



November 2024

MTA Board Action Items



MTA Board Meeting

2 Broadway
20th Floor Boardroom
New York, NY 10004
Monday, 11/18/2024
11:00 AM - 1:00 PM ET

1. PUBLIC COMMENT PERIOD
2. MTA 2025 FINAL PROPOSED BUDGET AND NOVEMBER FINANCIAL PLAN 2025-2028 (Materials distributed separately)
3. CENTRAL BUSINESS DISTRICT TOLLING PROGRAM
CBDTP Toll Rate Schedule - Page 3
4. APPROVAL OF MINUTES
MTA REGULAR BOARD MEETING MINUTES-October 2024 - Page 8
5. COMMITTEE ON CAPITAL PROGRAM
 - a. Procurement Report
C & D Procurement - Page 16
6. COMMITTEE ON METRO-NORTH RAILROAD & LONG ISLAND RAILROAD
 - a. LIRR Procurement
Competitive Item - Page 22
7. COMMITTEE ON NYCT & BUS (no items)
8. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS (no items)
9. COMMITTEE ON FINANCE
 - a. MTAHQ Procurement Report
MTAHQ Ratification - Page 29
 - b. Real Estate Items
Real Estate Actions - Page 32

Staff Summary

Subject	Central Business District Tolling Program (CBDTP) Toll Rate Schedule (CBD Charge Schedule)
Department	Law
Department Head Name	Paul L. Friman
Department Head Signature	
Project Manager Name	Allison L. C. de Cerreño

Date	November 18, 2024
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	11/18/24			

Internal Approvals			
Order	Approval	Order	Approval
3	President		
2	Chief Operating Officer		

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

PURPOSE: To obtain the Board’s approval of the annexed Resolution which will (i) endorse and adopt a phase-in feature to the toll rate schedule approved by the Board on March 27, 2024 for use of the central business district (CBD Charge Schedule) under the central business district tolling program (CBDTP) operated by the Triborough Bridge and Tunnel Authority d/b/a MTA Bridges and Tunnels (TBTA); and (ii) authorize the President of TBTA or her designee to take all such steps that may be necessary and desirable to establish, implement and permanently adopt, pursuant to law, the CBD Charge Schedule, including such phase-in feature.

DISCUSSION: The MTA Reform and Traffic Mobility Act requires that TBTA, among other things, establish and operate a CBDTP; establish and charge variable tolls for vehicles entering or remaining in the CBD; and make rules and regulations for the establishment and collection of CBD tolls. On December 6, 2023, the Board authorized the President of TBTA and her designees to take requisite preliminary steps to implement a schedule of toll rates for use in such a program.

On March 27, 2024, the Board approved the CBD Charge Schedule and authorized that the CBDTP shall be implemented by TBTA in or about June 2024, and authorized and directed the President of TBTA or her designee to take such steps as may be necessary or desirable to implement the CBDTP in or about June 2024.

On June 5, 2024, before the filing with the Secretary of State of the CBD Charge Schedule, New York State announced a pause in implementation of the CBDTP.

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

On June 14, 2024, FHWA completed a Reevaluation process under the National Environmental Policy Act (NEPA) confirming that the tolling structure approved by the Board in March 2024 will have effects consistent with those disclosed in the Environmental Assessment for the CBDTP, that no further evaluation is needed for the approved tolling structure, and that the 2023 Finding of No Significant Impact (FONSI) remains valid.

On June 26, 2024, the Board extended the date of implementation of the CBDTP from in or about June 2024 until after such time as the Value Pricing Pilot Program (VPPP) tolling agreement has been executed by the Project Sponsors -- TBTA, New York State Department of Transportation, and New York City Department of Transportation – and FHWA, as required by federal law to implement the CBDTP.

On November 14, 2024, Governor Hochul announced a proposal to proceed with the CBDTP, but with the toll structure and rates that had been adopted by the Board on March 27, 2024 being phased-in gradually over several years, with proportionally lower toll rates for all vehicle classes in the first six years of the program.

Under the phase-in approach, the CBDTP would be implemented in three steps, culminating with the March 2024 adopted toll rates. The interim steps would have toll rates for each vehicle class and time of day, as well as tunnel crossing credit rates, proportionally reduced from the corresponding rates in the March 2024 adopted toll structure. The proportional reductions would result in rates for Phase 1 (2025, 2026, and 2027) equaling 60% of the corresponding rates in the March 2024 adopted toll structure. For Phase 2 (2028, 2029 and 2030), the toll and credit rates would equal 80% of the corresponding March 2024 adopted toll structure rates. The March 2024 adopted toll rates would come into full effect in 2031.

If approved, the phase-in of the CBD Charge Schedule (as set forth in Attachment 1) is planned for implementation as designated therein commencing in or about January 2025.

Also, the Board is asked to delegate to the President of TBTA or her designee authority to take all necessary and desirable steps to implement and permanently adopt a new Part 1021.4 of Title 21 of the New York Codes, Rules and Regulations to reflect the CBD Charge Schedule.

IMPACT ON FUNDING: Adoption of the phase-in feature of the CBD Charge Schedule is in keeping with TBTA's statutory mandate to implement the CBDTP, among other things, so as to generate enough net annual revenue over time to fund \$15 billion for MTA's transit and commuter rail system capital projects, as required by law.

RECOMMENDATION: It is recommended that the Board adopt and approve the attached Resolution implementing the phase-in feature of the CBD Charge Schedule and authorizing the President or her designee to take all steps to establish, implement and permanently adopt the Schedule, pursuant to law.

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

RESOLUTION

WHEREAS, on March 27, 2024, the Board authorized that the central business district tolling program (CBDTP) shall be implemented by Triborough Bridge and Tunnel Authority (TBTA) in or about June 2024, and authorized and directed the President of TBTA or her designee to take such steps as may be necessary or desirable to implement the CBDTP in or about June 2024; and

WHEREAS, on June 5, 2024, New York State announced a pause in the implementation of the CBDTP; and

WHEREAS, on June 14, 2024, FHWA completed a Reevaluation process under the National Environmental Policy Act (NEPA) confirming that the tolling structure approved by the Board in March 2024 will have effects consistent with those disclosed in the Environmental Assessment for the CBDTP, that no further evaluation is needed for the approved tolling structure, and that the 2023 Finding of No Significant Impact (FONSI) remains valid; and

WHEREAS, on June 26, 2024, the Board extended the date of implementation of the CBDTP from in or about June 2024 until after such time as the Value Pricing Pilot Program (VPPP) tolling agreement has been executed by the Project Sponsors -- TBTA, New York State Department of Transportation, and New York City Department of Transportation – and FHWA, as required by federal law to implement the CBDTP; and

WHEREAS, on November 14, 2024, Governor Hochul announced a proposal to proceed with the CBDTP, but with the toll structure and rates adopted by the Board on March 27, 2024 to be gradually phased-in over several years, with proportionally lower toll rates for all vehicle classes in the first six years of the program; and

WHEREAS, the Board has considered all of the above.

NOW, THEREFORE, upon motion duly made and seconded, the following resolution is adopted by the Board:

RESOLVED, that the proposed phase-in feature of the March 2024 approved CBD Charge Schedule for the central business district tolling program of the Authority, as set forth in the attachment to this resolution, shall be and hereby is endorsed and adopted as the new Part 1021.4 of Title 21 of the New York Codes, Rules and Regulations, to be implemented in or about January 2025; and be it further,

RESOLVED, that the President of the Authority or her designee is hereby fully authorized and directed to take such steps as may be necessary or desirable to establish and implement the phase-in feature of the CBD Charge Schedule, annexed hereto, as the new Part 1021.4 of Title 21 of the New York Codes, Rules and Regulations, pursuant to law.

November 18, 2024
New York, New York

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY CENTRAL BUSINESS DISTRICT (CBD) CHARGES

		PHASE 1 2025-2027		PHASE 2 2028-2030		PHASE 3 starting 2031	
a	E-ZPass Customers	CBD ENTRY CHARGE	TUNNEL CROSSING CREDIT	CBD ENTRY CHARGE	TUNNEL CROSSING CREDIT	CBD ENTRY CHARGE	TUNNEL CROSSING CREDIT
VEHICLE CLASSIFICATION							
1	Passenger and other vehicles, including sedans, sport utility vehicles, station wagons, hearses, limousines, pickup trucks with factory beds, pickup trucks with caps below the roofline and not extending over the sides, and vans without an extended roof above the windshield Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period for registered Low-Income Discount Plan participants using an eligible vehicle, 11th trip and trips thereafter in a calendar month (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit (maximum daily credit \$5.00) If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$9.00 \$4.50 \$2.25	 \$3.00 \$1.50	\$12.00 \$6.00 \$3.00	 \$4.00 \$2.00	\$15.00 \$7.50 \$3.75	 \$5.00 \$2.50
2	Single-unit trucks, including non-articulated trucks, pickup trucks with modified beds, vans with modified body behind the drivers cab, pickup trucks with caps above the roofline or extending over the sides, and vans with an extended roof above the windshield Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$14.40 \$3.60	 \$7.20 \$3.60	\$19.20 \$4.80	 \$9.60 \$4.80	\$24.00 \$6.00	 \$12.00 \$6.00
3	Multi-unit trucks, including articulated trucks where a power unit is carrying one or more trailers Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$21.60 \$5.40	 \$12.00 \$6.00	\$28.80 \$7.20	 \$16.00 \$8.00	\$36.00 \$9.00	 \$20.00 \$10.00
4	Buses, including vehicles registered with the DMV and plated as a bus, omnibus, or have other designated official plates Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends) Licensed sightseeing buses Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$14.40 \$3.60 \$21.60 \$5.40	 \$7.20 \$3.60 \$12.00 \$6.00	\$19.20 \$4.80 \$28.80 \$7.20	 \$9.60 \$4.80 \$16.00 \$8.00	\$24.00 \$6.00 \$36.00 \$9.00	 \$12.00 \$6.00 \$20.00 \$10.00
5	Motorcycles Peak period (5am-9pm weekdays, 9am-9pm weekends) Peak period per-trip credit If entering the CBD via the Lincoln Tunnel or Holland Tunnel If entering or exiting the CBD via the Queens-Midtown Tunnel or Hugh L. Carey Tunnel Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$4.50 \$1.05	 \$1.50 \$0.75	\$6.00 \$1.40	 \$2.00 \$1.00	\$7.50 \$1.75	 \$2.50 \$1.25

E-ZPass CBD entry charges are available subject to terms, conditions, and agreements established by the Authority.

The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight, or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the CBD charge for any such vehicle of unusual or unconventional design, weight, or construction. Any single unit vehicle identified as belonging to Classes 1, 2, or 5 will be up-classed to the next toll class when towing a trailer or another vehicle.

Daily toll cap of once per day for Class 1 and Class 5 vehicles. Caps for other vehicles are subject to change pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.

CBD entry charges and tunnel credits are subject to a variable percentage increase/decrease of up to 10% for up to one year after implementation pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.

The Low-Income Discount Plan shall continue for five years as committed to in the Final Environmental Assessment.

The Authority reserves the right to charge a 25% higher CBD charge during Gridlock Alert Days. Each year, the NYCDOT identifies Gridlock Alert Days during the UN General Assembly and throughout the holiday season when heavy traffic is expected in Manhattan. On Gridlock Alert Days, consider walking, biking, or taking mass transit for any trips in Manhattan.

Qualifying authorized emergency vehicles and qualifying vehicles transporting persons with disabilities are exempt pursuant to Vehicle and Traffic Law § 1704-a (2).

Qualifying authorized commuter buses and specialized government vehicles, as determined by the Authority, are exempt.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY CENTRAL BUSINESS DISTRICT (CBD) CHARGES

		PHASE 1 2025-2027		PHASE 2 2028-2030		PHASE 3 starting 2031	
b Customers Using Fare Media Other Than E-ZPass		CBD ENTRY CHARGE	PER TRIP CHARGE PLAN* (TO/FROM/ WITHIN/ THROUGH CBD)	CBD ENTRY CHARGE	PER TRIP CHARGE PLAN* (TO/FROM/ WITHIN/ THROUGH CBD)	CBD ENTRY CHARGE	PER TRIP CHARGE PLAN* (TO/FROM/ WITHIN/ THROUGH CBD)
VEHICLE CLASSIFICATION							
1	Passenger and other vehicles, including sedans, sport utility vehicles, station wagons, hearses, limousines, pickup trucks with factory beds, pickup trucks with caps below the roofline and not extending over the sides, and vans without an extended roof above the windshield Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$13.50 \$3.30		\$18.00 \$4.40		\$22.50 \$5.50	
2	Single-unit trucks, including non-articulated trucks, pickup trucks with modified beds, vans with modified body behind the drivers cab, pickup trucks with caps above the roofline or extending over the sides, and vans with an extended roof above the windshield Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$21.60 \$5.40		\$28.80 \$7.20		\$36.00 \$9.00	
3	Multi-unit trucks, including articulated trucks where a power unit is carrying one or more trailers Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$32.40 \$8.10		\$43.20 \$10.80		\$54.00 \$13.50	
4	Buses, including vehicles registered with the DMV and plated as a bus, omnibus, or have other designated official plates Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends) Licensed sightseeing buses Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends)	\$21.60 \$5.40 \$32.40 \$8.10		\$28.80 \$7.20 \$43.20 \$10.80		\$36.00 \$9.00 \$54.00 \$13.50	
5	Motorcycles Peak period (5am-9pm weekdays, 9am-9pm weekends) Overnight period (9pm-5am weekdays, 9pm-9am weekends) NYC TLC taxis, green cabs, for-hire vehicles (FHV) Taxis, green cabs, and FHV on trips FHV on trips dispatched by high-volume for-hire services (HVFHSs)	\$6.75 \$1.65 \$0.75 \$1.50		\$9.00 \$2.20 \$1.00 \$2.00		\$11.25 \$2.75 \$1.25 \$2.50	

The Authority reserves the right to determine whether any vehicle is of unusual or unconventional design, weight, or construction and therefore not within any of the listed categories. The Authority also reserves the right to determine the CBD charge for any such vehicle of unusual or unconventional design, weight, or construction. Any single unit vehicle identified as belonging to Classes 1, 2, or 5 will be up-classed to the next toll class when towing a trailer or another vehicle.

Daily toll cap of once per day for Class 1 and Class 5 vehicles. Caps for non-passenger vehicles are subject to change pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.

NYC TLC taxi, green cab, and FHV tolls are to be paid by the passenger pursuant to Rules of City of NY Taxi & Limousine Commn (35 RCNY) §§ 58-26 (f), 59A-23 (b), 59D-17 (c).

CBD entry charges and per trip charges are subject to a variable percentage increase/decrease of up to 10% for up to one year after implementation pursuant to the adaptive management approach to mitigating project effects, as committed to in the Final Environmental Assessment.

The Authority reserves the right to charge a 25% higher CBD charge during Gridlock Alert Days. Each year, the NYCDOT identifies Gridlock Alert Days during the UN General Assembly and throughout the holiday season when heavy traffic is expected in Manhattan. On Gridlock Alert Days, consider walking, biking, or taking mass transit for any trips in Manhattan.

Qualifying authorized emergency vehicles and qualifying vehicles transporting persons with disabilities are exempt pursuant to Vehicle and Traffic Law § 1704-a (2).

Qualifying authorized commuter buses and specialized government vehicles, as determined by the Authority, are exempt.

**Subject to full execution of and in compliance with plan agreement by FHV bases and taxi technology system providers.*

**Joint Minutes of the
Metropolitan Transportation Authority,
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, Metro-North Commuter Railroad Company,
MTA Construction and Development Company, the MTA Bus Company and
the First Mutual Transportation Assurance Company
Regular Board Meeting Minutes
October 30, 2024
9:00 a.m.
2 Broadway
New York, NY 10004**

The following Board Members were present (**Attended remotely*):

**Hon. Janno Lieber, Chair & CEO
Hon. Andrew Albert
Hon. Samuel Chu
Hon. Michael Fleischer
Hon. Daniel Garodnick
Hon. Marc Herbst
Hon. David Jones
Hon. Meera Joshi
Hon. Blanca Lopez
Hon. David Mack
Hon. Haeda B. Mihaltses
Hon. Dr. John-Ross Rizzo
Hon. Isabel Midori Valdivia
Hon. Neal Zuckerman**

The following alternate non-voting members were present:

**Hon. Gerard Bringmann
Hon. Randolph Glucksman
Hon. John Samuelsen**

The following Board Members were absent:

**Hon. Lisa Sorin
Hon. Vincent Tessitore, Jr.
Hon. Norman Brown**

Paige Graves, General Counsel, Laura Wiles, Chief of Staff, John McCarthy, Chief External Relations & Policy, Lisette Camilo, Chief Administrative Officer, Kevin Willens, Chief Financial Officer, Carl Hamann, Acting Chief Safety Officer, Demetrius Crichlow, President, NYCT, Frank Annicaro, Sr. Vice President, NYCT DOB /MTA Bus Company, Catherine Rinaldi, President, Metro-North Railroad, Rob Free, President, LIRR, Jamie Torres-Springer, President, MTA C&D, Michael Kemper, Chief Security Officer, Quemuel Arroyo, Chief Accessibility Officer, Shanifah Rieara, Senior Advisor for Communications and Policy/Chief Customer Officer 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 Company, Metro-North Commuter Railroad Company, the MTA Construction and Development 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 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, Metro-North Commuter Railroad Company, the MTA Construction and Development Company, and the First Mutual Transportation Assurance Company.

Chair Lieber called to order the October 2024 Board meeting.

A recorded audio public safety announcement was played.

1. PUBLIC SPEAKERS' SESSION.

The MTA Moderator announced that the following public speakers will speak either live virtually or in-person.

The MTA Moderator reminded public speakers of the rules of conduct and the two-minute speaking limit. The Moderator reminded speakers of the warning beep when 30 seconds remain to conclude their remarks. The Moderator advised that the public comments will be recorded, published to the MTA website, and available for MTA Board Members' review.

The following public speakers commented (*live virtual comments):

Christopher Greif, private citizen
Rachael Fauss, Senior Policy Advisor, Reinvent Albany
Kate Slevin, Regional Plan Association
Jason Anthony, LIRR ADA Task Force
Anna Humphrey, Center for Independence of the Disabled, NY

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Jennifer Van Dyck, Elevator Action Group
Jason Rabinowitz, private citizen*
Miriam Fisher, private citizen*
Meilani Montgomery, Community Resident of Lakeview*
Andy Pollack, Passengers United*
Mr. X, private citizen
Gian Pedulla, private citizen
Jesse Figueroa, private citizen
Jenean Frans, private citizen
Jeremiah Gonzalez, private citizen
Evan Yanky, BCID
Lisa Daglian, Executive Director, PCAC
Joe Rappaport, Brooklyn Center for Independence of the Disabled (BCID)
Nicholas Vargas, BCID
Jean Ryan, BCID
Iris Kelly, Disabled in Action
Anthony Phillips, Advocate for the disabled

Refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the list of other speakers and the content of speakers' statements.

Chair Lieber thanked the public speakers. Regarding the public comments on the Congestion Pricing pause, Chair Lieber commented that design of the projects in the Accessibility portion of the Capital Program continues to be advanced so those projects may proceed as soon as the pause is lifted. MTA is continuing to move forward every way we can so that when that issue is resolved we can resume moving at pace.

General Counsel Paige Graves confirmed a quorum of the Board Members in attendance.

2. EXECUTIVE SESSION.

Upon motion duly made and seconded, the Board voted to convene an Executive Session, in accordance with the Public Officers Law, Section 105(1)(e), to discuss a labor matter.

3. PUBLIC SESSION RESUMES.

Upon motion duly made and seconded, the Board voted to reconvene in public session. Chair Lieber announced that in Executive Session the Board discussed and approved a collective bargaining agreement between LIRR and IRSA (the Independent Railway Supervisors Association), MNR and ACRE-1 (the Association of Commuter Rail Employees Division 1 – Conductors) and MNR and ACRE-9 (the Association of Commuter Rail Employees Division 9 – Train Engineers).

4. CHAIR LIEBER'S REMARKS.

Chair Lieber thanked various public speakers, including long-time colleagues and those who support the accessibility agenda. The Chair stated it has been a busy October citing the Mets great run and the New York Liberty champions. The Chair gave special thanks to the NYPD and MTA employees for their work supporting events like Liberty games and the games at Citi Field and Yankee stadium.

Chair Lieber announced the MTA leadership updates. First, Demetrius Crichlow is now the full-time president of New York City Transit. Chair Lieber praised Demetrius for his work improving subway service, station agent visibility, and employee safety. Second, the chair recognized Tim Mulligan for his leadership on the Capital Program during the pandemic and his innovative work on bundling projects to improve efficiency and save costs. Tim Mulligan is taking on a newly created role as Chief of the MTA's Rolling Stock Program. Third, Mersida Ibric is credited with improving the efficiency of the People Department, cutting hiring times and filling critical positions, and is now the full-time Chief People Officer. The Chair recognized accomplishments already realized under Ms. Ibric's leadership and emphasized the importance of hiring local talent, particularly from New York schools and universities, with a focus on internships and long-term opportunities within the MTA.

Chair Lieber described that the three new leadership hires aligned with the MTA's focus on becoming more efficient, even with increased service, with savings of \$400 million in operating costs. The goal is to push this savings to \$500 million next year without reducing service or laying off workers. Chair Lieber stressed the need for continued investment in infrastructure to maintain the system's "State of Good Repair" and prevent future financial strain, and he also called on Albany to approve funding for the capital budget to avoid excessive borrowing.

In addition to investments in infrastructure, the Chair acknowledged we must also invest in people. There is a new "I Move NY" campaign to raise awareness of and show appreciation for transit workers, who are vital members of the community. Chair Lieber cited Ridership Milestones: The MTA has seen a major increase in ridership, hitting milestones like 4 million riders on Fridays and being on track to hit 1 billion riders in 2024 — a huge recovery from the pandemic lows. Further, Paratransit services have seen significant growth, surpassing pre-COVID levels, which is a notable achievement for the MTA. Chair Lieber stated that New Yorkers are not giving up on transit; indeed, they're doubling down. He stated that one of the most rewarding moments since the release of the Capital Plan has been the positive public response. Chair Lieber noted that the MTA has major power players in the decision-making that will go on in Albany, noting that Congressman Nadler, State Senator Krueger, and Assembly Member Bores co-hosted the Capital Plan event at Grand Central Terminal.

Chair Lieber mentioned that while the Capital Plan focuses on State of Good Repair, there is room for targeted expansion. The largest and most important of the expansion projects is the IBX, the Interborough Express, which has been championed by Governor Hochul, noting that just yesterday MTA issued a Request for Proposals for preliminary design and environmental assessment. The Chair explained that the design must be done now in order to commence the federal environmental review process under the National Environmental Policy Act (NEPA).

The Chair explained that the IBX project will connect communities along a 14-mile stretch and provide 17 subway line connections at 19 different stations. The Chair noted that the IBX project will change the optionality of the five million people living in Brooklyn and Queens. Chair Lieber noted that, generally speaking, the MTA is in a great place heading into the legislative session.

Chair Lieber summarized that the MTA has been delivering better and more service and suggested the MTA can do more to deliver more for the New Yorkers we serve every day, citing more connectivity, more opportunity and more affordability. He noted that Transit is the one thing that makes New York affordable.

Finally, Chair Lieber recognized Sandra Bloodworth, the retiring Chief of MTA Arts and Design, who is credited with bringing great art, poetry, and music programs to the MTA system. The Chair wished Sandra a fond farewell as she retired last month after an incredible 30-plus year career.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for the details of Chair Lieber's remarks.

5. CUSTOMER SERVICE UPDATE.

Shanifah Riera, Chief Customer Officer, Gene Ribeiro, Senior Director, Marketing Production, Chris Papatreou, Senior Director of Customer Services and Kevin Call, Senior Director, Service Communication, provided an update on the Customer Service initiatives, milestones and priorities.

Chair Lieber thanked them for their presentation.

The details of the presentation and Board members' comments and discussion with respect thereto are included in the videotape of the meeting produced by the MTA and maintained in MTA records.

6. CAPITAL PROGRAM AMENDMENTS.

Chair Lieber stated that it is standard practice to make routine Capital Plan amendments and called on Steven Loher, Deputy Chief Development Officer, Construction and Development, to describe the amendments before the Board today.

Steven Loher presented the plan amendments and summarized the actions necessary by the Board.

Upon motion duly made and seconded, Chair Lieber invited Board discussion.

Following Board discussion, and upon motion duly made and seconded, the Board approved the (1) 2010-2014 Capital Plan Amendment #7, (2) the 2015-2019 Capital Plan Amendment #5 and,

(3) the proposed letter amendment to the 2020-2024 Capital Plan, as well as authorized MTA staff to submit these proposals to the Capital Program Review Board.

The details of the presentation and Board members' comments and discussion with respect thereto are included in the videotape of the meeting produced by the MTA and maintained in MTA records, and the documents are available on MTA.info.

7. APPROVAL OF MINUTES.

Upon motion duly made and seconded, the Board approved the Joint Minutes of the MTA and MTA Agencies Regular Board meeting held on September 25, 2024.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for the details.

8. TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY COMMITTEE.

Commissioner Mack stated that there are no items to report for Board approval for the Bridges and Tunnels Committee.

9. LONG ISLAND RAIL ROAD/METRO-NORTH RAILROAD COMMITTEE.

A. Metro-North Procurement Items.

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

1. To award a noncompetitive contract for a proposed estimated expenditure of \$3.8M for Positive Train Control Data Radios.

Refer to the staff summary and documentation filed with the records of this meeting for the details on these items.

10. NEW YORK CITY TRANSIT AND BUS COMMITTEE.

Board Member Mihaltses reported that there are four actions for a proposed \$20.9 million dollars.

Upon a motion duly made and seconded, the Board approved the award of four ratifications of Completed Procurement Actions for contracts for the procurement of all technology and related services necessary for continuity of Paratransit service; Ratification of an Immediate Operating Need:

1. Corporate Transportation Group, LTD. \$3,389,014;
2. OAS, Inc. \$4,878,364;
3. WAYE, LLC. \$11,419,136; and

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4. Unified Dispatch LLC. \$1,178,505.

Refer to the staff summaries and NYCT Committee minutes filed with the records of the meeting for the details on these items.

11. AUDIT COMMITTEE

Board Member David Jones reported that there are two action items to report for Board approval for the Audit Committee.

A. Action Items

Upon a motion duly made and seconded, the Board approved the appointment of :

1. MTA external auditors; and
2. The MTA 2nd Quarter MTA Consolidated Financial Statements.

Refer to the staff summaries and Audit Committee minutes filed with the records of the meeting for the details on these items.

12. CAPITAL PROGRAM COMMITTEE.

Board Member Meera Joshi reported C&D had five actions for a total of \$150.7 million dollars. Included in the package are 3 contract modifications, a competitive RFP, and one ratification of a completed procurement

Board Member Marc Herbst recused himself with regard to Procurement Action Item No. 4.

Upon a motion duly made and seconded, the Board unanimously approved the Capital Program items.

Refer to the staff summaries and Capital Program Committee minutes filed with the records of this meeting for the details on these items.

13. MTA COMMITTEE ON FINANCE.

Board Member Zuckerman reported there were no action items and no real estate items for the Finance Committee. Board Member Zuckerman stated that there was one modification item.

A. Procurement Item

Upon a motion duly made and seconded, the Board approved the procurement items listed below. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

1. SSDC Services Corporation Contract #15432 Modification to the contract for Disability and Medicare Coordination Services in order to fund the contract for the remainder of 2024, and exercise Option 2 to cover these services through the end of 2025.

14. ADJOURNMENT.

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:26 a.m.

Respectfully submitted,

Paige Graves
General Counsel and
Corporate Secretary
MTA

Susan Sarch
Vice President,
General Counsel and Corporate Secretary
Metro-North Railroad

David Farber
General Counsel and
Corporate Secretary
NYCT and MTA Bus

Haley Stein
Vice President,
General Counsel and Corporate Secretary
Long Island Railroad Company

Paul L. Friman
General Counsel
and Corporate Secretary
TBTA

Evan Eisland
General Counsel and Corporate Secretary
MTA C&D

Contracts Department

Evan Eisland, Executive Vice President and General Counsel

PROCUREMENT PACKAGE NOVEMBER 2024

PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed expenditure of \$2.3 M.

Staff Summary

Subject Request Authorization for Several Procurement Actions					
Contracts Department Evan Eisland, Executive Vice President and General Counsel					
Board Action					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	11/18/24	X		
2	Board	11/20/24	X		

Date: November 14, 2024			
Internal Approvals			
	Approval		Approval
X	Deputy Chief Development Officer, Delivery	X	President
X	Deputy Chief Development Officer, Development	X	Executive Vice President & General Counsel

Purpose

To obtain the approval of the Board to award several procurement actions and to inform the Capital Program Committee of these procurement actions.

Discussion

MTA Construction & Development proposes to award a Competitive Procurement in the following category:

Schedules Requiring Majority Vote

I. Modifications to Purchase and Public Work Contracts

	<u># of Actions</u>	<u>\$</u>	<u>Amount</u>
	1	\$	2,300,000
SUBTOTAL	1	\$	2,300,000
TOTAL	1	\$	2,300,000

Budget Impact

The approval of this procurement action will obligate capital funds in the amount listed. Funds are available in the capital program budget for this purpose.

Recommendation

That the procurement action be approved as proposed. (The item is included in the resolution of approval at the beginning of the Procurement Section.)

MTA Construction & Development

BOARD RESOLUTION

WHEREAS, in accordance with Sections 559, 2879, 1209 and 1265-a of the Public Authorities Law and the All Agency General Contract Procurement Guidelines, the Board authorizes the award of certain non-competitive purchase and public works 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 Service Contract Procurement Guidelines and the All Agency General Contract Procurement Guidelines, the Board authorizes the award of certain non-competitive miscellaneous service and miscellaneous procurement contracts, certain change orders to purchase, public work, and miscellaneous service and miscellaneous procurement contracts;

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 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; 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 2024

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

Schedule I. Modifications to Purchase and Public Work Contracts

(Staff Summaries required for individual change orders greater than \$1M. Approval required for change orders greater than 10% of the original contract amount or duration.)

- | | | | |
|----|---|--------------------|--------------------------------------|
| 1. | Boyce Technologies, Inc.
Contract A37628 | \$2,300,000 | <u>Staff Summary Attached</u> |
|----|---|--------------------|--------------------------------------|

MTA Construction and Development requests the Board's approval of a modification to add a new Emergency Elevator 2-Way Communication System into New York City Transit's existing Emergency Booth Communications System.

Staff Summary

Schedule I: Modifications to Purchase and Public Work Contracts

Item Number: 1

Vendor Name (& Location) Boyce Technologies Inc. (Long Island City, NY)	
Description Enhanced Emergency Booth Communications System	
Contract Term (including Options, if any) 4/24/2018 – 10/01/2021	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
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 type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Delivery, Eric Jones, Senior Vice President (in delegation), Systems Business Unit	

Contract Number	AWO/Modification #
A37628	15
Original Amount:	\$ 49,338,169
Prior Modifications:	\$ 1,066,226
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 51,805,077
This Request:	\$ 2,300,000
% of This Request to Current Amount:	4.4%
% of Modifications (including This Request) to Original Amount:	6.8%

DISCUSSION:

Contract A-37628 (the “Contract”) will provide New York City Transit (“NYCT”) with an upgraded Emergency Booth Communications System (“EBCS”) that utilizes the latest technology to improve emergency communication and mass notification between NYCT’s Operations Control Center (“OCC”) and its station agents. MTA Construction and Development (“C&D”) requests the Board’s approval of a modification to add a new Emergency Elevator 2-Way Communication System (“EE2CS”) into the EBCS for a total added cost of \$2,300,000. This modification will also provide for an extension to the Contract’s Substantial Completion date of approximately forty-eight months to the end of August 2025.

Section 3001 of the Building Code of New York now requires that text notification for emergency communications be available to hearing- and speech-impaired individuals. New elevators, installed since the enactment of this requirement, use a proprietary interface that is separate from the main EBCS emergency call system. The main EBCS call system is the system that existing elevators, without text messaging capability, use to communicate. This modification will enhance the capabilities of the EBCS by enabling the integration of new Code-compliant non-proprietary (off-the-shelf) EE2CS elevator intercoms with text messaging capabilities. This work will bring all Subway Stations’ emergency communications onto a single interface, expand and improve incident management and reporting capabilities, and streamline MTA OCC staff operations. In addition, the use of non-proprietary equipment will enable the installation of elevator communications equipment from a variety of manufacturers, maximizing market competition for these components.

The Contractor submitted a proposal of \$2,711,457 for this modification. Negotiations yielded a final lump sum amount of \$2,300,000 for all costs associated with the work as well as an agreed extension of time of approximately nine months, which is considered fair and reasonable.

In addition to the time extension associated with this additional work, this modification also includes a preceding non-compensable time extension of approximately thirty-nine months to Substantial Completion from October 1, 2021 to December 2024. This extension was required due to (i) necessary cybersecurity upgrades performed by MTA which delayed access to the Contractor to NYCT’s communication network and (ii) delays caused by a necessary rephasing of the rollout of the new EBCS due to issues with the old EBCS system and the capacity of in-house resources to support the testing, repairs, and firmware upgrades associated with the cutover and integration processes. In total, this modification will extend the Substantial Completion date from October 1, 2021 to the end of August 2025.



Long Island Rail Road Procurements

Jacqueline Waddell, Acting Assistant Deputy Chief Procurement Officer – LIRR Procurement

PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed estimated expenditure of \$1.3M.

Subject	Request for Authorization to Award Various Procurements
Department	LIRR Procurement
Department Head Name	Jacqueline Waddell
Department Head Signature	
Project Manager Name	Rose Davis

November 14, 2024
Department
Department Head Name
Department Head Signature

Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	11/18/2024			
2	Board	11/20/2024			

Internal Approvals			
	Approval		Approval
1	VP, General Counsel & Secretary	4	SVP Operations
2	VP & CFO	5	Executive VP
3	SVP Engineering	6	President

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 Long Island Rail Road Committee of these procurement actions.

DISCUSSION
LIRR proposes to award Noncompetitive procurements in the following categories: None

LIRR proposes to award Competitive procurements in the following categories:

Procurements Requiring Two-Thirds Vote:	# of Actions	\$ Amount
Schedule C: Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	1	\$ 1.3 M
SUBTOTAL	1	\$ 1.3 M

LIRR proposes to award Ratifications in the following categories: None

TOTAL	1	\$ 1.3 M
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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 regarding 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

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 2024

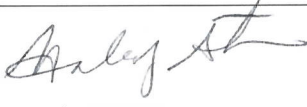
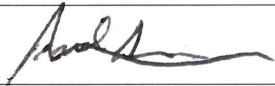
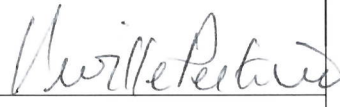

LIST OF COMPETITIVE ITEMS FOR BOARD APPROVAL

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. **Loduca Associates, Inc.** **\$1,298,000** ***Staff Summary Attached***
300 Calendar Days
Contract # 217815
Award of a contract for the partial demolition of a LIRR Building (Alphapointe).

Staff Summary

Item Number: 1	
Department: Procurement & Logistics, Jacqueline Waddell	
Internal Approvals	
Order	Approval
1	LIRR General Counsel & Secretary 
2	VP – Maintenance of Way 
3	VP – Capital Program Delivery & Oversight 
4	President 

SUMMARY INFORMATION	
Vendor Name Loduca Associates, Inc.	Contract No. 217815
Description Partial Demolition of LIRR Building (Alphapointe)	
Total Amount: \$1,298,000	
Contract Term (including Options, if any) 300 Calendar Days	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
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 checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose

Long Island Rail Road (“LIRR”) seeks MTA Board approval to award a public works contract to Loduca Associates, Inc. (“Loduca”) for the Partial Building Demolition of the LIRR section of the building located at 87-46 123rd Street, Richmond Hill, New York, in the estimated amount of \$1,298,000. The contract was competitively solicited through a Request for Proposals (“RFPs”) process and is for a duration of 300 calendar days. LIRR owns the section of the building where the demolition will take place, with Alphapointe Inc. (“Alphapointe”) owning the remaining section. LIRR no longer has use for the section of the building scheduled for demolition. Alphapointe is a not-for-profit organization that has continued to serve people who are blind or have low vision since 1911. The exterior wall of the LIRR-owned property was inspected and found to be deteriorating with the potential for falling debris. Loduca will perform demolition of the LIRR-owned section of the existing occupied building known as the Alphapointe Building.

Discussion

Under this contract, Loduca will perform the construction work necessary while minimizing any disruptions to the remaining sections of the building, as there is a shared wall between LIRR and Alphapointe. Loduca will supply all labor, parts, material, equipment, supervision to perform the work, which includes survey, mobilization, demolition, removal, and clean-up of debris, and restoration of the shared wall of the adjacent space. Loduca will remove the exterior walls of the LIRR portion of the building and convert the existing interior wall to an exterior wall. The Alphapointe portion of the building is to remain intact and unharmed.

The RFP was publicly advertised in the *New York State Contract Reporter* and *New York Daily News* and posted on the MTA website. Based on the recommendation of the project team, the RFP was also sent directly to four firms known to perform this type of work in the industry.

A mandatory site tour was held and attended by eight prospective proposers. At the request of other prospective proposers, a second site tour was held to provide additional firms the opportunity to view the site.

Proposals were received from two vendors: Loduca and Gramercy Group Inc. (“Gramercy”).

The LIRR Selection Committee (“SC”), comprised of representatives from LIRR Facilities Engineering, Railroad Program Support, and Structures departments evaluated the technical proposals submitted by Loduca and Gramercy using the preestablished selection criteria as set forth in the RFP, which included: the contractor’s qualifications, technical approach, and experience in meeting the requirements. The SC made the decision to move forward with both firms by inviting them to Oral Presentations. After evaluating both proposals and finding both proposers to be technically qualified to perform the work, the SC opened the price proposals. Loduca’s initial proposal was \$1,391,440; Gramercy’s initial proposal was \$2,489,000.

11-04-24

Staff Summary

Both firms were invited to discuss their cost proposal and to negotiate items within their proposal. During the extensive price discussions, LIRR sought cost reductions for certain portions of the proposal that the negotiation team found to be too high.

Best and Final Offers (“BAFOs”) were requested and received. Loduca submitted its BAFO at \$1,298,000, Gramercy submitted its BAFO at \$2,856,000. Loduca’s offer represents a cost avoidance of approximately 7 percent (\$93,440) from its initial offer of \$1,391,440. While both firms are technically qualified, based on the review of the technical and cost proposals and Loduca’s thorough understanding of all components of the scope of work in its technical approach, the SC determined that Loduca’s proposal provides the best value to the MTA, unanimously recommending them for award. Loduca has been awarded various MTA construction contracts and its performance has been satisfactory.

The contract resulting from this procurement has been evaluated to determine the necessity and appropriate scope of cybersecurity requirements, including any requirements under federal, state and local law and regulations. Applicable cybersecurity requirements have been included in the contract terms and conditions.

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

D/M/WBE Information

The MTA Department of Diversity and Civil Rights (“DDCR”) has established a 15 percent MBE, 15percent WBE, and 6 percent SDVOB goals for this contract. Loduca is committed to meet the required goal requirements and their utilization plan is under review. DDCR has also confirmed that Loduca has achieved its MWDBE/SDVOB goals on recently completed MTA contracts.

Impact on Funding

Funding for this project is included in the LIRR’s Operating Budget.

Alternatives

None recommended. LIRR lacks available in-house technical personnel to perform the scope of work associated with this contract.

Recommendations

It is recommended that the MTA Board approve the award of Contract No. 217815 to Loduca in the amount of \$1,298,000 for the Partial Demolition of LIRR Building (Alphapointe).

NOVEMBER 2024

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.)

- | | | |
|--|-----------|-------------------------------|
| 1. Runwise Inc
Three years
Contract # 0000015948 AWO 3 | \$908,500 | <i>Staff Summary Attached</i> |
|--|-----------|-------------------------------|

Ratification of the contract for a boiler management software tool, in order to add 38 additional NYC Transit locations, enabling the MTA to remotely monitor and control boiler temperature.

Schedule K: Ratification of Completed Procurement Actions

Item Number: 1

Vendor Name (Location) Runwise Inc (New York, New York)	Contract Number Master Contract 0000015948	AWO/Modification # 3
Description Boiler Management Software Tool	Original Amount:	\$ 350,000
Contract Term (including Options, if any) October 18, 2023–October 17, 2026	Prior Modifications:	\$ 368,000
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	Prior Budgetary Increases:	\$ 0
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive	Current Amount:	\$ 718,000
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole-Source	This Request:	\$ 908,500
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:	126%
Requesting Department: Strategic Initiatives, Jake Luce	% of Modifications (including This Request) to Original Amount:	365%

Discussion:

MTA Headquarters, on behalf of NYC Transit, requests that the Board formally ratify the modification of a noncompetitive estimated quantities miscellaneous service contract to Runwise Inc. (“Runwise”) in the amount of \$908,500, which will increase the overall contract value from \$718,000 to \$1,626,500 in order to add 38 additional NYC Transit locations to enable the MTA to remotely monitor and control boiler temperature based on indoor temperatures, outdoor conditions, and weather forecasts, resulting in reduced fuel consumption. This Runwise system also provides local thermostatic control. To date, 11 locations have been implemented under this contract. The urgency to implement the 38 new locations is to maximize fuel savings by onboarding them at the onset of the 2024–2025 heating season.

In 2022, MTA representatives attended a Transit Tech Lab Forum, which was an opportunity for vendors to present their technological innovations across various disciplines to improve the future. During the forum, Runwise presented its proprietary software tool for Boiler Management Systems. Runwise is the only firm that offers the remote temperature adjustment functionality. An outreach was conducted, and other vendors offer a similar boiler monitoring functionality but not the remote temperature adjustment functionality provided by Runwise. Remote access and adjustments are critical because it allows for the HVAC Structure employees to control the boiler temperature when needed from anywhere, at any time, saving the time and expense of traveling to the location and having to manually adjust the boiler temperature. Additionally, a sole-source advertisement was published on the MTA website, to which no response was received.

The MTA signed a three-year pilot program agreement in October 2023 for \$350,000 to implement the Runwise system in seven MTA locations throughout Long Island (LIRR), Westchester (MNR), and New York City (NYC Transit), with the intent of expanding the pilot to additional locations after assessing the fuel savings. Pricing is comprised of two parts: (1) a one-time installation fee for the equipment; and (2) an annual maintenance cost. The cost for each location varies based on the square footage and the number of boilers at each location. The cost includes installation of the controller equipment and sensors for each building, including 24/7 support and monitoring, unlimited users with access to the online platform, boiler room alarms/alerts, and a dedicated customer service manager.

After the initial implementation, four additional bus depots were added through change orders: under Change Order 1 (November 2023), two depots were added at a cost of \$171,000, and under Change Order 2 (December 2023), two more depots were added at a cost of \$197,000, bringing the total contract value from \$350,000 to \$718,000.

The pilot program resulted in a reduction in fuel consumption across the MTA locations where this software was implemented. Reducing the natural gas and/or heating oil used at the selected MTA buildings will reduce the MTA’s carbon footprint, which will help New York City meet its emission targets in 2025/2030 and beyond.

MTA collected data on fuel savings for seven locations for two to three months of the heating season, which led to a realized fuel savings of \$139,000 over the previous year, which if extrapolated over the heating season, would be \$411,000. Subtracting the Runwise cost of \$169,000 for these seven locations from \$411,000 will result in a net savings of \$242,000 or 43 percent over the heating season.

In September 2024, MTA Strategic Initiatives approached MTAHQ Procurement to add 38 new NYC Transit locations to the Runwise contract. As a result of negotiations that centered on the recurring annual monitoring fee, the cost of \$1,018,000 proposed by Runwise was reduced to \$908,500, a total savings of \$109,500 or 11 percent. The addition of this \$908,500 increases the contract total from \$718,000 to \$1,626,500.

For the 38 added locations, savings over the heating season is conservatively estimated at 25 percent, which would equate to a net savings of \$903,000 in Year 1, and \$1,079,000 in Year 2 and beyond after subtracting the Runwise cost. Based on the above, the negotiated costs are considered fair and reasonable.

In June 2025, the Runwise Program will be reevaluated, and a decision will be made to either continue with Runwise or conduct a competitive procurement if additional firms provide this technology.

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

The contract awarded to Runwise resulting from this procurement was evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Runwise has certified compliance with the MTA's cybersecurity requirements.

M/WBE/SDVOB Information

The MTA Department of Diversity and Civil Rights has established zero percent MWBE/SDVOB goals on this contract, as Runwise is the only vendor capable of providing this service.

NOVEMBER 2024
MTA REAL ESTATE
FINANCE COMMITTEE AGENDA ITEMS

1. TRANSACTIONAL ACTION ITEMS

MTA Long Island Rail Road

- a. License agreement with the Town of Oyster Bay for use of two parking lots in connection with the Hicksville Downtown Revitalization Initiative at Hicksville Station
- b. Grant of permanent easement agreement to Brookhaven Logistics Center, LLC for a sewer connection in Yaphank, NY
- c. License of land with Ellen Kirwin and Matt Kirwin for a residential use in Southampton, NY
- d. License of land with Hawkins Ave Development RHP2 LLC for a recreational use in Ronkonkoma, NY

2. INFORMATION ITEMS

- a. Fifth modification to the Option Agreement between B&T and the City of New York for property interests to facilitate improvements to the Robert F. Kennedy Bridge and its approaches on Randall’s Island, NY
- b. Acquisition of temporary and permanent easements from the City of New York in support of Second Avenue Subway – Phase 2

<u>Legal Name</u>	<u>Popular Name</u>	<u>Abbreviation</u>
<u>New York City Transit Authority</u>	<u>MTA New York City Transit</u>	<u>NYC Transit</u>
<u>The Long Island Rail Road Company</u>	<u>MTA Long Island Rail Road</u>	<u>LIRR</u>
<u>Metro-North Commuter Railroad Company</u>	<u>MTA Metro-North Railroad</u>	<u>MNR</u>
<u>Triborough Bridge and Tunnel Authority</u>	<u>MTA Bridges and Tunnels</u>	<u>MTA B&T</u>
<u>MTA Construction and Development Company</u>	<u>MTA Construction and Development</u>	<u>MTA C&D</u>
<u>MTA Bus Company</u>	<u>MTA Bus Company</u>	<u>MTA Bus</u>
<u>MTA Grand Central Madison Operating Company</u>	<u>Grand Central Madison</u>	<u>GCMC</u>

Staten Island Rapid Transit Operating Authority is a subsidiary of the Metropolitan Transportation Authority. Its popular name is MTA Staten Island Railway (abbreviated as SIR).

Manhattan and Bronx Surface Transit Operating Authority is a subsidiary of the New York City Transit Authority (abbreviated as MaBSTOA).

MTA LONG ISLAND RAIL ROAD

Staff Summary

Subject LICENSE AGREEMENT WITH THE TOWN OF OYSTER BAY FOR USE OF TWO PARKING LOTS IN CONNECTION WITH THE HICKSVILLE DOWNTOWN REVITALIZATION INITIATIVE AT HICKSVILLE STATION
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name SELINA STORZ

Date NOVEMBER 20, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/18/24	X		
2	Board	11/20/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA Long Island Rail Road (“LIRR”)

LICENSEE: Town of Oyster Bay (“Town”)

LOCATION: LIRR’s Hicksville Station (“Station”), Town of Oyster Bay, Nassau County, New York

PREMISES: Southern half of parking lot No. 008-9, approximately 69,533 square feet and all of parking lot No. 008-15, approximately 30,899 square feet

USE: Construction and maintenance of a new pedestrian passageway and public open space along with a new festival plaza which will support seasonal activities and pop-up ventures

ACTION REQUESTED: Approval to enter into a license agreement with the Town

TERM: One (1) year, with automatic annual renewals

COMPENSATION: None

COMMENTS:

In an effort to improve, enhance, and revitalize the area surrounding the Station, the Town was awarded a grant for \$8.7 million by the New York Department of State, under the NYS Downtown Revitalization Initiative to fund the design and construction of the Town’s Hicksville Downtown Revitalization Initiative (“Hicksville DRI”). In connection with the Hicksville DRI, the Town has requested to utilize the Premises, which LIRR currently leases to the Town for commuter parking pursuant to a Lease Agreement dated February 11, 1965.

The Town has proposed to use the Premises to construct a new pedestrian passageway and public open space to establish a safer and more engaging walkway from the Station to Broadway and the Hicksville business district. The Town will install trees, seating, and a temporary pavilion which will enhance the public space and connect it to the adjacent Kennedy Park. This new festival plaza will also support seasonal activities and pop-up ventures that can be utilized by both residents and commuters. While the Hicksville DRI will not include the replacement of the parking to be displaced, the Town and LIRR intend to continue working together to evaluate future parking and station access needs at the Station pursuant to March 28, 2022 Memorandum of Understanding between the parties.

FINANCE COMMITTEE MEETING

LICENSE AGREEMENT WITH THE TOWN OF OYSTER BAY FOR USE OF TWO PARKING LOTS IN CONNECTION WITH THE HICKSVILLE DOWNTOWN REVITALIZATION INITIATIVE AT HICKSVILLE STATION (Cont'd.)

Page 2 of 2

MTA Legal will draft appropriate documents in support of the transaction and the Town will provide the required insurance coverage and indemnification and comply with LIRR's operating requirements.

MTA Real Estate is authorized to forego a public offering and enter into an agreement directly with the Town, pursuant to the MTA Real Estate Department's Policy and Procedures for the Licensing of Real Property under Circumstance 4, which provides for entering into license agreements with municipalities for municipal purposes.

Based on the foregoing, MTA Real Estate hereby requests authorization to enter into a license agreement on behalf of LIRR with the Town under the above-described terms and conditions.

Staff Summary

Subject GRANT OF A PERMANENT EASEMENT AGREEMENT TO BROOKHAVEN LOGISTICS CENTER, LLC FOR A SEWER CONNECTION IN YAPHANK, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name XAVIER CARRERA

Date NOVEMBER 20, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/18/24	X		
2	Board	11/20/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA Long Island Rail Road (“LIRR”)
GRANTEE: Brookhaven Logistics Center, LLC (“Brookhaven”)
LOCATION: 205 Sills Road, Yaphank, NY
PREMISES: Approximately 1,360 square feet
USE: Installation of a sanitary sewer force main from the north side, under the tracks, to the south side of the tracks, to the public sewer facility
ACTION REQUESTED: Authorization to grant a subsurface permanent easement to Brookhaven
TERM: Perpetual
COMPENSATION: \$11,000 plus reimbursement for MTA’s appraisal and legal fees

COMMENTS:

Brookhaven plans to develop a commercial property on the north side of the LIRR’s right-of-way, approximately 0.9 miles west of the Yaphank Station. In support of the development, Brookhaven requires a subsurface easement for the installation and operation of a sewer force main crossing LIRR property. The sewer connection will run from the north side of the LIRR right-of-way, underneath the tracks to the south side of the LIRR right-of-way and connect to the Suffolk County Sewer Authority public sewer facility. LIRR Engineering has reviewed the proposed development and sewer connection and has taken no exception.

There was no public bidding for the Premises, however Public Authorities Law Section 2897(6)(c) allows public authorities to dispose of property by negotiation rather than by public bidding in certain circumstances, including where the value of the property to be disposed of does not exceed \$15,000, which is the situation in this case.

Based on the foregoing, MTA Real Estate requests authorization to enter into a subsurface permanent easement agreement, on behalf of the LIRR, with Brookhaven under the above-described terms and conditions.

Staff Summary

Subject LICENSE OF LAND WITH ELLEN KIRWIN AND MATT KIRWIN FOR A PARCEL OF LAND LOCATED AT 100 HILLS STATION ROAD, SOUTHAMPTON, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name SELINA STORZ

Date NOVEMBER 20, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/18/24	X		
2	Board	11/20/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA Long Island Rail Road (“LIRR”)
LICENSEE: Ellen Kirwin and Matthew Kirwin
LOCATION: Former Shinnecock Hills Station, 100 Hills Station Rd, Southampton
PREMISES: Approximately 15,700 square feet
USE: Solely and exclusively for the use of yard areas and land under Licensee’s structures, which includes the former station building, used by Licensee as a year-round primary residence.

ACTION REQUESTED: Authorization to enter into a license agreement with Ellen Kirwin and Matthew Kirwin
TERM: Ten (10) years
COMPENSATION: \$3,768.00 per annum or \$314 per month with 3% annual increases (\$.24 per square foot)

COMMENTS:

LIRR received a request from the current residential property owner at the former Shinnecock Hills Station for the renewal of the lease agreement dated June 26, 1998, for use of yard areas and land under Ellen Kirwin’s structures, situated on the south of the LIRR’s Montauk Branch right-of-way, approximately 300 feet east of Hills Station Road. The one-story frame building and garage that once served as the Shinnecock Hills Station were sold by the LIRR November 10, 1973 to Robert and Ellen Kirwin for use as their residential dwelling.

LIRR has no objections to granting the license agreement. The new license agreement includes a termination for convenience clause, allowing the LIRR to terminate the agreement “at will” by providing 60 days notice. MTA Legal will draft the license agreement and Licensee will be required to provide appropriate insurance coverage and indemnification for the Use.

The above compensation is in line with the market rates as determined by an independent Broker’s Opinion of Value conducted by MTA Real Estate’s consultant Greystone Management Solutions.

**FINANCE COMMITTEE MEETING
LICENSE OF LAND WITH ELLEN KIRWIN AND MATT KIRWIN FOR A PARCEL OF LAND LOCATED AT
100 HILLS STATION ROAD, SOUTHAMPTON, NY (Cont'd)**

Page 2 of 2

MTA Real Estate is authorized to forego a public offering and enter into an agreement directly with the Licensee pursuant to the MTA Real Estate Department's Policy and Procedures for the Licensing of Real Property under Circumstance 2, where the market rental value of the space, determined using standard practices, is less than \$5,000 per year or \$10.00 per square foot, whichever is greater. For this transaction the value per square foot is .24¢.

Based on the foregoing, MTA Real Estate hereby requests authorization to enter into a license agreement on behalf of the LIRR with Ellen Kirwin and Matt Kirwin under the above-described terms and conditions.

Staff Summary

Subject LICENSE OF LAND WITH HAWKINS AVE DEVELOPMENT RHP2 LLC FOR A RECREATIONAL USE IN RONKONKOMA, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name ROBERT GOLDBERG

Date NOVEMBER 20, 2024
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/18/24	X		
2	Board	11/20/24	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
3	Chief Administrative Officer		
2	Chief Financial Officer		

AGENCY: MTA Long Island Rail Road (“LIRR”)
LICENSEE: Hawkins Ave Development RHP2, LLC
LOCATION: LIRR’s Ronkonkoma Station, Ronkonkoma, NY
PREMISES: Strip of land between LIRR’s Ronkonkoma Station garage and a new development site (“Ronkonkoma Hub Development Property”) just west of the garage, consisting of approximately 4,300 square feet
USE: Recreational activity
ACTION REQUESTED: Authorization to enter a license agreement with Hawkins Ave Development RHP2

COMPENSATION:

License Year	Monthly Rent	Annual Rent	Escalations
1	\$806.25	\$9,675.00	3%
2	\$830.44	\$9,965.25	3%
3	\$855.35	\$10,264.21	3%
4	\$881.02	\$10,572.14	3%
5	\$907.45	\$10,889.31	3%
6	\$934.67	\$11,215.99	3%
7	\$962.71	\$11,552.47	3%
8	\$991.59	\$11,899.05	3%
9	\$1,021.34	\$12,256.03	3%
10	\$1,051.98	\$12,623.71	3%

Staff Summary

FINANCE COMMITTEE MEETING

LICENSE OF LAND WITH HAWKINS AVE DEVELOPMENT RHP2 LLC FOR A RECREATIONAL USE IN RONKONKOMA, NY (Cont'd)

Page 2 of 2

COMMENTS:

MTA Real Estate received a request from Hawkins to license the Premises to the rear of the Ronkonkoma Hub Development property to improve LIRR's property with paving, a grassy area and lighting and create a dog run. The above compensation is the line with the market rates as determined by an independent Broker's Opinion of Value provided by MTA Real Estate consultant Greystone Management Solutions.

MTA Real Estate is authorized to forego a public offering and enter into an agreement directly with Licensee, pursuant to the MTA Real Estate Department's Policy and Procedures for the Licensing of Real Property under Circumstance 2, where the market rental value of the space, determined using standard practices, is less than \$5,000 per year or \$10.00 per square foot, whichever is greater. For this transaction the value per square foot is \$2.25.

Based on the foregoing, MTA Real Estate requests authorization to enter into a license agreement on behalf of LIRR with Hawkins Ave Development RHP2, LLC under the above-described terms and conditions.