

MINUTES OF MEETING
MTA CAPITAL PROGRAM OVERSIGHT COMMITTEE
April 15, 2019
New York, New York
2:00 P.M.

MTA CPOC members present:

Hon. Patrick Foye
Hon. Andrew Albert
Hon. Norman Brown
Hon. Sarah Feinberg
Hon. David Mack
Hon. Susan Metzger

MTA Board members present:

Hon. Randolph Glucksman
Hon. Kevin Law

MTA CPOC members not present:

Hon. David Jones
Hon. Michael Lynton
Hon. John Samuelson
Hon. Vincent Tessitore
Hon. Neal Zuckerman

MTA staff present:

Ronnie Hakim
Janno Lieber
Tom Savio

MTACC staff present:

Tim Gianfrancesco
Eve Michel
Mark Roche
Rob Troup

Independent Engineering Consultant staff present:

Joe DeVito
Kent Haggas
Mohammad Mohammadinia
Dianne Rinaldi
Darlene Rivera

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Chairman Foye called the April 15, 2019 meeting of the Capital Program Oversight Committee to order at 1:40 P.M. and provided opening remarks on the nature of the CPOC Committee itself, which he said is intended to “oversee capital projects, their delivery and execution -- and success or failure -- and suggest reforms”, adding that there is no more critically required mission at the MTA than this one right now. He then welcomed the new members of the CPOC Committee: Sarah Feinberg; Michael Lynton; and David Mack, citing the rare combination of experience that they will bring to the work of the committee. The Chairman then outlined key challenges that the MTA faces with respect Capital Program execution, as well as several broad strategies to address these challenges; he also called on the CPOC Committee to live up to its mission (of overseeing major capital projects) more robustly, demanding excellent performance from both vendors and the MTA’s own project teams.

Public Comments Period

There were two public speakers in the public comments portion of the meeting: Jason Pineiro and Omar Vera.

Meeting Minutes

Upon motion duly made and seconded, the CPOC members approved the minutes to the previous meeting held on March 25, 2019; Chairman Foye recused himself from the vote.

Committee Work Plan

Mr. Savio noted one change to the Work Plan: the update on MWDBE Participation, which was originally scheduled for this month, will instead be presented at the May CPOC.

East Side Access Project Update

Mr. Lieber began the presentation by highlighting overall project progress since the April 2018 presentation to CPOC, in which a detailed analysis of the project from a budget and schedule standpoint was made. The results of that review indicated that issues that had plagued the project for years were threatening to further prolong the schedule and explode the budget. That earlier review concluded with a recommitment to the December 2022 Revenue Service Date, which Mr. Lieber characterized *then and now* as “accomplishable”, albeit while acknowledging the costs associated with solving the problems that were enumerated in the review. Before turning the presentation over to Mr. Troup, Mr. Lieber provided project performance details, including several Key Performance Indicators (KPI’s), as well as financial and schedule indicators. Mr. Troup concluded the presentation with the 90-day Look-ahead and a review of Key Milestones and Issues. In its oral remarks, the IEC stated that cost agreements for the Systems and Manhattan Concourse contracts fall within the projected contingencies established in the April 2018 Replan. With respect to schedule, the IEC confirmed that the program schedule includes the revised milestones captured in the agreements, and maintains a 10-month program contingency, but that the early completion of systems testing relies on a compressed 16-month incremental testing duration, which will be a challenge for a project of this scope and complexity. The IEC then noted that additional resources and work shifts, as well as enhanced coordination, are essential to progress the work, given the increased amount of concurrent testing activities planned. In addition, the IEC remarked that a resource-loaded schedule is required to further assess the risk associated with systems testing and validate the program contingency remaining in order to meet the December 2022 Revenue Service date. The IEC concluded its oral remarks with the following recommendation: to effectively progress the incremental testing work, the project team and the Systems contractor must fill key positions that have been vacant for over a year, including Lead System Integrator and System Technical Manager, as soon as possible. Further details of the presentations, and Committee Members’ comments and questions with respect thereto, are included in the video recording of the meeting maintained in MTA’s records.

MTACC Second Avenue Subway Phase 2 Update

Mr. Gianfrancesco provided a project update in the following areas: Federal Funding (with a funding agreement goal of fourth quarter, 2020); Design Process (with completion of Design-Build documents slated for the end of the third quarter, 2019); and the Value Engineering/Cost Containment approach to reusing, instead of demolishing, the existing subway tunnel for the new 116th Street Station -- a measure that will yield very significant savings for the project. In its oral remarks, the IEC observed that the project has maintained its goal of completing the federal funding process in the fourth quarter of 2020 by completing the key submission of required documents to the FTA last month and by setting a schedule for completing a readiness review for starting engineering in mid-year. The IEC then remarked that the proposal to fully reuse the existing tunnel for the new station at 116th St demonstrates the project’s commitment to cost containment. Further details of the presentations, and Committee Members’ comments and questions with respect thereto, are included in the video recording of the meeting maintained in MTA’s records.

Penn Station Access Project Update

Ms. Michel highlighted the major features of the project, including providing transportation links to several communities and the region. Among the recent project accomplishments, Ms. Michel cited the MTA/Amtrak Memorandum of Understanding, the MTA Board having approved the General Engineering Contract (GEC), and the Notice to Proceed (NTP) that has been issued to the GEC consultant. In its oral remarks, the IEC commented that the execution of a design phase agreement with Amtrak -- as required by the MOU -- is critical to completing near-term design tasks. The IEC concluded its remarks by stating that the project team must work aggressively to secure this and other third-party agreements that are required to complete the work associated with this program. Further details of the presentations, and Committee Members' comments and questions with respect thereto, are included in the video recording of the meeting maintained in MTA's records.

LIRR Expansion Project Update

In his Overall Summary, Mr. Roche stated that the project remains under budget and on schedule. He then cited Current Construction Activity highlights, including installation of Support of Excavation (SOE) at Covert Avenue, raising track and excavating a new under-grade crossing at Urban Avenue, excavation and SOE at Cherry Lane Bridge, and excavating new foundations at the Harrison Avenue parking structure in Mineola. He then pointed out a recent modification to the project schedule which will allow work associated with grade crossing eliminations at Willis Avenue and School Street to be advanced. Mr. Roche concluded his presentation with a review of numerous performance indicators and risk mitigation measures that are currently being employed by the project. In its oral remarks, the IEC stated that it has reviewed the project schedule and agrees with the project logic. The IEC noted that a significant increase in contractor resources are required to accomplish planned work in 2019, including the installation of the 18,000 linear feet of retaining wall, and crossing eliminations at Urban and Covert Avenues, but stated that in the opinion of the IEC, the agency is taking appropriate steps to mitigate these risks. Regarding cost, the IEC commented that based on the IEC's review of the project's construction cost, soft costs and remaining contingency, the IEC concurs that the project is within budget. Further details of the presentations, and Committee Members' comments and questions with respect thereto, are included in the video recording of the meeting maintained in MTA's records.

MTA Capital Program Commitments & Completions and Funding

Citing the Capital Program Commitments & Completions and MTA Capital Program Funding Reports in the CPOC Agenda, Ms. Hakim indicated that through March 2019, the agencies made three out of the four planned major commitments, as well as made three out of four major completions, and by year end the MTA forecasts meeting its 2019 goals.

Adjournment

Upon motion duly made and seconded, Chairman Foye adjourned the April 15, 2019 meeting of the MTA Capital Program Oversight Committee at 3:12 PM.

Respectfully submitted,
Michael Jew-Geralds
Office of Construction Oversight