

Item Number:

Vendor Name (Location) Custom Glass Solutions Trumbauersville LLC (Trumbauersville, Pennsylvania)
Description OEM Purchase Agreements for Window Assemblies
Contract Term (including Options, if any) (January 1, 2024–December 31, 2028)
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"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: OEM Sole-Source

Contact Number 44561	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount:	\$10,234,371 (est.) Estimated Quantity
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Department: Maintenance of Equipment, Brad Jenkins	
Contract Manager: James Lorig	

Discussion:

As a result of a multi-agency Joint Procurement, Long Island Rail Road (“LIRR”), as the lead agency on behalf of itself and Metro-North Railroad (“MNR”), collectively (“the “Railroads”), and NYC Transit requests approval to award a five-year contract for window assemblies to Custom Glass Solution Trumbauersville, LLC (“Custom Glass”) in the estimated value of \$10,234,371. Custom Glass is the Original Equipment Manufacturer (“OEM”) of these window assemblies, and these agreements are for LIRR, MNR, and NYC Transit. Custom Glass is the supplier for window assemblies for LIRR’s M-3, M-7, and M-9 railcars; C-3 coach cars, and Diesel-Electric/Dual Mode (DE/DM) locomotives; MNR’s M-3, Shoreliner, M-7 and M-8 railcars and locomotives; and all NYC Transit subway cars.

Custom Glass is the sole responsible source for the components that will be provided under this contract. Other vendors do not have access to the proprietary designs, specifications, and drawings for these systems or materials and therefore cannot readily provide these components. Under this contract, the OEM will, on a forecasted basis, supply parts and other equipment required to support (1) the Agencies’ in-house maintenance programs; and (2) unscheduled maintenance and repairs by the Agencies on their fleet of locomotives, coaches, and electric cars. To maintain a high-car reliability and improved customer service through on-time performance, the Agencies must implement their respective in-house maintenance programs, which require parts being replaced at prescribed intervals. Additionally, parts required to perform unscheduled maintenance and repairs on the cars are needed to ensure safe, reliable, and maintainable operation.

This joint approach utilizes the combined buying power of the three MTA agencies to achieve most favorable uniform pricing and better supply chain management. Additional benefits are process efficiencies that reduce the number and frequency of small purchase activities. The five-year term assures the Agencies that the OEM will continue to maintain its tooling and manufacturing capabilities necessary to produce the parts, which are not available from any other sources. The MTA performed a cost-price analysis on the 101 pre-priced items with comparative data from supporting documentation and historical data of previous purchases from Custom Glass, and these prices will be held firm for the first two-year contract period. Subsequently, a Producer Price Index (“PPI”) adjustment will be applied on each consequent anniversary for each year of the contract thereafter.

In accordance with MTA All-Agency Procurement Guideline requirements, the Agencies advertised their intent to procure the items under these agreements on a sole-source basis in the *New York State Contract Reporter*, *NY Post*, and on the internet. No other firms expressed interest in participating in these procurements.

The chart below provides the listing of estimated amounts anticipated to be expended by LIRR, MNR, and NYC Transit over the five-year purchase agreements term. This information is based on historical data and projected/forecasted usage.

Supplier	LIRR	MNR	NYC Transit	MTA Totals
Custom Glass Solutions Trumbauersville, LLC	\$4,657,772	\$3,814,787	\$1,761,811	\$10,234,371

The MTA reviewed and evaluated the pricing to determine cost reasonableness with comparative data from supporting documentation and historical data of past purchases.

The MTA entered into negotiations and was able to achieve an estimated cost savings of \$660,972, which is 6 percent lower than the proposed pricing of \$10,895,343. Each Railroad's original proposal pricing decreased as follows: LIRR \$4,915,169 to \$4,657,772 (5 percent reduction); MNR from \$4,177,293 to \$3,814,787 (9 percent reduction); and NYC Transit from \$1,802,881 to \$1,761,811 (2 percent reduction). The LIRR was able to obtain two-year fixed base pricing, and annual adjustments in Years 3, 4, and 5 of the contract.

The negotiated prices will be held firm for the first two years of the contract period. Subsequently, a Producer Price Index ("PPI") adjustment will be applied on each consequent anniversary for Years 3, 4, and 5 of the contract. The adjustment in the final three years of the contract shall be calculated annually, using PPIs published by the U.S. Department of Labor, Bureau of Labor Statistics. Based on the above, the pricing is determined to be fair and reasonable.

This contract is subject to review and approval of the Office of the New York State Comptroller ("OSC") and award will not be made prior to OSC approval.

The contract resulting from this procurement has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions approved by Legal.

Custom Glass has certified that pursuant to EO 16, it is not doing business in Russia.

M/W/SVDOB Information

MTA Department of Diversity and Civil Rights assigned zero goals for this procurement.

Impact on Funding

This contract is funded by the MTA-Maintenance of Equipment Department's Operating Budget.

Item Number:

Vendor Name (Location) United Safety & Survivability Corp. (Exton, Pennsylvania)
Description OEM Purchase Agreements for Seating Parts
Contract Term (including Options, if any) January 1, 2024–January 1, 2029
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"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: OEM Sole-Source

Contact Number 0000015965	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount:	\$4,601,071 (est.) Estimated Quantity
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Department: Maintenance of Equipment, Brad Jenkins	
Contract Manager: James Lorig	

Discussion:

As a result of a multi-agency Joint Procurement, Long Island Rail Road (“LIRR”), as the lead agency on behalf of itself and Metro-North Railroad (“MNR”), collectively (“the Railroads”), requests approval to award a five-year contract for engineer seats and related engineer seating component parts to United Safety & Survivability Corporation (“USSC”) in the estimated amount of \$4,601,071. USSC is the Original Equipment Manufacturer (“OEM”) of these seats and seating parts, and these agreements are for LIRR and MNR.

USSC is the OEM supplier for engineer seating parts for LIRR’s M-3, M-7, and M-9 electric railcars; C-3 Coach cars, and Diesel-Electric/Dual Mode (DE/DM) locomotives; and MNR’s M-3, Shoreliner, M-7 and M-8 electric railcars and passenger locomotives.

USSC is the sole source for components provided under this contract. Other vendors do not have access to the proprietary designs, specifications, and drawings for these systems or materials and therefore cannot readily provide them. Under this contract, the OEM will, on a forecasted basis, supply parts and other equipment required to support (1) the Railroads’ in-house maintenance programs; and (2) unscheduled maintenance and repairs by the Railroads on their fleet of locomotives, coaches, and electric cars over a five-year period. To maintain a high-car reliability and improved customer service through on-time performance, the Railroads must implement their respective in-house maintenance programs, which require parts being replaced at prescribed intervals. Additionally, parts required to perform unscheduled maintenance and repairs on the cars are needed to ensure safe, reliable, and maintainable operation.

This joint approach utilizes the combined buying power of the two MTA Railroads to achieve most favorable uniform pricing and better supply chain management. Additional benefits are process efficiencies that reduce the number and frequency of small purchase activities. The five-year term also assures the Railroads that the OEM will continue to maintain its tooling and manufacturing capabilities necessary to produce the parts, which are not available from any other sources.

In accordance with MTA All-Agency Procurement Guideline requirements, the Railroads advertised their intent to procure the items under these agreements on a sole-source basis in the *New York State Contract Reporter*, *NY Post*, and on the internet. No other firms expressed interest in participating in these procurements.

USSC initially submitted a cost proposal totaling \$4,843,294 with fixed pricing for the base two years of the contract, and annual economic price adjustments for Years 3–5 of the contract based on historical trends. The MTA reviewed and evaluated the proposal pricing to determine cost reasonableness.

The MTA entered into negotiations and achieved an estimated cost savings of \$242,000, resulting in a new total amount of \$4,601,071, which reflects a five percent savings. This resulted in an annualized weighted average increase of 5.9 percent per year.

The negotiated prices will be held firm for the first two years of the contract period. Subsequently, a Producer Price Index (“PPI”) adjustment will be applied on each consequent anniversary for Years 3–5 of the contract thereafter. The adjustment in the final three years of the contract shall be calculated annually, using PPIs published by the U.S. Department of Labor, Bureau of Labor Statistics. Based on the above, the pricing is determined to be fair and reasonable.

Upon MTA Board approval, the procurement documents will be presented to the NYS Office of the State Comptroller for approval.

The contract resulting from this procurement has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions. USSC has agreed to all Terms & Conditions and takes no exceptions to Cyber Security Requirements.

USSC has certified that pursuant to EO 16, that it is not doing business in Russia.

M/W/SVDOB Information

MTA Department of Diversity and Civil Rights assigned zero goals for this procurement.

Impact on Funding

Funding for this project is included in the LIRR and MNR Operating Budget.

Alternatives

None are available for the items included in the agreement. Currently, the Railroads do not possess the resources to perform the services associated with this contract. Additionally, both agencies require this work, as these engineer seating parts and seating component parts are vital for safety and maintenance requirements to both Railroads to keep the fleets in service.

Recommendations

It is recommended that the MTA Board approve the award of Contract 0000015965 to USSC in the amount of \$4,601,071 for various engineer seats and related engineer seating component parts.

Item Number: 1

Vendor Name (Location) Luminator Technology Group LLC (Plano, Texas)
Description OEM Purchase Agreements for Lighting Parts
Contract Term (including Options, if any) January 1, 2024–January 1, 2029
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"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: OEM Sole-Source

Contact Number 0000015969	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount:	\$2,208,822 (est.) Estimated Quantity
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Department: Maintenance of Equipment, Brad Jenkins	
Contract Manager: James Lorig	

Discussion:

As a result of a multi-agency Joint Procurement, Long Island Rail Road (“LIRR”), as the lead agency, on behalf of itself and Metro-North Railroad (“MNR”), collectively (“the “Railroads”), requests approval to award a five-year contract for various lighting parts to Luminator Technology Group LLC (“Luminator”) in the estimated value of \$2,208,822. Luminator is the Original Equipment Manufacturer (“OEM”) of these lighting parts, and these agreements are for LIRR and MNR.

Luminator is the OEM supplier for lighting parts for LIRR’s M-3, M-7, and M-9 electric railcars; C-3 Coach cars, and Diesel-Electric/Dual Mode (DE/DM) locomotives, and MNR’s M-3 and M-7 electric railcars.

Luminator is the sole responsible source for components provided under this contract. Other vendors do not have access to the proprietary designs, specifications, and drawings for these systems or materials and therefore cannot readily provide them. Under this contract, the OEM will, on a forecasted basis, supply parts and other equipment required to support the Railroads’ unscheduled maintenance, and repairs by the Railroads on their fleet of locomotives, coaches, and electric cars over a five-year period. To maintain a high-car reliability and improved customer service through on-time performance, the Railroads must implement their respective in-house maintenance programs, which require parts being replaced at prescribed intervals. Additionally, parts required to perform unscheduled maintenance and repairs on the cars are needed to ensure safe, reliable, and maintainable operation.

This joint approach utilizes the combined buying power of the two MTA Railroads to achieve most favorable uniform pricing and better supply chain management. Additional benefits are process efficiencies that reduce the number and frequency of small purchase activities. The five-year term also assures the Railroads that the OEM will continue to maintain its tooling and manufacturing capabilities necessary to produce the parts, which are not available from any other sources.

In accordance with MTA All-Agency Procurement Guideline requirements, the Railroads advertised their intent to procure the items under these agreements on a sole-source basis in the *New York State Contract Reporter*, *NY Post*, and on the internet. No other firms expressed interest in participating in these procurements.

Luminator initially submitted a proposal of \$2,413,502.26, that included fixed contract pricing for Year 1 only, and annual increases for Years 2, 3, 4, and 5. The MTA reviewed and evaluated the pricing to determine cost reasonableness with comparative data from supporting documentation and historical data of past purchases.

The MTA entered into negotiations and was able to achieve an estimated cost savings of \$204,680.26, resulting in a new total amount of \$2,208,822 which reflects an 8.48 percent savings: Each Railroad’s original proposal pricing decreased as follows: LIRR \$2,044,960.39 to \$1,862,655.37 (8.91 percent reduction), and MNR from \$368,541.87 to \$346,166.83 (6 percent reduction). LIRR was able to obtain two-year fixed base pricing, and annual adjustments in Years 3, 4, and 5 of the contract.

LIRR pursued alternate sourcing for four high-usage parts that were originally included in this solicitation. As a result, LIRR and MNR engineering departments approved these alternate sources for the designated items, which enabled the Railroads to remove them from the sole-source agreement and utilize the competitive bidding process in the future.

This contract is subject to review and approval of the Office of the New York State Comptroller (“OSC”) and award will not be made prior to OSC approval.

The contract resulting from this procurement has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions. Luminator has agreed to all Terms & Conditions and takes no exceptions to Cyber Security Requirements.

Luminator has certified that pursuant to EO 16, that it is not doing business in Russia.

M/W/SVDOB Information

MTA Department of Diversity and Civil Rights assigned zero goals for this procurement.

Impact on Funding

Funding for this project is included in the LIRR and MNR Operating Budget.

Alternatives

None are available for the items included in the agreement. Currently, the Railroads do not possess the resources to perform the services associated with this contract. Additionally, both agencies require this work, as these lighting parts are vital for safety and maintenance requirements to both Railroads to keep the fleets in service.

Recommendations

It is recommended that the MTA Board approve the award of Contract 0000015969 to Luminator Technology Group in the amount of \$2,208,822 for Various OEM Lighting Parts.