting VP GCR
5	Chief Cust. Officer	1	Chief OP

Purpose

To obtain Presidential approval, and to inform the NYC Transit and MTA Bus Committee, of schedule adjustments on the **M** route. Adjustments are warranted on the **M** to accommodate long-term construction and maintenance work in Queens.

Discussion

M service in the evenings will be adjusted to accommodate long-term Communications-Based Train Control (CBTC) and other construction and maintenance along the Queens Boulevard Line.

Service Plan

NYCT routinely evaluates ridership levels and changes service levels, when feasible. NYCT also routinely evaluates the impact of capital construction and ongoing maintenance work on train operations and adjusts schedules to accommodate this necessary work. The proposed changes in schedule are based on these evaluations.

Basic information about these schedule adjustments is below:

- Weekdays, 15 evening roundtrips after 8:30pm southbound and 10:00pm northbound will be rerouted to Essex Street instead of Forest Hills-71 Av to accommodate CBTC and other long-term construction and maintenance work along the Queens Boulevard Line.
- The evening schedule change reflects a commonly implemented reroute to accommodate critical work; during the **L** Tunnel Project, as well as prior to the start of the **L** Project, the **M** has not routinely (>80% of weekdays) operated along the Queens Boulevard Line weekday evenings because of CBTC and other construction and maintenance work.

Staff Summary

- Customers traveling between the Myrtle Av **M** line and the 6 Av Line can transfer between the **M** and **F** lines at Delancey St-Essex St. Some customers may prefer other travel options, such as the **L** (transfer to/from the **M** at Myrtle-Wyckoff Avs). Customers on Queens Boulevard can take the **E F R** as alternatives to the **M**, and customers on 6 Av can take the **F**.

Recommendation

Implement schedule adjustments on the **M** route to accommodate CBTC and other long-term maintenance and capital projects.

Alternatives

This service change is required to allow capital work to continue. Implementing this service via supplemental schedules rather than our base schedule will increase operating costs and require additional capital costs to support the capital work along the Queens Boulevard line.

Budget Impact

Implementation of the proposed **M** schedule change would save approximately \$0.2 million annually in the operating budget and avoid capital supplemental service costs of approximately \$0.7 million annually.

Implementation Date

The **M** schedule change would be implemented in April 2020 and would continue through the end of the CBTC projects along the Queens Boulevard, 8 Av and 6 Av Lines.

Note: Simultaneous with this service change, the completion of the phase of the **L** Tunnel project requiring overnight and weekend single-track operation will permit restoration of full **L** service overnights and on weekends and the return to prior levels of overnight and weekend service on the **G** and **M** routes.

Procurement & Supply Chain

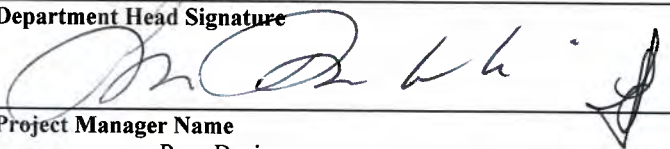
Steve Plochochi, Senior Vice President



Pictured above is a new all-electric bus to run on what are becoming the green streets of New York. Currently at Michael J. Quill Depot, the bus is one of ultimately 15 to be delivered by January 2020. The first of these electric buses will run on the 14 St route, which serves 30,000 riders daily.

PROCUREMENTS

The Procurement Agenda this month includes 4 actions for a proposed expenditure of \$59.1M.

Subject	Request for Authorization to Award Various Procurements				
Department	Procurement & Supply Chain – NYCT				
Department Head Name	Stephen M. Plochochi				
Department Head Signature					
Project Manager Name	Rose Davis				
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	11//12/19			
2	Board	11/14/19			

November 4, 2019			
Department			
Law and Procurement			
Department Head Name			
Evan Eisland			
Department Head Signature			
			
Internal Approvals			
	Approval		Approval
	President NYCT		President MTACC
X	Capital Prog. Management		Pres. MTA Bus/SVP DOB
X	Law	X	Subways
X	Diversity/Civil Rights		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval

PURPOSE

To obtain approval of the Board to award various contracts and purchase orders, and to inform the NYC Transit Committee of these procurement actions.

DISCUSSION

NYC Transit proposes to award Noncompetitive procurements in the following categories: NONE

MTA Capital Construction proposes to award Noncompetitive procurements in the following categories: NONE

MTA Bus Company proposes to award Noncompetitive procurements in the following categories: NONE

NYC Transit proposes to award Competitive procurements in the following categories:

<u>Procurements Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule C: Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	1	\$ 38.8 M
SUBTOTAL	1	\$ 38.8 M

MTA Capital Construction proposes to award Competitive procurements in the following categories: NONE

MTA Bus Company proposes to award Competitive procurements in the following categories: NONE

MTA Bus Company proposes to award Ratifications in the following categories: NONE

MTA Capital Construction proposes to award Ratifications in the following categories:

<u>Schedules Requiring Two-Thirds Vote:</u>		
Schedule D: Ratification of Completed Procurement Actions	1	\$ 4.9 M
SUBTOTAL	1	\$ 4.9 M

NYC Transit proposes to award Ratifications in the following categories:

<u>Schedules Requiring Majority Vote:</u>		
Schedule K: Ratification of Completed Procurement Actions	2	\$ 15.4 M
SUBTOTAL	2	\$ 15.4 M
TOTAL	4	\$ 59.1 M

COMPETITIVE BIDDING REQUIREMENTS: The procurement actions in Schedules A, B, C, and D are subject to the competitive bidding requirements of PAL 1209 or 1265-a relating to contracts for the purchase of goods or public work. Procurement actions in the remaining Schedules are not subject to these requirements.

BUDGET IMPACT: The purchases/contracts will result in obligating funds in the amounts listed. Funds are available in the current operating/capital budgets for this purpose.

RECOMMENDATION: That the purchases/contracts be approved as proposed. (Items are included in the resolution of approval at the beginning of the Procurement Section.)

BOARD RESOLUTION

WHEREAS, in accordance with Sections 1265-a and 1209 of the Public Authorities Law and the All-Agency General Contract Procurement Guidelines, the Board authorizes the award of certain noncompetitive purchase and public work contracts, and the solicitation and award of requests for proposals in regard to purchase and public work contracts; and

WHEREAS, in accordance with the All-Agency Service Contract Procurement Guidelines and General Contract Procurement Guidelines the Board authorizes the award of certain noncompetitive miscellaneous service and miscellaneous procurement contracts, certain change orders to purchase, public work, and miscellaneous service and miscellaneous procurement contracts, and certain budget adjustments to estimated quantity contracts; and

WHEREAS, in accordance with Section 2879 of the Public Authorities Law and the All-Agency Service Contract Procurement Guidelines, the Board authorizes the award of certain service contracts and certain change orders to service contracts.

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.
2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals, and authorizes the solicitation of such proposals.
3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.
4. As to each action set forth in Schedule D, the Board declares competitive bidding impractical or inappropriate for the reasons specified therein, and ratifies each action for which ratification is requested.
5. The Board authorizes the execution of each of the following for which Board authorization is required: (i) the miscellaneous procurement contracts set forth in Schedule E; (ii) the personal service contracts set forth in Schedule F; (iii) the miscellaneous service contracts set forth in Schedule G; (iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; (v) the contract modifications to purchase and public work contracts set forth in Schedule I; and (vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.
6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.

NOVEMBER 2019

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

C. Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)
(Staff Summaries required for items estimated to be greater than \$1,000,000.)

- | | | |
|--|---------------------|--------------------------------------|
| 1. Citnalta-TAP, JV | \$38,844,000 | <u>Staff Summary Attached</u> |
| Two Proposals – 25.5-month contract | | |
| Contract# A-37150F | | |
| Design and construction of accessibility upgrades at 170th Street Station – Jerome Avenue Line (Design-Build). | | |

Staff Summary

Item Number 1			
Department, Department Head Name: Procurement & Supply Chain, Stephen M. Plochochi			
Internal Approvals			
Order	Approval	Order	Approval
1	Materiel	6 X	Subways
2 X	Law	7	President
3 X	CFO		
4 X	DDCR		
5 X	CPM		

SUMMARY INFORMATION	
Vendor Name Citnalta-TAP, JV	Contract No. A-37150F
Description Design and Construction of Accessibility Upgrades at 170th Street Station on the Jerome Avenue Line in the Borough of the Bronx (Design-Build)	
Total Amount \$38,844,000	
Contract Term (including Options, if any) 25.5 months	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose

To obtain approval of the Board to award a contract for the design and construction of accessibility upgrades at the 170th Street Station on the Jerome Avenue Line in the borough of the Bronx to Citnalta-TAP, JV (“CTJV”) in the amount of \$38,844,000 and a duration of 25.5 months.

In accordance with MTA policy regarding the use of design-build, and to enhance competition and defray proposal costs, this solicitation includes a stipend of \$80,000 to be paid to each unsuccessful proposer whose proposal is responsive to the Request for Proposal (“RFP”) requirements. Accordingly, permission is also requested to pay a total stipend of \$80,000.

Discussion

An Authorizing Resolution requesting the use of a two-step competitive RFP procurement process was approved by the Board to award multiple design/build contracts for the design and construction of Americans with Disabilities Act (“ADA”) improvements, including the installation of elevators in stations. A request for letters of interest and qualification packages was advertised, resulting in the submission of fourteen responses. The Step 1 qualification packages were evaluated against preestablished selection criteria addressing relevant experience, general responsibility, financial resources, and safety record. The following six teams were selected because of their favorable, relevant experience on design-build projects, ADA improvements, NYC Transit and other MTA agency projects: Citnalta-TAP, Joint Venture (“CTJV”); ECCO III Enterprises, Inc. (“ECCO III”); Halmar International, LLC (“Halmar”); John P. Picone (“Picone”); Skanska USA Civil Northeast, Inc. (“Skanska”); and Tully Construction Co., Inc. (“Tully”). Only these pre-qualified teams are eligible to propose on RFPs in Step 2.

Pursuant to the Authorizing Resolution, NYC Transit issued a Step 2 RFP to the six pre-qualified teams. This project introduces elevators to this station for the first time. The ADA improvements will include full vertical accessibility through the installation of one new street-to-mezzanine elevator and two new mezzanine-to-platform elevators; reconfiguration of station stairs from three existing street-to-mezzanine stairs to two rehabilitated/reconstructed street-to-mezzanine stairs and two new street-to-platform stairs with new platform level control areas; as well as other required improvements to architectural, structural, mechanical, and electrical components. Additionally, in order to emphasize schedule as a critical component of this ADA project, the contract includes an early completion incentive for reductions to the project duration as well as liquidated damages for extended durations resulting from contractor delays.

In response to the RFP, two proposals were received: CTJV – \$38,999,000 and ECCO III – \$51,587,000. The in-house estimate is \$39,947,030. Tully elected not to propose due to existing commitments. Halmar, Picone, and Skanska elected not to propose, citing excessive risk associated with terms and conditions contained in the contract.

Both proposals were evaluated by a Selection Committee (“SC”) utilizing preestablished selection criteria addressing the proposers’ design and construction approach; overall project schedule; project management, safety, and quality control/quality assurance plans; team experience; current record of performance; qualifications and coordination of subcontractors; other relevant matters; and diversity practices. After technical factors, the overall project cost was considered. Supporting the SC evaluation was a subcommittee comprised of members from the Design Team and Consultant Construction Management Team.

The SC reviewed the technical proposals, observed the oral presentations, and subsequently reviewed the price proposals submitted by each proposer. The SC and subcommittee also reviewed design alternatives associated with the construction of a temporary staircase (ECCO III), which was determined to be feasible, and an alternative approach to elevator configuration (CTJV) that was ultimately not pursued. After review and consideration of both proposals, the SC recommended that both CTJV and ECCO III be invited for negotiations.

Both CTJV and ECCO III submitted a strong technical proposal that adhered to all project requirements. Each offered skilled design and construction teams with significant NYC Transit Design-Build experience that included station work through the Enhanced Station Initiative Program.

CTJV proposed a schedule reduction of two months for a total project duration of 26 months.

ECCO III offered a schedule reduction of 2.5 months for a total project duration of 25.5 months.

Negotiations were conducted with both firms and included discussions of project schedule and overall cost, including pricing assumptions. At the conclusion of negotiations, both firms submitted their Best and Final Offer (“BAFO”). CTJV’s BAFO was \$38,844,000, which represented a reduction of \$155,000 (0.4 percent) from its initial proposal. With the acceptance of ECCO III’s design alternative, ECCO III’s BAFO was \$51,256,300, which represented a reduction of \$330,700 (0.6 percent) from its initial proposal.

Upon review of the BAFOs, the SC recommended CTJV for award, determining that its proposal offered the best overall value to NYC Transit based on the selection criteria. CTJV’s BAFO of \$38,844,000 is \$1,103,030 or 2.8 percent less than the in-house estimate and considered fair and reasonable. ECCO III’s BAFO of \$51,256,300 is \$12,412,300 (32 percent) higher than the BAFO submitted by CTJV and \$11,309,270 (28 percent) higher than the in-house estimate. The SC determined that any benefits resulting from ECCO III’s technical proposal, including minor schedule savings, were outweighed by their cost proposal, which was determined to be outside of the competitive range and not considered fair and reasonable in comparison to CTJV’s cost proposal and the in-house estimate. CTJV subsequently offered an additional schedule reduction of two weeks for a total reduction of 2.5 months, revising the project duration to 25.5 months.

M/W/DBE Information

The MTA Department of Diversity and Civil Rights has established goals of 15 percent MBE, 15 percent WBE, and 6 percent SDVOB. Award will not be made until the Department of Diversity and Civil Rights’ approval is obtained. CTJV has achieved the M/W/DBE goals on previous MTA contracts.

Capital Program Reporting

This contract has been reviewed for compliance with the requirements of the 1986 legislation applicable to Capital Contract Awards and the necessary inputs have been secured from the responsible functional departments.

Impact on Funding

This project is funded by the MTA Capital Program. This contract will not be awarded until funding is in place and a WAR Certificate is received.

Alternatives

Perform the work using in-house personnel. Not recommended as in-house forces do not have the resources to perform the scope of this project.

Recommendation

That the Board approve the award of a contract for the design and construction of accessibility upgrades at the 170th Street Station on the Jerome Avenue Line in the borough of the Bronx to CTJV in the amount of \$38,844,000 and a duration of 25.5 months.

NOVEMBER 2019

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

K. Ratification of Completed Procurement Actions (Involving Schedule E-J)
 (Staff Summaries required for items estimated to be greater than \$1,000,000.)

Paul J. Scariano, Inc.	\$15,371,973 (Aggregate)	<u>Staff Summary Attached</u>
FOS Development Corp.		
1. Contract# C-33859-1	\$2,824,000	↓
2. Contract# C-33859-2	\$12,547,973	↓
Immediate Operating Need		
The procurement of a pilot project to design and install protective measures (netting) under NYC Transit's elevated structures.		

Schedule K: Ratification of Completed Procurement Actions



Item Number: 1–2

Vendor Names (Locations) Paul J. Scariano, Inc. (New Rochelle, New York) FOS Development Corp. (Woodside, New York)	Contract Numbers C-33859-1 (PJS) C-33859-2 (FOS)	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description Design and Installation of a Debris Protection System at Six New York City Elevated Structural Locations	Total Amount: \$15,371,973 PJS: \$2,824,000 FOS: \$12,547,973 (\$2,117,973 + \$10,430,000)	
Contract Terms (including Options, if any) PJS: 4 Months FOS: 4 Months + 4 Months (additional locations)	Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	Requesting Dept./Div., Dept./Div. Head Name: Capital Program Management, Alok Saha	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		

Discussion:

It is requested that the Board ratify the contract awards made pursuant to the declaration of an Immediate Operating Need (“ION”) requested by NYC Transit Department of Subways (“DOS”) and approved by the VP, Materiel, for procurement of a Pilot Project to Install Protective Measures Under NYC Transit Elevated Structures.

Contract C-33859-1 was awarded to Paul J. Scariano, Inc. (“PJS”) on July 11, 2019, for the Design, Inspection, and Maintenance of a Debris Protection System below the 125th Street elevated station on the 1 line and below the elevated structure south of 39th Avenue on the Astoria line, in the amount of \$2,824,000.

Contract C-33859-2 was awarded to FOS Development Corp. (“FOS”) on July 5, 2019, for the Design, Inspection, and Maintenance of a Debris Protection System below the 61st Street – Woodside elevated station on the 7 line and below the elevated structure north of 111th Street on the Jamaica line, in the amount of \$2,117,973. Contract C-33859-2 was subsequently amended on October 17, 2019, to include installation of the Debris Protection System below the 167th Street elevated station on the Jerome line and below the 231st Street elevated station on the Broadway line, in the additional amount of \$10,430,000. Pricing in both contracts includes one year of maintenance as part of the base cost and one additional option year of maintenance, to include repair/replacement of components of the debris protection system.

NYC Transit is currently inspecting all elevated structures and removing materials that have the potential to loosen and fall. In addition, as NYC Transit evaluates long-term comprehensive capital program solutions, it was determined that, as an interim measure, it would also evaluate the viability of temporary protection systems, such as netting, under elevated structures.

This pilot was initiated to retain one or more contractors for the design, installation, and maintenance of debris protection systems at four elevated locations. The protection systems are comprised of a mesh net configuration and removable fastening system to be installed in no greater than 10 x 50-foot segments. The netting systems will prevent concrete spalls, corroded steel, wood, bolts, rivets, brackets, pipes, retainer clips, ties, and other miscellaneous objects that measure as small as 3/4 inches in diameter from falling through the elevated structures and onto the surface below. The systems will be designed to allow for a disconnection and reconnection of the netting, which will allow for routine inspection, maintenance, and repairs.

The following four elevated structures were initially identified for installation of debris protection systems:

- below the 125th Street elevated station on the 1 line, for an approximate length of 600 feet;
- below the elevated structure south of 39th Avenue on the N/W line, for an approximate length of 550 feet;
- below the 61st Street Woodside elevated station on the 7 line, for an approximate length of 550 feet; and
- below the elevated structure north of 111th Street on the J/Z line, for an approximate length of 450 feet.

In April 2019, NYC Transit conducted an outreach to identify potential netting installation contractors and netting manufacturers/suppliers. Invitations were extended to all firms to tour the four locations. Five firms attended the site tour.

Schedule K: Ratification of Completed Procurement Actions



The declaration of an ION was initially made in response to a request by the Chief Engineering Officer, Maintenance of Way (“MOW”) Engineering, Department of Subways. Pursuant to the ION, an informal Request for Proposal (“RFP”) was issued to the five interested firms. Technical and price proposals, for all four locations, were received from FOS (\$4,741,005), PJS (\$6,279,400) and Can USA, Inc. (\$584,600). The in-house estimate for all four locations was \$6,333,000.

The Selection Committee (“SC”) comprised of NYC Transit Procurement, Capital Program Management, and MOW evaluated the technical and price proposals. The SC evaluated each proposer based on their previous experience, proposed schedule, approach to the work, and other technical matters.

FOS and PJS were identified as best meeting or exceeding the project requirements outlined in the RFP. Both firms were recommended for negotiations. Can USA, while a netting company, submitted a proposal that did not address all project requirements in terms of general conditions and overall project management. With two viable proposers, the opportunity existed to consider multiple awards to mobilize at multiple locations simultaneously and test multiple approaches. Accordingly, NYC Transit decided to group the locations into two packages:

Package A (a total of 1,150 feet)

- below the 125th Street elevated station on the 1 line; and
- below the elevated structure south of 39th Avenue on the N/W line.

Package B (a total of 1,000 feet)

- below the 61st Street Woodside elevated station on the 7 line; and
- below the elevated structure north of 111th Street on the J/Z line.

Negotiations were conducted with both firms, culminating in the receipt of revised pricing. Both proposals were found to be fair and reasonable in comparison to the estimate.

	<u>FOS</u>	<u>PJS</u>
Package A	\$2,319,120	\$2,824,000
Package B	\$2,117,973	\$2,937,000

***Bold** indicates the recommended award.

Both companies were deemed technically competent and capable of performing the work, although the SC unanimously deemed the technical proposal from FOS to be stronger. After consideration of each proposed BAFO, the SC unanimously determined that the split award strategy represented the best value to NYC Transit and afforded the opportunity to evaluate multiple debris protection systems.

Both contracts were awarded in early July 2019, and installation at the four locations was completed earlier than required by the contracts. DOS has determined the installations by both contractors to be successful and will continue to evaluate both systems through several seasons.

In September 2019, DOS identified two additional critical locations for the installation of the debris protection system and amended the ION memo so that these additional locations could be addressed as expeditiously as possible. These additional locations will also provide an opportunity to evaluate the performance of the debris protection system on longer continuous runs of the elevated structure. The additional locations include:

- below the 167th Street elevated station on the 4 line, for an approximate length of 4,250 feet; and
- below the 231st Street elevated station on the 1 line, for an approximate length of 3,250 feet.

Considering that both PJS and FOS successfully demonstrated their ability to install acceptable netting systems, pursuant to the amended ION memo, an informal RFP was issued to both firms, requesting pricing for each additional location. Initial price proposals, for both locations, were received from PJS (\$13,525,000) and FOS (\$13,964,094). The in-house estimate for both locations is \$11,068,000.

Negotiations were conducted with both firms, and revised pricing was received from FOS in the total amount of \$10,430,000 and from PJS in the total amount of \$12,995,000. FOS was selected for award based on having provided the lowest competitive price, which is also considered fair and reasonable in relation to the estimate. Taking advantage of lessons learned from their previous two locations, FOS will install netting on more than seven times the length of elevated structure within the same timeframe as its previous two locations. In addition, FOS’s revised pricing represents a 34 percent reduction in its cost per linear foot of structure.

In connection with a previous contract awarded to PJS, PJS was found to be responsible notwithstanding Significant Adverse Information (“SAI”) pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Chairman and Chief Executive Officer in consultation with the MTA General Counsel in January 2016. No new SAI has been found relating to PJS and PJS has been found to be responsible.

NOVEMBER 2019

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

D. Ratification of Completed Procurement Actions

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

- | | | |
|---|--------------------|--------------------------------------|
| 1. MLJ Contracting Corp. | \$4,900,000 | <u>Staff Summary Attached</u> |
| Contract# E-34040 | | |
| Immediate Operating Need | | |
| Replacement of one elevator at the Grand Central – 42nd Street Station, Flushing Line, in the Borough of Manhattan. | | |

Schedule D: Ratification of Completed Procurement Actions
Item Number: 1

Vendor Name (Location) MLJ Contracting Corp (Whitestone, New York)	Contract Number E-34040	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description Replacement of One Elevator at the Grand Central – 42nd Street Station, Flushing Line, in the Borough of Manhattan	Total Amount: \$4,900,000	
Contract Terms (including Options, if any) 7 months	Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a	Requesting Dept./Div., Dept./Div. Head Name: MTA Capital Construction, John N. Lieber	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive		
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Noncompetitive		

Discussion:

It is requested that the Board ratify the contract award, effective October 3, 2019, pursuant to the declaration of an Immediate Operating Need (“ION”) requested by NYC Transit Department of Subways (“DOS”) and approved by the VP, Materiel, for the replacement of one hydraulic elevator (“elevator 244”) and the construction of a new elevator machine room at the Grand Central – 42nd Street Station, Flushing line (IRT), in the borough of Manhattan to MLJ Contracting Corp. (“MLJ”) in the amount of \$4,900,000 with a contract term of seven months and a Substantial Completion date of April 30, 2020.

In August 2019, elevator 244 experienced a failure that resulted in damage to its critical components such as the cab, elevator platform, and hydraulic piston. Repairing the elevator was determined to be impractical considering (1) the extent of the damage; (2) the fact that the elevator is approaching the end of its useful life, and (3) the elevator was already scheduled for replacement in 2020.

The work to be performed under this contract includes (1) forensic demolition of elevator’s cab, platform and vertical travel system; (2) demolition of elevator cab enclosures at the platform and mezzanine levels; (3) waterproofing of the shaft; and (4) installation of updated vertical travel system, elevator platform, elevator cab, elevator cab enclosures at the platform, and mezzanine levels and equipment in mechanical rooms.

Given that this elevator provides the only means of access to the 7 train platform for ADA passengers at the Grand Central – 42nd Street station, DOS requested the declaration of an ION in order for all work be accelerated and begin as soon as possible. NYC Transit determined that the most expeditious way to accomplish the elevator replacement without adding to the contractor presence and customer inconvenience at Grand Central Station was to take advantage of the two competent contractors already performing work at the complex.

Pursuant to the ION, both Halmar International, LLC (“Halmar”) and MLJ were informally solicited for proposals, as both firms were performing work at Grand Central Station. Halmar opted not to propose, electing to focus on its recently accelerated contract for the replacement of two escalators, stairs, and elevator at Grand Central Station. MLJ readily agreed to perform the work, under an extremely accelerated schedule, proposing to utilize the qualified elevator installer that was already present at Grand Central Station, and with whom they have an existing relationship on another ADA elevator project at the Chambers Street station for NYC Transit.

MLJ submitted its proposal in the amount of \$5,303,749. The revised in-house estimate is \$4,794,561. Negotiations resulted in the agreed-upon lump-sum price of \$4,900,000, which has been determined to be fair and reasonable. Savings of \$403,749 were achieved.

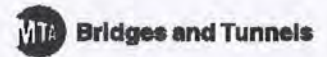


Bridges and Tunnels

Procurements November 2019



Staff Summary



Subject: Request for Authorization to Award Various Procurements
Department: Procurement
Department Head Name: M. Margaret Terry
Department Head Signature: <i>Julia R. Christ for MMT</i>
Project Manager Name: Various

Date: 11/1/2019
Vendor Name:
Contract Number:
Contract Manager Name:
Table of Contents Ref #:

Board Action					
Order	To	Date	Approval	Info	Other
1	President	11/1/2019			
2	MTA B&T Committee	11/12/2019			
3	MTA Board	11/14/2019			

Internal Approvals			
Order	Approval	Order	Approval
	President <i>[Signature]</i>		VP & Chief Financial Officer <i>[Signature]</i>
	SVP & General Counsel <i>[Signature]</i>		VP Operations
	VP & Chief of Staff		VP & Chief Engineer
			VP & Chief Procurement Officer <i>[Signature]</i>

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
	Chief Financial Officer		Chief Technology Officer		Chief Health & Safety Officer		Chief EEO Officer
	Chief Security Officer		Chief Maintenance Officer		MTA Office of Civil Rights		

PURPOSE:

To obtain approval of the Board to award various contracts and purchase orders, and to inform the MTA B&T Committee of these procurement actions.

DISCUSSION:

MTA B&T proposes to award Non-Competitive procurements in the following categories: None

MTA B&T proposes to award Competitive procurements in the following categories:

<u>Schedules Requiring Two-Thirds Vote: -</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule C: Competitive Request for Proposals	1	\$ 29.300M
<u>Schedule Requiring Majority Vote:</u>		
Schedule F: Personal Service Contracts	3	\$ 25.743M
SUBTOTAL	4	\$ 55.043M
MTA B&T presents the following procurement actions for Ratification: None		
TOTAL	4	\$ 55.043M

BUDGET IMPACT:

The purchases/contracts will result in obligating MTA B&T and Capital funds in the amount listed. Funds are available in the current MTA B&T operating/capital budgets for this purpose.

RECOMMENDATION:

That the purchases/contracts be approved as proposed. (Items are included in the resolution of approval at the beginning of the Procurement Section.)

The legal name of MTA Bridges and Tunnels is Triborough Bridge and Tunnel Authority.

MTA BRIDGES & TUNNELS
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

WHEREAS, in accordance with §559 and §2879 of the Public Authorities Law and the All Agency Procurement Guidelines, the Board authorizes the award of certain non-competitive purchase and public work contracts, and the solicitation and award of request for proposals in regard to purchase and public work contracts; and

WHEREAS, in accordance with §2879 of the Public Authorities Law and the All Agency Procurement Guidelines, the Board authorizes the award of certain non-competitive miscellaneous procurement contracts, and certain changes orders to procurement, public work, and miscellaneous procurement contracts; and

WHEREAS, in accordance with § 2879 of the Public Authorities Law and the All Agency Guidelines for Procurement of Services, the Board authorizes the award of certain service contracts, and certain change orders to service contracts; and

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.
2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals and authorizes the solicitation of such proposals.
3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.
4. The Board ratifies each action set forth in Schedule D for which ratification is requested.
5. The Board authorizes the execution of each of the following for which Board authorization is required: i) the miscellaneous procurement contracts set forth in Schedule E; ii) the personal service contracts set forth in Schedule F; iii) the miscellaneous service contracts set forth in Schedule G; iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; the contract modifications to purchase and public work contracts set forth in Schedule I; and vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.
6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
NOVEMBER 2019

MTA BRIDGES & TUNNELS

Procurements Requiring Two-Thirds Vote:

C: Competitive Request for Proposals (Award of Purchase and Public Work Contracts)
(Staff Summaries requiring Board approval)

- | | | |
|--|------------------------|--------------------------------------|
| 1. E-J Electric Installation, Co. | \$29,300,000.00 | <u>Staff Summary Attached</u> |
| Contract No. RK-66 | | |

2 years, 2 months – Competitive RFP

B&T is seeking Board approval under the All Agency General Contract Procurement Guidelines to award a competitively solicited public work contract for Design-Build Services for Electrical Upgrades at the RFK Facility.

Procurements Requiring Majority Vote:

F: Personal Service Contracts
(Staff Summaries Requiring Board Approval)

- | | | |
|---|------------------------|--------------------------------------|
| 1. Henningson, Durham & Richardson
Architecture & Engineering, P.C.
M&J Engineering, P.C.
PBS Engineering & Associates, P.C. | \$10,000,000.00 | <u>Staff Summary Attached</u> |
| Contract No. PSC-19-3027(A-C) | | |

5 years – Competitive RFP

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award competitively solicited personal service contracts for Miscellaneous Intelligent Transportation Systems (ITS) and Operations Systems Design Services on an As-Needed Basis.

- | | | |
|---|------------------------|--------------------------------------|
| 2. TRC Environmental Corporation | \$ 2,998,896.00 | <u>Staff Summary Attached</u> |
| Contract No. PSC-19-3029 | | |

2 years – Competitive RFP

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a competitively solicited personal service contract for an Independent Safety Monitor for Ongoing Authority Construction Projects.

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
NOVEMBER 2019

3. **LiRo Engineers, Inc.** **\$12,743,763.00** **Staff Summary Attached**
Contract No. PSC-19-3032

4 years, 5 months– Competitive RFP

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a competitively solicited personal service contract for Construction Administration and Inspection Services for Project TN-53, Rehabilitation of the Approach Viaduct at the Throgs Neck Bridge.

Staff Summary

Item Number: 1 (Final)					
Dept & Dept Head Name: Engineering and Construction, Joe Keane, P.E. <i>Joe Keane</i>					
Division & Division Head Name: Engineering and Construction, William Neubauer, P.E. <i>William Neubauer</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	11/1/19			
2	MTA B&T Committee	11/12/19			
3	MTA Board	11/14/19			
Internal Approvals					
Order	Approval	Order	Approval		
1	Vice President & Chief Financial Officer <i>[Signature]</i>	3	Vice President & Chief Procurement Officer <i>BB</i>		
2	Sr. Vice President & General Counsel <i>[Signature] FOR MMTJ</i>	4	President <i>[Signature]</i>		

SUMMARY INFORMATION	
Vendor Name E-J Electric Installation, Co.	Contract Number RK-66
Description: Design-Build Services for Electrical Upgrades at the RFK Facility	
Total Amount	\$29,300,000.00 Award \$ 126,000.00 Stipends
Contract Term (including Options, if any) 26 months	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency General Contract Procurement Guidelines to award a competitively solicited public work contract for Design-Build Services for Electrical Upgrades at the RFK Facility to E-J Electric Installation, Co. (E-J) for a period of 26 months in the negotiated amount of \$29,300,000.00. In accordance with the MTA Design-Build Best Practice Guidance and in order to enhance competition and defray proposal costs, this solicitation included stipends in the amount of \$42,000 to be paid to each unsuccessful proposer whose proposal met defined proposal standards. Accordingly, approval is also requested to pay stipends totaling \$126,000 to the three unsuccessful proposers.

II. DISCUSSION

In July 2016, the Board authorized B&T to enter into a competitive Request for Proposal (RFP) process for design-build (D-B) services for electrical upgrades at the Robert F. Kennedy Facility. The work requires the design and installation of replacement and upgraded electrical elements to improve resiliency and provide redundancy at the RFK Facility, especially at open road tolling locations.

The service requirements were publicly advertised; eight firms submitted qualification information and based on a review of their qualifications, four firms were deemed qualified to receive the RFP. All four firms submitted proposals: E-J Electric Installation Co. (E-J) - \$34,775,751, Mass Electric Construction Co. (Mass) - \$36,995,000, TC Electric, LLC (TC) - \$41,120,000, and Welsbach Electric Corp. (Welsbach) - \$39,445,000. The proposals were evaluated against established

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Staff Summary

criteria set forth in the RFP, including proposed price, D-B technical approach, D-B experience, key personnel, management approach, and schedule.

In accordance with the MTA Design-Build Best Practice Guidance, Technical Proposals were evaluated by the Selection Committee (SC) prior to evaluation of the cost proposals. The SC recommended the Authority enter discussions with the two highest rated firms to clarify project scope requirements and proposal assumptions and to request price reductions to address budgetary restrictions. Both teams submitted revised proposals: EJ - \$31,632,858 and Mass - \$36,995,000. The SC unanimously recommended E-J as the highest rated firm based on their i) superior understanding of project technical requirements and risks, ii) history of successful design-build projects as a design-build team with their proposed design engineering firm (AI Engineers), iii) most advantageous price; and iv) commitment to achieving the M/WBE and SDVOB goals. Mass' revised proposal reallocated costs to address Authority concerns and offered alternate innovative solutions resulting in potential savings; however, EJ's technical approach and revised proposal best optimized efficiencies available via the design-build process. The other two shortlisted firms provided responsive proposals which were viewed as technically acceptable but not favorably priced.

E-J submitted a revised proposal in the amount of \$31,632,858 and a schedule of 26 months which shall become the Contract substantial completion duration (4 months shorter than the RFP requirement to complete within 30 months). The requirements include allowances totaling \$3,800,000 for various contingencies and potential project risks including environmental conditions (contaminated soil, lead and asbestos) and other unknown site conditions. Negotiations were conducted with E-J, which included discussion of technical requirements and E-J's design assumptions and construction approach. Through negotiations B&T and E-J agreed to the contract amount totaling \$29,300,000.00, which is 1.87% above the estimate of \$28,760,843.00. The negotiated E-J proposal is deemed the best value and in B&T's best interest.

In connection with a previous Joint Venture Contract awarded to the Contractor, E-J was found to be responsible notwithstanding significant adverse information (SAI) pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Managing Director in consultation with the MTA General Counsel on August 31, 2018. No new SAI has been found related to the Contractor and E-J has been deemed responsible.

III. D/M/WBE INFORMATION

The Department of Diversity and Civil Rights (DDCR) has established goals of 15% MBE, 15% WBE and 6% SDVOB for this contract. E-J Electric Installation Co. has submitted MWBE/SDVOB utilization plans that are currently under review with the MTA Department of Diversity & Civil Rights. E-J Electric Installation has not completed MTA contracts with MWDBE goals; therefore, no assessment of the firm's MWDBE performance can be determined at this time.


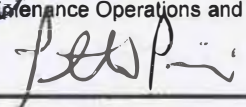

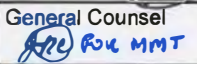


IV. IMPACT ON FUNDING

Funding in the amount of \$29,300,000 is available in the amended 2010-2014 Resiliency Capital Program under Project ED040308, Task E05689.

V. ALTERNATIVES

There are no recommended alternatives. The Authority does not possess the resources required to perform these services.

Staff Summary

Item Number: 2 (Final)					
Dept & Dept Head Name: Acting Director Toll Operations, Sergio Reis					
					
Division & Division Head Name: VP Maintenance Operations and Support, Patrick Parisi					
					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	11/1/19			
2	MTA B&T Committee	11/12/19			
3	MTA Board	11/14/19			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer 	4	Executive Vice President		
2	General Counsel  RRE ROK MMT	5	President 		
3	Chief Procurement Officer  RRE ROK				

SUMMARY INFORMATION	
Vendor Name	Contract Number
1) Henningson, Durham and Richardson Architecture and Engineering, P.C	PSC-19-3027A
2) M&J Engineering P.C.	PSC-19-3027B
3) PBS Engineering & Associates P.C.	PSC-19-3027C
Description	
Miscellaneous Intelligent Transportation System & Operations Systems Consultant Design Services on an As-Needed Basis	
Total Amount \$10,000,000	
Contract Term (including Options, if any) Five (5) Years	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval in accordance with the All Agency Service Contract Procurement Guidelines to award three personal service contracts, PSC-19-3027A, PSC-19-3027B and PSC-19-3027C solicited on a competitive basis to (A) Henningson, Durham and Richardson Architecture and Engineering, P.C. located at 500 Seventh Ave., New York, NY 10018, (B) M&J Engineering P.C. located at 2003 Jericho Turnpike, New Hyde Park, New York, NY 11040 and (C) PBS Engineering & Associates P.C. located at 13 Rutledge Ct., Plainsboro, NJ 08536 to provide miscellaneous Intelligent Transportation Systems (ITS) and Operations Systems Design Services on an as-needed basis in the aggregate not to exceed amount of \$10,000,000 over a period of five (5) years.

II. DISCUSSION

B&T requires the services of three multi-disciplined firms to provide miscellaneous ITS and Operations services on an as-needed basis. ITS and Operation systems provide innovative services for different modes of transportation and enables the public to make informed, safer and coordinated decisions when using MTA transportation networks. These contracts will be for an indefinite quantity, with the required services being assigned on an as-needed basis by

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Staff Summary

issuing work orders. Three contracts are being recommended for award to enable the Operations Department to assign work orders to each firm based on their current workload and available personnel. The RFP was publicly advertised in August 2019, eight (8) firms requested a copy of the solicitation and proposals were received by five (5) firms: JHK Engineering, P.C. (JHK); Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR); M&J Engineering, P.C (M&J); PBS Engineering and Associates P.C. (PBS), and Ove Arup and Partners P.C.(ARUP).

The Consultants, in their base proposals were asked to quote labor, overhead, profit and escalation rates based on predetermined titles. After evaluation of the technical and cost proposals, the Evaluation Committee recommended that B&T waive oral presentations and enter into negotiations with HDR, M&J and PBS for these contracts. The firms were selected based on (i) their understanding of the scope, (ii) extensive technical experience, (iii) software development teams, and (iv) favorable cost proposals. The recommended award to the three (3) selected firms is considered in B&T's best interest.

Each task will be negotiated separately using the labor, overhead and profit rates that have been negotiated in each contract. HDR, M&J, and PBS are considered responsible consultants.

III. D/M/WBE INFORMATION

The Department of Diversity and Civil Rights (DDCR) has established goals of 15% MBE, 15% WBE and 6% SDVOB for this contract. HDR has achieved its previous MWDBE goals on previous MTA contracts. PBS Engineering and Associates P.C. and M&J Engineering, P.C. have not completed any MTA contracts with MWDBE goals, and therefore, no assessment of their MWDBE performance can be determined at this time.

IV. IMPACT ON FUNDING

Funding is available in both the Operating Budget and the 2015-2019 Capital Program (WAR Certificates will be requested on a Work Order basis).

V. ALTERNATIVES

There are no recommended alternatives. The Authority does not possess the resources required to perform these services.

Staff Summary

Item Number: 3 (Final)					
Dept & Dept Head Name: <i>Joe Keane</i> Engineering & Construction, Joe Keane P.E.					
Division & Division Head Name: <i>Aris Stathopoulos</i> Engineering & Construction, Aris Stathopoulos, P.E.					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	11/1/19			
2	MTA B&T Committee	11/12/19			
3	MTA Board	11/14/19			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Chief of Staff		
2	General Counsel <i>[Signature]</i>	5	Executive Vice President		
3	Chief Procurement Officer <i>[Signature]</i>	6	President <i>[Signature]</i>		

SUMMARY INFORMATION	
Vendor Name TRC Environmental Corporation	Contract Number PSC-19-3029
Description Independent Safety Monitor for Ongoing Authority Construction Projects	
Total Amount \$2,998,896	
Contract Term (including Options, if any) Two (2) Years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract to provide services for independent safety monitoring for ongoing B&T construction projects to TRC Environmental Corporation (TRC) for a period of two (2) years in the not to exceed amount of \$2,998,896.

DISCUSSION

B&T requires the services of a consultant to provide independent safety monitoring services for ongoing B&T construction projects. The Contract requires the Consultant to perform short term and continuous on-site monitoring; safety analysis; report preparation and presentations; training and additional services as required to aid in ensuring a safe working environment on B&T construction projects.

The service requirements were publicly advertised and five (5) firms submitted qualification information. Three (3) firms were chosen to receive the RFP based on a review of those qualifications and all three (3) firms submitted proposals: EnviroMed Services, Inc. (EnviroMed); Safety Dynamics, LLC (Safety Dynamics); and TRC Environmental Corporation (TRC). The proposals were evaluated against established criteria set forth in the RFP including an understanding of the technical requirements and expertise, qualifications of proposed personnel, oral presentations and cost. The Selection Committee unanimously selected TRC because they demonstrated the most direct and relevant experience. Their company provides hands on inspections, professional engineering, consulting and training services to government agencies nationwide. Additionally, TRC is the only team that presented an innovative program (Mobile Data Solutions) in logging, managing and reporting safety observations. This would allow quick access to information, reports and photos,

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Staff Summary

sharing of incidents globally and overall enhancement of safety awareness. Comparatively, Safety Dynamics and EnvironMed, have experience in safety training and inspection but did not possess the same depth of knowledge and experience as TRC. Although TRC proposed the highest cost, their proposal followed the RFP instructions most closely and provided the up-to-date technology and certified staff that best addresses the Authority's safety needs. The recommended award to TRC is considered in B&T's best interest.

TRC submitted a cost proposal in the amount of \$3,881,327.11. The Engineer's estimate is \$3,060,000. Negotiations resulted in B&T and TRC agreeing to a not to exceed amount of \$2,998,896 which is 2% below the estimate and is considered fair and reasonable. TRC is deemed to be a responsible consultant.

D/M/WBE INFORMATION

MTA Department of Diversity and Civil Rights have assigned goals of 15% MBE, 15% WBE and 6% SDVOB. TRC has submitted an MWDBE utilization plan that is currently under review with the MTA Department of Diversity & Civil Rights. This contract will not be awarded without the approval of the MTA Department of Diversity & Civil Rights. TRC has not completed any MTA contracts with MWDBE goals; therefore, no assessment of the firm's MWDBE performance can be determined at this time.

IMPACT ON FUNDING

Funding is available in the Operating Budget under GES-253 in the amount of \$2,998,896.

ALTERNATIVES

There are no recommended alternatives. B&T does not have the resources needed to perform these services.

Staff Summary

Item Number: 4 (Final)					
Dept. & Dept. Head Name: Engineering & Construction Department Joe Keane, P.E. <i>Joe Keane</i>					
Division & Division Head Name: Engineering & Construction Department, Aris Stathopoulos, P.E. <i>Aris Stathopoulos</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	11/1/19			
2	MTA B&T Committee	11/12/19			
3	MTA Board	11/14/19			
Internal Approvals					
Order	Approval	Order	Approval		
1	Vice President & Chief Financial Officer <i>[Signature]</i>	4	President <i>[Signature]</i>		
2	Sr. Vice President & General Counsel <i>[Signature]</i>				
3	Vice President & Chief Procurement Officer <i>[Signature]</i>	<i>BAW FAC B3B</i>			

SUMMARY INFORMATION	
Vendor Name: LiRo Engineers, Inc.	Contract Number: PSC-19-3032
Description: Construction Administration and Inspection Services for Project TN-53, Rehabilitation of the Approach Viaducts at the Throgs Neck Bridge	
Total Amount: \$12,743,763.00	
Contract Term (including Options, if any): Four (4) years, five (5) months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type: <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source: <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a competitively solicited personal service contract for Construction Administration and Inspection Services for Project TN-53, Rehabilitation of the Approach Viaducts at the Throgs Neck Bridge (TNB) to LiRo Engineers, Inc. (LiRo), in the negotiated not-to-exceed amount of \$12,743,763.00 for a duration of Four (4) years, five (5) months.

II. DISCUSSION

B&T requires the services of a consulting engineering firm to provide construction administration and inspection oversight services to assist B&T's Engineering and Construction Department during the construction of Project TN-53. The required services include: pre-construction services; construction administration; independent confirmatory inspections and testing and; post construction and project close-out services. These services are required to support the construction for the rehabilitation of the approach viaducts at the TNB. The construction scope of work includes but is not limited to: (i) replacement or repair of existing deteriorated floorbeams, subfloorbeams, girders and stringers; (ii) repair of deteriorated parapets, sidewalks, and sidewalk supports; (iii) joint repairs and replacements; (iv) concrete repairs at the piers; (v) bearing replacements; (vi) electrical feeder replacement and electrical upgrades throughout the approaches; (vii) replacement of Substation D transformers; and (viii) a new low-pressure fire suppression system at Substation D, Bronx Viaduct.

The service requirements were publicly advertised; eight (8) firms submitted qualification information and based on their qualifications four (4) firms were selected to receive the RFP. All four firms submitted proposals: LiRo (\$13,083,730.56); Henningson, Durham and Richardson Architecture and Engineering, PC (HDR) (\$10,685,595.82);

Staff Summary

AECOM USA, Inc. (AECOM) (\$13,185,274.54); and Louis Berger US, Inc. (LB) (\$15,109,765.02). The proposals were evaluated against established criteria set forth in the RFP, including an understanding of the technical requirements, expertise of proposed personnel and cost.

The Selection Committee recommended that B&T commence negotiations with LiRo, the highest rated firm. LiRo's proposal demonstrated the most thorough understanding of the required work, project risks, critical schedule and coordination required for the Project and more specifically the work being performed over the SUNY Maritime College. LiRo provided detailed alternatives and identified potential interferences between the existing Contract TN-49 under bridge platform and the one to be installed under Contract TN-53. LiRo proposed the strongest project team with prior experience at the TNB, as compared to the other proposers. LiRo proposed the second lowest cost but its level of effort in terms of hours was in line with the estimate. HDR demonstrated a good understanding of the Project but team did not demonstrate the same level of specific project experience as compared to LiRo. HDR's cost and hours were understated as compared to the estimate and deemed not sufficient to complete the requirements of the work. AECOM's proposal did not provide specific detail concerning the scopes of work, project risks and critical schedule issues. LB's proposal did not demonstrate a detailed understanding of the project scope and its proposed cost was the highest. LiRo's proposal is considered in B&T's best interest.

LiRo submitted a cost proposal in the amount of \$13,083,730.56. The Engineer's Estimate is \$14,831,785.92. Negotiations resulted in B&T and LiRo agreeing to an amount totaling \$12,743,763.00, which is 14.1% below the estimate and is considered fair and reasonable. LiRo Engineers, Inc. is considered a responsible consultant.

III. D/M/WBE INFORMATION

The Department of Diversity and Civil Rights (DDCR) has established goals of 15% MBE, 15% WBE and 6% SDVOB for this contract. LiRo has submitted an MWBE/SDVOB utilization plan that meets the combined 36% goal, which is under review by the MTA Department of Diversity and Civil Rights. This contract will not be awarded without the approval of the MTA Department of Diversity & Civil Rights. LiRo has achieved its previous MWBE/SDVOB goals on previous MTA contracts.

IV. IMPACT ON FUNDING

Funding is available in the 2015-2019 Capital Program under Project TN-53 (Task D03688 - \$12,743,763.00).

V. ALTERNATIVES

There are no recommended alternatives. B&T does not possess the resources required to perform these services.