



**Metropolitan Transportation Authority**

# Capital Program Committee Meeting

## October 2024

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### Committee Members

Janno Lieber, Chair  
Meera Joshi, Vice Chair  
Andrew Albert  
Gerard Bringmann  
Norman Brown  
Samuel Chu\*  
Michael Fleischer  
Dan Garodnick  
Randy Glucksman  
Marc Herbst  
David Jones  
Blanca Lopez\*  
David Mack\*  
Haeda Mihaltses\*  
John Ross Rizzo  
John Samuelson  
Vinnie Tessitore  
Neal Zuckerman

# Capital Program Committee Meeting

Monday, 10/28/2024

12:00 - 1:00 PM ET

## 1. SUMMARY OF ACTIONS

*C&D CPC Summary of Actions - Page 3*

## 2. PUBLIC COMMENTS PERIOD

## 3. APPROVAL OF MINUTES- SEPTEMBER 23, 2024

*C&D CPC Committee Minutes - Page 4*

## 4. 2024-2025 COMMITTEE WORK PLAN

*CPC Committee Work Plan - Page 7*

## 5. PRESIDENT'S UPDATE

## 6. C&D STATIONS BUSINESS UNIT UPDATE

*C&D Stations BU Report - Page 8*

*IEC Stations Review - Page 16*

## 7. C&D SAFETY REPORT

*CPC Safety Report - Page 29*

## 8. CAPITAL PROGRAM STATUS REPORT

*C&D Commitments, Completions, and Funding Report - Page 31*

## 9. C&D PROCUREMENTS

*C&D Procurements - Page 48*

**CONSTRUCTION & DEVELOPMENT  
COMMITTEE ACTIONS  
SUMMARY for OCTOBER 2024**

Responsible Department	Vendor Name	Total Amount	Summary of Action
Contracts	MLJ Contracting Corp	\$118,000,000	Award of a publicly advertised and competitively solicited contract for Design-Build services for Americans with Disabilities Act station improvements at three Metro-North Railroad Harlem Line stations in the Bronx.
Contracts	GCT Constructors JV	\$14,775,107.33	Award of a modification to the East Side Access CM014B contract to resolve claims for additional work and delays and reconcile allowance bid items.
Contracts	Judlau-TC Electric JV	\$13,500,000	Award of a modification to Metro-North Railroad's Hudson Line power, communications, and signal equipment design-build contract to resolve claims for additional work and delays.
Contracts	Skanska-ECCO III 2 JV	\$4,240,657.47	Award of a modification to Metro-North Railroad's contract for the design and construction of the Croton-Harmon shop to resolve claims for additional work and delays.
Contracts	Zion Contracting, LLC	\$234,000	Ratification of a modification to a contract for additional concrete repairs at the New York City Transit Pelham Bay Park Station control house.

MINUTES OF MEETING  
MTA CAPITAL PROGRAM COMMITTEE  
September 23, 2024  
New York, New York  
1:00 PM

CPC Members present:

Hon. Janno Lieber, Chair  
Hon. Meera Joshi, Vice Chair  
Hon. Andrew Albert  
Hon. Gerard Bringmann  
Hon. Norman Brown  
Hon. Samuel Chu  
Hon. Randolph Glucksman  
Hon. Marc Herbst  
Hon. David Jones  
Hon. Blanca López  
Hon. John-Ross Rizzo  
Hon. Neal Zuckerman

CPC Members not present:

Hon. Michael Fleischer  
Hon. David Mack  
Hon. Haeda Mihaltses  
Hon. John Samuelsen  
Hon. Vincent Tessitore, Jr.

MTA staff present:

Christine Budhwa  
Lewis Deara  
Evan Eisland  
Rob Free  
Paige Graves  
Steven Loehr  
John McCarthy  
Mark Roche  
Jamie Torres-Springer

Independent engineering consultant staff present:

Elizabeth King  
Calvin Gordon  
Sirish Peyyeti

\* \* \*

Chairman Lieber called the September 23, 2024, Capital Program Committee Meeting to order at 1:00 PM.

Public Comments Period

There were seven public speakers during the hybrid public comment period: Omar Vera, Lisa Daglian, Jason Anthony, Matthew Buchys-Hyland\*, Christopher Greif\*, Andy Pollack\*, and Charlton D'souza\*.

\*Provided comment virtually.

## Meeting Minutes

Upon a motion duly made and seconded, the Committee approved the Committee Minutes of the meeting held on July 29, 2024.

## CPC Work Plan

There were no changes to the Capital Plan Committee Work Plan.

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***Details of the following presentations, and Committee Members' comments and questions with respect thereto, are included in the video recording of the meeting produced by the MTA and maintained in the MTA's records.***

## President's Report

MTA Construction & Development Company ("C&D") President Torres-Springer began his report to the Committee by focusing on exciting advancements in communications-based train control ("CBTC") projects, specifically highlighting that the G line, after extended summer outages, is fully back in service. The \$368 million signal modernization project is the first to use a new generation of CBTC technology replacing conventional signals. Additionally, Mr. Torres-Springer announced a successful cutover of the Culver Line, the F in Brooklyn from W 8<sup>th</sup> Street-NY Aquarium to Church Avenue stations, so that the F can begin to use the automatic train control.

Moving to accessibility, Mr. Torres-Springer announced that C&D has completed Americans with Disabilities Act ("ADA") accessibility improvements in five subway stations in 2024, with five more slated for completion by the end of the year. Mr. Torres-Springer reminded the Committee that the new elevators at 14<sup>th</sup> Street at 6<sup>th</sup> Avenue bring accessibility to another critical station and further the goal of accessibility for 75% of all subway riders. Additionally, C&D broke ground on ADA accessibility improvements at Classon Avenue on the G line, and Mr. Torres-Springer acknowledged the support of US Senate Majority Leader Chuck Schumer, US House Minority Leader Hakeem Jeffries and the Federal Transportation Administration.

Highlighting the partnership with Boldyn Networks to bring continuous cell connectivity throughout 250 miles of subway tunnels, Mr. Torres-Springer announced that the Times Square Shuttle is completely connected. The next major phase will include the Crosstown G line, the 4/5 lines from Borough Hall to Bowling Green stations, and five miles of the 4/5/6 lines from Grand Central-42 Street to 161<sup>st</sup> Street-Yankee Stadium.

Turning to the commuter railroads, Mr. Torres-Springer announced the groundbreaking of a \$125 million full reconstruction of Babylon Station, one of the busiest stations in the Long Island Rail Road network and an important transfer point for the South Shore of Long Island. This reconstruction will rehabilitate the platform and many other station components, working in staggered phases to maintain continual service even during peak summer months. Mr. Torres-Springer also highlighted the continued success of replacement of the Park Avenue Viaduct, the critical infrastructure that carries 98% of Metro-North Railroad service into and out of Midtown. To date, we have replaced 3,400 track feet with no disruption of service.

Mr. Torres-Springer also mentioned the success of the Student OMNY Card rollout. As for regular OMNY Card developments, Mr. Torres-Springer reminded the Committee that there are

already 260 OMNY vending machines in the system, with a target of 500 total vending machines to be installed by the end of the year.

Finally, Mr. Torres-Springer highlighted the contributions of each of the C&D departments in developing and preparing to deliver the new \$68.4 billion 2025-2029 Capital Plan.

#### Quarterly Traffic Light Report

Reporting on the Quarterly Traffic Light Report, Sirish Peyyeti, Program Director of the IEC, noted that in the second quarter of 2024, the IEC reviewed a total of 275 C&D projects: 14 in design and 261 in construction. Of the 275 total projects, 13 triggered a variance: 11 for schedule and two for cost.

Program Director Peyyeti noted that, during this third quarter, 95% of the projects reviewed in the Traffic Light Report did not trigger a schedule variance and 99% of the projects did not trigger a budget variance.

#### Procurement Actions

Christine Budhwa, Assistant Vice President, C&D, presented three procurement actions to the Capital Program Committee.

Upon a motion duly made and seconded, the Capital Program Committee voted to bring the following procurement actions before the full MTA Board and recommended the following:

- Award of a modification to a contract with Restani Construction Corp. (GFM-526) for as-needed roadway repairs for MTA Bridges & Tunnels;
- Ratification of a modification to a contract with Urban Ecospaces, Inc. (MN146606) to furnish and install additional roofing components; and,
- Ratification of a modification to a contract with Schindler Elevator Corporation (VM014) to provide continued maintenance of elevators and escalators at Grand Central Madison.

Refer to the staff summaries and documentation filed with the records of this meeting for the details of these items, and refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for Board members' and C&D representatives' comments.

#### Adjournment

Upon motion duly made and seconded, Chairman Lieber adjourned the September 23, 2024, Capital Program Committee Meeting at 1:42 PM.

Respectfully submitted,  
Lizzy Berryman  
MTA C&D, Contracts

## 2024-2025 Capital Program Committee Work Plan

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I. Recurring Agenda Items

Approval of the Minutes  
Committee Work Plan  
Commitments/Completions and Funding Report

II. Specific Agenda Items

**November 2024**

President's Update  
Railroads

**December 2024**

President's Update  
Bridges & Tunnels  
Quarterly Traffic Light Report

**January 2025**

President's Update  
Infrastructure

**February 2025**

President's Update  
Agency Initiatives

**March 2025**

President's Update  
Signals  
Quarterly Traffic Light Report

**April 2025**

President's Update  
Systems

**May 2025**

President's Update  
OMNY

**June 2025**

President's Update  
Rolling Stock  
Diversity  
Quarterly Traffic Light Report

**July 2025**

President's Update  
Integrated Projects

**September 2025**

President's Update  
Agency Initiatives  
Quarterly Traffic Light Report

**October 2024**

President's Update  
Stations

## MTA Board & Capital Program Committee Update: Stations Projects

October 2024

MTA Construction & Development last reported to the Capital Program Committee on Stations projects in September 2023. Since that update, we have placed eight additional ADA stations into service: five from our first ADA design-build contract, one from our Bronx ADA design-build bundle, and two from our 14th Street ADA design-build bundle. We have also successfully completed the replacement of 12 escalators at seven stations and five elevators at two stations. The benefits of bundling and alternative project delivery continue to accelerate our progress.

State of good repair work is advancing, with work to replace deficient station components at 73 stations, escalator replacements at 25 stations, and elevator replacements at 36 stations.

This year, the Stations Business Unit forecasted 14 construction bundles/contracts for award, valued at approximately \$2.7 billion. However, due to the impacts of the congestion pricing delay, seven bundles/contracts (valued at approximately \$1.4 billion) have been deferred and are currently on hold. To date, two bundles/contracts have been awarded (valued at \$390 million), and five remain to be awarded (valued at approximately \$926 million). This includes MTA's first Progressive Design-Build (PDB) contract, which encompasses state of good repair work at 43 stations. In the PDB approach, design-build contractors are involved earlier in the project lifecycle, bringing their expertise into a collaborative environment to achieve our project goals. This method is particularly suited for station repair work, as the extent of repairs for elements encased in concrete or otherwise hidden may not be accurately determined until after award.

Looking ahead, the Stations Business Unit anticipates a continued and ramped-up focus on awarding and completing State of Good Repair (SOGR) projects, ADA work, and replacements of elevators and escalators, while streamlining processes for acceptance and handover of work. In the proposed 2025-2029 Capital Plan, we anticipate a strong focus on bundling SOGR projects to address repairs to steel girders and columns, platforms, stairs, tiling, and other station elements all while making over 60 additional stations ADA accessible. We also plan to replace 45 elevators and 43 escalators throughout the system.

Additionally, in the upcoming Capital Program, we will apply lessons learned from recently completed and ongoing projects to analyze work on train lines geographically in addition to by element. This improved approach to bundling will allow us to integrate projects that may involve work both at stations and between them where feasible. Identifying such efficiencies will support the unprecedented pace of the current Capital Plan as we prepare for the next one.

This document summarizes the progress on four of our most significant ongoing projects:

1. ADA Upgrades at 149 St–Grand Concourse and Tremont Av
2. ADA Package 3 (8 new ADA stations and five (5) replacement stations)
3. ADA Package 5 (13 new ADA stations)
4. ADA at 68 St/Hunter College

**ADA Upgrades at 149 St-Grand Concourse and Tremont Av** *The project will provide ADA accessibility to three underground subway stations in the Bronx: the 149 St-Grand Concourse complex (2, 4, 5) and Tremont Av (B, D). The project will also provide free ADA transfers between subway lines at 149 St-Grand Concourse.*

A37131  
A37134

PROJECT STATUS	Original	Forecast
Substantial Completion	July 2023	March 2025
Budget	\$163 M	\$168 M
The project is approximately 85% complete.		

This project is a design-build contract for the installation of six new elevators, stairs, elevator machine rooms, and ADA boarding areas. In addition, this project includes the restoration and re-opening of the historic headhouse at 149 St-Grand Concourse, including decorative terracotta, brick, and iron features. The design-build contractor is Tully Construction.

The overall project is approximately 85% complete. The budget was increased to provide additional funding for the Consultant Construction Manager due to the extended construction duration. Schedule is proving difficult to maintain due to third-party delays and an underperforming contractor and sub-contractors.

Recent and current activities include:

Tremont Av:

- Elevators were placed in service in February 2024, Station is ADA compliant.
- Punch list and ROW Structural repair work is ongoing, difficulties in getting track outages are impacting this work. Substantial completion is expected by March 2025.

149 St-Grand Concourse:

- Complex mixing bowl structural slab 100% complete
- Mixing bowl guard rails installation ongoing
- Elevator 101, 102 cabs are installed
- Elevator 101 & 102 combined EMR equipment installation completed

- Elevator 100 shaft structural steel framing completed, concrete encasement of structural frame is completed
- Elevator 100 EMR equipment installation ongoing
- New normal EDR room completed and energized by Con Ed
- Installation of Stair S5 framing in headhouse shaft completed, concrete encasement completed, and handrails installed
- Head house CMU block installation 90% complete
- Reconstruction of stairs PL5/PL15 and PL3/PL13 completed, PL1/PL11 in progress
- Area of refuge fire rated storefront installation completed

The project has experienced a few challenges that impacted the project schedule, including the addition of an Area of Refuge (AOR) at 149 Street Grand Concourse due to a change in code requirements, poor performance by the Design-Build (DB) contractor, late material procurements, and insufficient subcontractor support.

Currently, there are delays in fabrication and installation of the street elevator cab, headhouse street storefront glass and AFC railings. C&D has assigned additional resources, and the consultant CM continues to monitor delivery of these long lead items and provide management of subcontractor activities. The contractor will be held accountable for any delays up to and including accessing liquidated damages in accordance with the contract.

To mitigate further delays C&D is meeting with the contractor, electrical/communication subcontractor and elevator subcontractor to address potential delays with delivery of street elevator cab and installation of electrical and communication equipment at 149 St-Grand Concourse. The project is also closely monitoring critical activities and coordinating with all stakeholders.

The elevators at 149 St.-GC are currently forecasted to be placed in service by March-2025.

**ADA Pkg 3:  
Accessibility  
Upgrade,  
Station  
Improvement  
and Elevator  
Replacement  
at 13 Stations**

*This project bundle will provide ADA accessibility, including new elevators replacement elevators, and other improvements, at thirteen stations in four of the five New York City boroughs. The project covers work at Church Ave. (BRT), Sheepshead Bay (BRT), Rockaway Blvd. (LIB), Kings Highway (CUL), Woodhaven Blvd. (QBL), Steinway St. (QBL), Junius St. (NLT), and Mosholu Parkway (JER). This Bundle also includes the Livonia – Junius Intermodal Transfer Connection project and 14 Elevators Replacement projects at five stations: 3 Ave. – 149th St. (WPR), 161St. (BXC), 161 St. (JER), 34 St. (8 Ave.), and Euclid Ave. (FUL).*

A37140  
 A37147  
 A37173  
 A37174  
 A37175  
 A37176  
 A37177  
 A37178  
 A35323  
 E34048

PROJECT STATUS	Original	Forecast
Substantial Completion	Sept. 2026	Sept. 2026
Budget	\$683 M	\$683 M
The project is approximately 35% complete.		

This project package encompasses the design, construction, financing, and maintenance of ADA accessibility upgrades to enhance vertical accessibility across 13 subway stations in New York City. The scope includes the installation of 20 new elevators at eight stations, accompanied by significant enabling works such as shaft excavation, platform edge reconstruction, path-of-travel improvements, and essential state-of-good-repair work. Additionally, five stations will have their existing elevators replaced to further enhance accessibility.

A key aspect of the project is its delivery through a Public-Private Partnership (P3) model, which ensures comprehensive planning from the outset. The project also includes a 15-year maintenance, repair, and inspection contract for the elevators, with two optional five-year extensions, ensuring long-term service continuity. OTIS, the elevator installer, is integrated into the design-build team to oversee this extended service period.

The design-build approach has yielded significant schedule efficiencies. Standardized designs, economies of scale, and competitive supplier pricing have streamlined the process. The Developer (EAE), along with their contractor (Halmar International) and subcontractors, continues to collaborate effectively, ensuring efficient workflows and steady progress toward meeting project milestones.

The project is approximately 35% complete based on construction activities and remains within budget, though schedule challenges persist.

Current activities include the planned In-Service placement of nine elevators by end of the quarter for the following stations:

- 3rd Ave – 149th St EL#129 & 130
- 34th St - Penn Station EL#227 & 228
- Euclid Ave: EL#341, 342 & 343
- Mosholu Pkwy EL: 523 & 524
- Ongoing coordination with MTA user departments for the Elevators to be Placed in Service.
- Final Design DUs are approximately 95% complete, with outstanding elements at Junius St Pedestrian Bridge and Kings Highway Structural.

- Construction continues at Sheepshead Bay, Church Ave, Woodhaven Blvd, Steinway St, Kings Highway, Junius St, and Rockaway Blvd.
- Construction at Yankee Stadium IND/IRT will commence on November 4th, following the conclusion of the baseball season.
- Utility work with Con Edison, National Grid, DEP, and PSEG is 85% complete, with ongoing relocations at Steinway, Rockaway, and Kings Highway.

MTA C&D and the Developer have encountered schedule delays, primarily stemming from prolonged negotiations with external agencies and the DOT's requirement for a complete design to approve the Master Lease and issue work permits for the project. To mitigate these delays, the Project Management Team has intensified engagement with key stakeholders by providing regular progress updates. These updates not only keep stakeholders informed but also create opportunities for them to voice concerns and offer feedback, fostering collaboration and enabling proactive resolution of potential issues.

Another challenge involves MTA-provided services, particularly a shortage of flagging personnel. This lack of flagging protection has led to delays in survey work and restricted access to Communication and Signal rooms.

Moving forward, the team is committed to accelerating the remaining tasks while maintaining a focus on quality and adherence to the schedule. They are also closely monitoring ongoing utility work and construction activities to ensure alignment with critical project milestones. As the project progresses, continued coordination between MTA, the Developer, and external agencies will be essential for mitigating further schedule risks and maintaining project momentum.

**ADA Pkg 5:  
Accessibility  
Upgrade,  
Elevator  
Replacement,  
Station  
Renewal, and  
Component  
at Eight (13)  
Stations**

*This project bundle will provide ADA accessibility work at 13 Stations in all five New York City boroughs. These 13 ADA Stations are 242 St. (BW7), 81 St. – AM NH (8AV), Broadway (AST), 36 St. (4 AV), Harlem – 148 St. (LNX), 33 St. – Rawson St. (FLS), 46 St. – Bliss (FLS), 96 St. (8AV), Court St.-23 St. (QBL), Classon Ave. (BCT), New Lots Ave. (NLT), 86 St. (LEX), and Huguenot (SIR). This Bundle also include Station Renewal at 242 St. (BW7); Stations Component work at New Lots Ave. (NLT), and Mainline Track work at three stations (81 St. – AM NH/8AV, 86 St./LEX, and 46 St. – Bliss (FLS).*

PROJECT STATUS	Original	Forecast
Substantial Completion	Dec. 2026	Dec. 2026
Budget	\$871 M	\$871 M
The project is approximately 17% complete.		

A37757  
A37758  
A37759  
A37760  
A37761  
A37762  
A37763  
A37764  
A37765  
A37766  
A46041  
A80290  
M44246

This design-build ADA accessibility project provides elevators and ramps to the station, including platforms, mezzanines, and streets. A total number of Eighteen (18) new elevators and Four (4) ramps will be installed at thirteen (13) Station locations. The Design-Builder (Judlau) is with WSP USA, Inc. as Designer of Record. Modern Elevator, Inc., the elevator manufacturer, is part of the design-build team and has a separate fifteen (15) year term elevator maintenance, repair, and inspection contract. Other ADA amenities including reconstruction of the platform edge, installation of platform edge warning strips, modification of entry/exit gates, new lighting, and signage are included. In some cases, to accomplish these ADA amenities, it is necessary to relocate conflicting utilities. In addition, the project includes renewal work at 242<sup>nd</sup> street, station component work at New Lots Ave and State of good repair work at 46th Street Bliss, and mainline track work at 81<sup>st</sup> St, 96 St and 46 St Bliss stations.

The project is approximately 17% complete and remains within budget. Throughout the first year, the Project Management Team (PMT) has mitigated several potential schedule challenges mainly associated with utility interferences, interactions with local stakeholders, DOT approvals and competition over internal resources. The schedule challenges are planned to be mitigated through recovery efforts with the Design-Builder and are currently on-going.

Current activities include:

- Design is approximately 80% complete, with 100% for some Stations, a few early design units are approved by Code Compliance.
- Field support work for Huguenot station regarding multiple surveys with Con Ed, preparing work area for Utility work.
- Field support work for Broadway station regarding DEP site surveys, excavation, and replacement of water line.
- Field support work for New Lots Station regarding MPT install for headhouse and National Grid gas work.
- Field support work for 242<sup>nd</sup> Street Station for site mobilization, MPT installation and utility work.
- Field work for 96 Street for surveys, utility relocation, button pier installation.
- Field work for Classon Avenue Station – surveys, site mobilization, MPT set up, asbestos abatement and electrical conduit install.

The PMT is continuously engaging with various stakeholders to ensure concerns or ideas are quickly addressed. The coordination with 36<sup>th</sup> Street DOT-DDC project regarding lane user approval, and 242<sup>nd</sup> street DEP-DOT additional utility work, are a few examples of such efforts with project stakeholders.

**ADA  
Upgrades at  
68 St/ Hunter  
College  
A36164  
A37375  
M44152**

*This project is a design-build contract to provide ADA accessibility, including elevators and other improvements, at 68 St / Hunter College (6).*

PROJECT STATUS	Original	Forecast
Substantial Completion	December 2024	December 2024
Budget	\$177 M	\$177 M
<b>The project is approximately 91% complete.</b>		

This design-build project will provide three new elevators: one (1) from the street to the mezzanine and two (2) from the mezzanine to the Northbound and Southbound platforms, respectively. The elevators will be maintained under a separate contract. Other ADA features include the reconstruction of platform edges and stairways, the installation of new lighting and signage. In addition, the project will add two (2) new street to platform entrances: one (1) at the SW corner of 69<sup>th</sup> Street and Lexington, and one (1) at the midblock of Lexington Avenue between 68<sup>th</sup> and 69<sup>th</sup> Streets. The project scope includes significant utility replacement and relocation, mezzanine expansion, track replacement work on the northbound rail, state of good repair work throughout the station, CCTV and Fire Alarm Systems installations. The design-build contract is a joint venture between Forte and Citnalta.

The project is approximately 91% complete and within budget and schedule.

Recent milestones include:

- Reconfiguration of existing Stair S3 was completed and opened to the public on October 28, 2022.
- A new mid-block street level entrance and Stair S6 on Imperial House Building was opened to the public on March 1, 2023.
- Track replacement on the northbound rail was completed.
- The installation of the M2 stair has been completed and O2/O4 and M2 are open for public use.
- New 69<sup>th</sup> Street entrance infrastructure work has been finalized, including wall tiling, room preparations, stair tread installation, painting, AFC turnstile etc.
- Sidewalk and curb installation have been completed on 68<sup>th</sup> Street SW and SE corners.

- Excavation and backfill for EL284, EL 285 is complete.
- Utility work of Con Ed gas, steam, DEP water & sewer are completed.

Current activities include:

- Utility work on 68<sup>th</sup> Street Con Ed primary.
- Equipment installation, testing and commissioning for EL 284, EL 285 and EL 286.
- Backfill and road restoration at 68<sup>th</sup> Street and 69<sup>th</sup> Street.
- Steel repair work in the mezzanine.
- AFC turnstile final wiring.
- Mezzanine topping slab.
- Complete all inspections and testing to declare substantial completion.

Overall, the availability and capability of qualified resources – particularly elevator installers – remains a concern for the Stations Business Unit. While a new, third qualified elevator installer was approved for ADA Package 3, all three installers must increase their local presence to keep up with the pace of awards.

# October 2024 CPC Independent Engineering Consultant Program Review

## IEC's Programmatic Summary Review of the Stations Business Unit

# Stations Summary

## Stations Summary

The IEC monitors C&D's Stations Business Unit through cost and schedule performance metrics of projects published in the quarterly Traffic Light Report (TLR) and by also undertaking a risk-based monitoring of individual and bundled station projects.

The IEC's stations business unit summary focuses on a comprehensive review of project exceptions, common ongoing issues, programmatic risks, developed mitigations and the delivery of projects on time and on budget.

The latest quarterly TLR, published September 2024, includes the following 32 station projects in design and construction, reviewed by the IEC:

- ▣ **4** Station Renewals
- ▣ **11** Accessibility Upgrades
- ▣ **8** Elevator and Escalator Replacements
- ▣ **9** Component Replacements/State of Good Repair (SOGR)/Misc.

The majority of station projects monitored in this quarter's TLR are on schedule and within budget. Of these:

- ▣ **26** (81%) were designated GREEN
- ▣ **1** (3%) was designated RED
- ▣ **5** (16%) triggered variances in prior quarters

This quarter, a schedule variance was triggered on one project, involving the construction of a new consolidated employee facility located at 2<sup>nd</sup> Ave Station on the 6<sup>th</sup> Ave Line. The 5-month delay was attributed to difficulties procuring and installing fire alarm equipment components.

Of the 32 station projects reviewed by the IEC, 12 selected projects undergo a detailed, in-depth analysis of the challenges and risks that impact the entire stations program.

# Stations Summary

## Stations Risk-Based Monitoring Scope

The following table includes 12 Station Projects awarded since 2020, which details the IEC's risk-based project monitoring. The projects capture the installation of 95 elevators and accessibility upgrades at 53 of the MTA's 493 existing transit stations.

Project	# of Stations	Scope	Contractor
ADA 149 <sup>th</sup> St Station and Tremont Ave.	2	Installation of 6 new elevators, renovation of the historic 1905 headhouse and a free station transfer at 149 <sup>th</sup> St.	Tully Construction
ADA 68 <sup>th</sup> St – Hunter College	1	3 new elevators, 2 new stairs	Forte/ Citnalta (JV)
ADA Package 1	8	18 new elevators, includes 12 MRL's	Judlau/STV
ADA Package 2	8	11 new and 5 replacement elevators, and SOGR.	MLJTC2 (JV)
ADA Package 3	13	Installation of 34 elevators (20 new, 14 replacement), and stairs (13 new, 11 replacement)	EAE (Developer)
ADA Package 4	4	8 new elevators, 1 replacement escalator	JTTC
ADA Package 5	13	Installation of 18 new elevators and 4 new ramps, track replacement, SOGR and station renewal work at 3 stations.	Judlau/WSP
ADA Borough Hall	1	Installation of 3 new elevators, waterproofing of entire station ceiling.	Judlau/WSP
ADA Broadway Junction	3	Installation of 7 new elevators, 3 replacement escalators; new station entrance; and 2 new transfer bridges.	ECCO III
Replace 21 Escalators	6	Installation of 20 replacement escalators, remove 1 escalator and install new stair.	Skanska
61 <sup>st</sup> - Woodside	2	Structural component renewals, overcoat painting from 48 <sup>th</sup> St to East of 74 <sup>th</sup> St Station, and 4 replacement escalators	Skanska Railroad (JV)
Flushing Station Renewals	5	Structural component renewals only.	Judlau

# Stations Summary

## Scope: Project Locations

Throughout the five boroughs, the following Station projects/packages are monitored by the IEC.



# Stations Summary

## Schedule

The IEC’s review of the risk-based monitored station projects forecasts several delays. Further IEC analysis identifies possible resolutions under consideration by the projects that may mitigate the forecast delays.

Project	Contractual			C&D SC Forecast	IEC SC Forecast
	Award	Duration (Months)	Substantial Completion (SC)		
149 <sup>th</sup> St / Tremont Ave.	08/2020	36	07/2023	03/2025	03/2025
68 <sup>th</sup> St/Hunter College	12/2021	36	12/2024	12/2024	12/2024
Package 1	12/2020	30	07/2023	04/2024 (A)	04/2024 (A)
Package 2	12/2021	33	09/2024	12/2024	12/2024
Package 3	12/2022	45	09/2026	09/2026	09/2026
Package 4	12/2022	30	06/2025	06/2025	11/2025
Package 5 *	12/2023	36	12/2026	12/2026	07/2027
Borough Hall	12/2022	28	04/2025	06/2025	10/2025
Broadway Junction *	12/2023	45	09/2027	09/2027	09/2027
Replace 21 Escalators *	12/2023	35	11/2026	11/2026	11/2026
61 <sup>st</sup> St/Woodside *	09/2022	32	05/2025	05/2026	05/2026
Flushing Station Renewals	01/2023	24	12/2025	05/2026	05/2026

\* New monitored projects added since September 2023

- Since the September 2023 report, four projects were added to the IEC’s risk-based Station monitoring, bringing the total to 12 projects: nine Accessibility projects, two Renewal bundles, and one Escalator Replacement project.
- Package 1 achieved Substantial Completion (SC) April 2024, nine months later than the project’s July 2023 contractual date.
- Since September 2023, the following stations achieved full accessibility: E149<sup>th</sup> St./New Dorp/7<sup>th</sup> Ave./Beach 67<sup>th</sup>/Lorimer/Metropolitan Ave. (Package 1), Tremont Ave., 181<sup>st</sup> St. (Package 2).

# Stations Summary

## Schedule (continued)

- 149<sup>th</sup> St/Tremont Ave. – Approved time extensions shifted SC 28 months at Tremont Station and 17 months at 149<sup>th</sup> St Station.
  - The latest schedule update continues to forecast delays, SC has slipped to March 2025 and beneficial use of 149<sup>th</sup> St elevators to March 2025 due to continued poor management by the Design-Build (DB) contractor, late material procurements, and insufficient subcontractor support.
  - C&D has assigned additional resources, and the consultant CM continues to provide management of subcontractor activities. The IEC applauds these efforts but acknowledges it will be challenging to accelerate the remaining work activities and place the final three elevators in service by December 2024.
- Package 2 – Seven of the 11 new elevators remain to be tested and commissioned to place in service. The original September 2024 SC is now forecast to December 2024 with the critical path running through Woodhaven Boulevard due to the remaining Con Ed support, NYCDOT scope changes and system integration and commissioning work. The five replacement elevators have been placed in service.
  - The DB is working with Con Ed, NYCDOT and in-house groups to meet SC.
  - It is the IEC's opinion that the December SC is achievable only with the sustained or increased level of effort on the part of all involved stakeholders.
- Package 4 – Meeting the June 2025 SC date is being pressured by the remaining critical Con Ed, Verizon and excavation scopes of work.
  - It is the IEC's opinion that the June 2025 SC will be difficult to achieve given the remaining work and present level of activity.

# Stations Summary

## Schedule (continued)

- Package 5 – Ten stations are on track for timely completion, with three stations delayed due to DOT permits, conflicts with adjacent projects, and design approval issues.
  - The project team is developing mitigation strategies, including work resequencing. For example, work is being advanced in areas not affected by private property interferences at 86<sup>th</sup> St Station.
  - The IEC is reviewing these strategies and is of the opinion that partial recovery is possible.
- Borough Hall – At this time, construction is progressing. However, permitting issues during design development, inadequate planning, and untimely submission of essential design/construction documents have led to an approximate 6-month delay forecast to SC. In addition, staffing changes within the DB as well as the PMC teams well into the project timeline added complexity to project coordination.
  - The IEC continues to emphasize the importance of timely and accurate schedule development, look ahead schedules and tracking of long lead items.
- 61<sup>st</sup> St/Woodside – The project is delayed due to excessive quantities of deteriorated steel, which is extending the express track shutdown. It is the IEC's opinion that the revised SC is achievable but requires an elevated coordination effort with the other contracts on the line and proactive scheduling of the necessary work trains.
- Flushing 5 Station Renewals – The project is impacted due to the extended work durations at 61<sup>st</sup> St/Woodside. The project team has initiated delay mitigation by surveying stations needing SOGR work ahead of bypasses; this aims to identify potential issues (excessive steel deterioration, conflicting conduit locations, ADA compliance challenges) and limit scope ahead of critical work windows.

# Stations Summary

## Budget

The 12 projects monitored by the IEC account for approximately \$4.4B of the stations program. With one exception, the IEC's analysis of the monitored stations indicates that overall budgets are sufficient to complete all required activities to achieve SC.

Project	Budget at Award	Current Budget	C&D Project EAC	IEC EAC within Current Budget
149 <sup>th</sup> St./Tremont	\$169M	\$163M	\$168M	Yes
68th St / Hunter	\$176M	\$177M	\$175M	Yes
Package 1	\$333M	\$324M	\$324M	Yes
Package 2	\$482M	\$470M	\$466M	Yes
Package 3	\$692M	\$692M	\$692M	Yes
Package 4	\$237M	\$230M	\$230M	Yes
Package 5	\$871M	\$871M	\$871M	Yes
Borough Hall	\$175M	\$173M	\$173M	Yes
Broadway Junction	\$393M	\$393M	\$393M	Yes
Replace 21 Escalators	\$222M	\$222M	\$222M	Yes
61 <sup>st</sup> St/Woodside	\$322M	\$322M	\$354M	No
Flushing Station Renewals	\$303M	\$303M	\$303M	Yes

- The 61<sup>st</sup> St/Woodside project has numerous commercial items that need to be addressed/negotiated, and the IEC is of the opinion the current budget is at risk of being exceeded further.
- The IEC notes that any unmitigated forecast schedule delays, previously highlighted on the schedule table, may also impact project budgets in the future.

# Stations Summary

## Elevator/Escalator Subcontractors

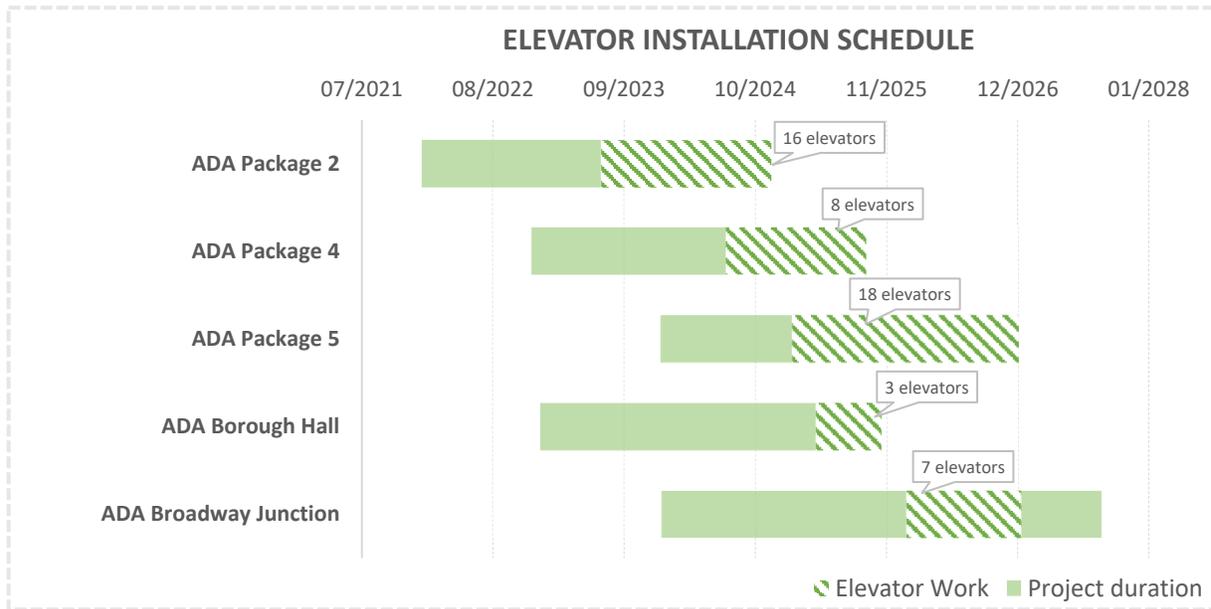
The following subcontractors are supporting the IEC’s individually monitored projects.

Project	Subcontractor	Elevators		Escalators	
		Total Elevators	Placed in Service	Total Escalators	Placed in Service
149 <sup>th</sup> St/Tremont	Mid-American	6	3	N/A	N/A
68 <sup>th</sup> St/Hunter College	Mid-American	3	0	N/A	N/A
Package 1	Modern	18	18	N/A	N/A
Package 2	Modern	16	9	N/A	N/A
Package 3	Otis Elevator	34	0	N/A	N/A
Package 4	Modern (Elevator) Kone (Escalator)	8	0	1	0
Package 5	Modern	18	0	N/A	N/A
Borough Hall	Modern	3	0	N/A	N/A
Broadway Junction	Modern (Elevator) Otis (Escalator)	7	0	3	0
Replace 21 Escalators	Kone	N/A	N/A	20	0
61 <sup>st</sup> St/Woodside	Kone	N/A	N/A	4	0

- Since the last report, two elevator subcontractors have faced challenges providing support and resources to their projects:
  - Modern Elevator’s (Modern) challenges on Package 1, its first MTA contract, have been significantly reduced with the establishment of a regional office and additional resources. Its performance has improved but needs constant monitoring as new elevator contracts place more demands on its capacity.
  - Mid-American Elevator Co has acknowledged constraints on their ability to increase support at 149<sup>th</sup> St due to their overall MTA workload.
- Feedback on third-party support for the initiated Elevator Maintenance Agreements has been positive. The IEC will continue to monitor results as more agreements come into effect.

# Stations Summary

## Elevator/Escalator Subcontractors (continued)



- The IEC has analyzed the installation schedule for the monitored projects and identified one elevator subcontractor who has multiple concurrent installations across multiple locations and projects that continue well into 2027. During these periods, high short-term demand for specialty resources will be required.
  - The IEC recognizes C&D’s approach in monitoring projects by their forecasted in-service dates helps with resource coordination. However, it may also be beneficial to extend this analysis to the workload of specialty subcontractors, whose availability may be limited. While it remains the contractor’s responsibility to meet SC deadlines, the schedule could be impacted, especially as the aggressive timelines for upcoming projects intensify.
  - Additionally, while MTA user groups and stakeholders each manage their own databases, having a centralized platform for elevators/escalators, accessible to all, would enhance coordination and efficiency. By collaboratively maintaining this shared resource, all parties can work more effectively together.

# Stations Summary

## Programmatic Station Risks

The IEC has analyzed risks and has identified the following key recurring risks that have had significant impacts to station projects:

- Unforeseen Conditions – There is risk that general uncertainties in the field may lead to unexpected conditions not reflected in the contract documents. This can result in additional work, increased costs, and project delays.
  - Mitigations include greater upfront investigative surveys and invasive testing during the design phase.
- MTA Support – There is a risk that Agency staffing and/or force account support required may not be sufficient to meet the program’s accessibility goals.
  - Continuous coordination and communication with the project team to forecast upcoming activities, anticipate needs and schedule the necessary support.
- Coordination – There is risk to work progress and maintaining project scope with different Authorities Having Jurisdiction (AHJs).
  - Better definition and adherence to scope of work, limits, and parties’ responsibilities on the initial third-party stakeholder agreements for Parks Dept, DEP, DOT.
- User Requests – There is risk that additional requests/requirements and/or unforeseen changes from stakeholders (NYCT user groups, Fire, ADA, and Code Compliance [FACC], etc.) after project award may impact project milestones and/or result in increased costs.
  - Ensure that in-house requests/requirements are both clearly defined and agreed upon early, without project impacts.

In the IEC’s opinion, these mitigations achieve some level of success; however, further development is needed.

# Stations Summary

## Program Challenges and Opportunities

C&D's Stations Program is dedicated to achieving system-wide transit accessibility by 2055. The IEC has compiled the following observations that identify key challenges and potential opportunities.

- The next Capital Plan 2025-2029 includes the award of 60 new station accessibility projects.
  - The volume of station projects planned may place additional pressure on the existing pool of qualified contractors, specialty subcontractors, skilled labor, and vendors needed to support these projects during construction.
  - The IEC also notes that increased support from MTA User Groups and Departments (e.g., Code Compliance, Elevator & Escalator, ADA, etc.) is critical to meet future demands.
- Enhancing collaboration between the Stations Business Unit and MTA planning and development teams can help identify conflicts within competing projects, ultimately minimizing change orders and schedule impacts.
  - Aligning project scopes by project locations during the planning process can streamline efforts and help prevent potential conflicts early, such as overlapping activities at shared sites or the need for rework.
- Ongoing coordination across projects is encouraged to continue identifying opportunities that benefit project timelines and lead to potential cost savings.
- The IEC recognizes the importance of documenting project challenges in C&D's Lessons Learned database. Key measures to determine its effectiveness in improving project outcomes would maximize its impact on the program delivery.
- For future projects, utilizing contractor's past performance during the procurement and qualification process could help minimize reoccurring deficiencies while maintaining ongoing commitments.

The IEC recognizes C&D's ongoing efforts to improve the process of project delivery.

# Stations Summary

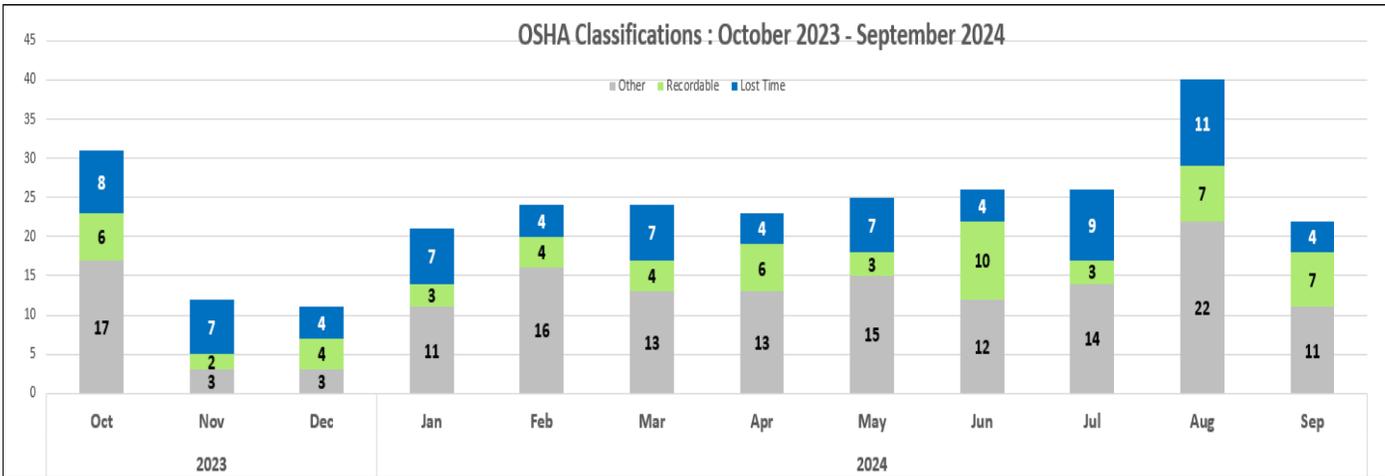
## Program Challenges and Opportunities (continued)

- The IEC notes progress in addressing schedule challenges, specifically with third-party stakeholders and utility agreements. C&D Delivery Services Office (DSO) is working with utilities, MTA Energy Management and other MTA Business Units to develop a comprehensive forecast that will improve resource acquisition, allocation, and support of these projects. Early development of detailed design and construction phase activities can present challenges, but ongoing efforts to track progress and mitigate risks have helped keep projects on schedule.
- The IEC has consistently observed over time that budget overruns have not been an issue for station projects.
  - Recent station project awards have reduced the construction contingency to 5%, a reduction from the typical 10% allocation. C&D has attributed the utilization of the Design-Build (DB) methodology of project delivery, which transfers much of the cost risk to the contractor.
  - Moving forward, the IEC will continue to assess whether this approach proves successful and consistently results in projects being completed within budget.
- The IEC notes that capturing risks, effective mitigations, and successful management tools have positively contributed to the Stations Program.
  - Continued review of the Risk Register results, recording and utilizing successful mitigations and alternate strategies that were undertaken is critical to capture results to improve future risk assessments.

In conclusion, the Stations Business Unit continues its efforts to deliver system-wide accessibility, technology upgrades, and physical improvements.

In this report, the IEC has identified some challenges and risks faced by the program and the efforts being made to address and overcome these issues. Despite the challenges, C&D continues to make significant progress in improving stations and increasing accessibility throughout all 5 boroughs.

The IEC will continue to monitor the Stations Program through the risk-based monitoring and the quarterly TLR reviews.



**Lost Time** – A work-related incident (injury or illness) to an employee that results in a loss of productive work time, and the employee is unable to perform regular job duties.  
**Recordable** - An injury or illness that results in restricted work or transfer to another job, medical treatment beyond first aid, or a loss of consciousness.  
 Other: A combination of minor first-aid, medical events, and incidents notification-only.

**SAFETY NARRATIVE**

**SEPTEMBER UPDATE:**

- 22 safety incidents were reported in September 2024, including:
  - Four (4) lost time incidents,
  - Seven (7) recordable incidents.
- The reported lost time incidents in September 2024 decreased by 7 incidents compared to August 2024.
- The Leading lost-time and recordable incident types for September 2024 were Struck by/Against (27%), Caught Between (27%), and Slip/Trip/Fall (27%).
- **SERIOUS INCIDENTS: None**

**YEAR-TO-DATE TRENDS:**

- **LOST TIME INCIDENT TRENDS:** 57 Lost Time incidents have been reported YTD (through September 30, 2024). The top injury types associated with lost time incidents YTD are Struck By/Against, currently at (37%) Slips, Trips and Falls (28%), and Strains/Sprains (23%). There was a 7-incident decrease in reported Lost Time incidents from the previous month.
- **RECORDABLE INCIDENT TRENDS:** 47 Recordable incidents have been reported YTD (through September 30, 2024). The top injury types associated with recordable incidents YTD are Struck By/Against, currently at (51%) & Slips, Trips, and Falls (19%), and Caught In Between (19%). The reported Recordable incidents remained the same as the previous month.
- **SERIOUS INCIDENTS: None**

**INSPECTIONS & AUDITS:** Active Capital Projects for August – **233 Projects with 423 Sub-Projects**

- **SEPTEMBER INSPECTIONS:**
  - **INTERNAL – 283**
  - **EXTERNAL –689** (73 Third-Party Safety Consultants; 616 OCIP Visits)
- **YTD TOTAL # OF INSPECTIONS:**
  - **INTERNAL – 2,275**
  - **EXTERNAL – 6,088** (608 Third-Party Safety Consultants; 5,273 OCIP Visits)
- **SEPTEMBER NEGATIVE OBSERVATION(S)** – Negative Findings identified through various inspections include General Safety/Housekeeping, Stairs/Ladders, Fire Protection/Prevention, Supervision/Organization, Fall Protection, Electrical, Motor Vehicles/Heavy Equipment, and Barricades/Enclosures.
- **SEPTEMBER POSITIVE OBSERVATION(S)** – Positive Findings identified through various inspections include Supervision/Organization, General Safety/Housekeeping, Fire Protection/Prevention, Electrical, Tools (Hand & Power), Stairs/Ladders, Motor Vehicles/Heavy Equipment, and Fall Protection.

- **INVESTIGATIONS & LESSONS LEARNED:**

- **NUMBER OF INVESTIGATIONS for SEPTEMBER– None**

- **MTA C&D STRATEGIC INITIATIVES:**

- C&D has begun using the mobile application provided by the OCIP Safety program vendor. C&D is continually working with the vendor to address any concerns identified by the field users immediately. Users are encouraged to report any issues or challenges they may encounter while using the platform. The ESS all-agency program continues to progress.
- C&D continues its outreach with the Building Trades Employers' Association (BTEA) and other trade and organizations like the Construction Management Association of America (CMAA) to review and discuss C&D trends and possible collaborations. C&D was recently invited to participate in the next General Contractors Association of New York (GCA) safety meeting.
- C&D Emergency Management has selected the next project to participate in the Tabletop Exercise. Planning is currently underway and is expected to occur in October. C&D continues to develop an emergency management system to improve coordination with MTA stakeholders and streamline operations.
- With the assistance of our Corporate Quality partners, C&D participated in an ISO 45001 Pre-Audit. The audit reported overall very positive findings.
- C&D has implemented the Safety Management System and revised the rollout of the remaining parts of the SMS to align with the enhancements to current practices. This will allow for more successful compliance with the SMS requirements of ISO 45001. We continue working with AECOM to finalize the Phase rollout with current practices and enhancements to work with current contracts. New programs will be used to further enhance the safety practices and culture with program future revisions.
- C&D is developing and updating new policies and procedures, focusing on safety training for New York City DOB SST Training requirements and creating additional safety-specific training to enhance MTA project staff safety awareness.
- As part of the SMS's Safety Communication component, C&D continues developing a monthly safety newsletter (Safety Zone) to inform C&D staff and the project teams on relevant safety topics, identified best practices, or other subjects that can be used to ensure safety at the various C&D project sites.
  - An additional safety communication component developed by C&D is an agency-wide "Safety Moment" presentation. This C&D-wide initiative is modeled after an identified best practice currently used by a C&D Business Unit. This initiative aims to allow participants to experience a "live & interactive" safety presentation/discussion for participant engagement and interactive learning. This approach leads to a better understanding and retention of safety protocols, standards, and expectations.

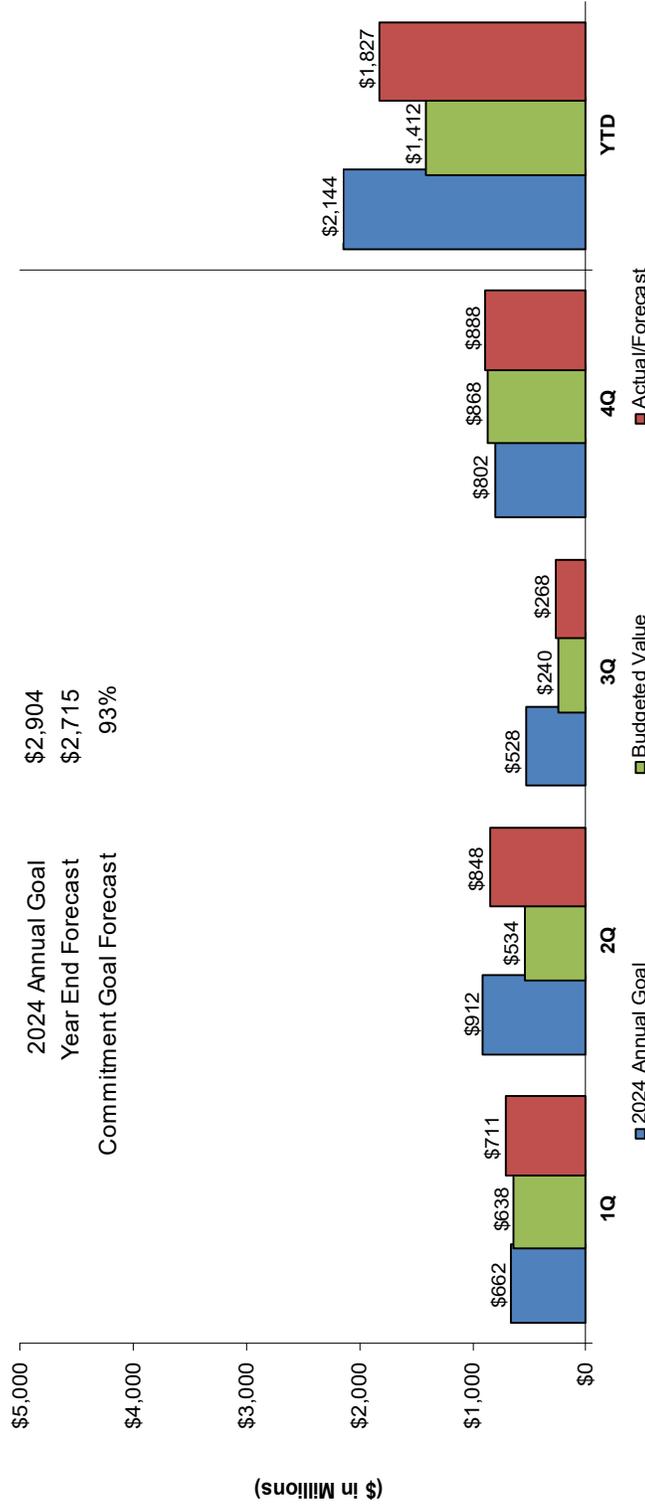
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# **MTA Capital Program Commitments & Completions**

**through  
September 30, 2024**

Capital Projects – Commitments – September 2024

MTA-wide 2024 Commitments



2024 Annual Goal \$2,904  
 Year End Forecast \$2,715  
 Commitment Goal Forecast 93%

**Annual Goals:** Dollar and time-based programmatic milestones for the commitment of contracts established at the start of each year and which are achievable during the year.

**Actuals:** The value of the goals and any additional unplanned commitments as they are achieved during the year.

**Forecasts:** The updated estimates by quarter for remaining goals as well as any unplanned commitments that might occur during the year.

**Budget:** The budgeted value assumed in the capital program for the Actual and Forecasted commitments being tracked during the year.

Commitments Summary

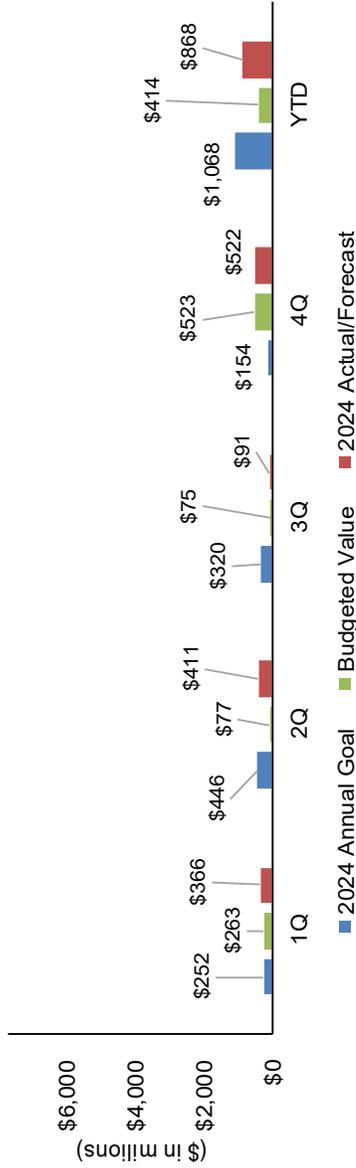
Due to the impact of delaying congestion pricing funding the MTA plans to commit \$2.9 billion worth of capital projects in 2024. Through September, the MTA has committed \$1,827 million of the \$2,144 million YTD goal. The ~\$300 million discrepancy is primarily a result of the Equipping B Division with CBTC Radio and the LSCR: Broadway 7<sup>th</sup> and 8<sup>th</sup> Ave projects being delayed to October and being partially offset by unplanned commitments earlier in the year. The year end forecast is 7% lower than the year end goal due to the LIRR's WSY Flood Wall, NYCT's 2020-24 Facility Elevators, and B&T's reconstruction of the upper-level approaches to the Verrazzano Bridge all now anticipated for 2025 award. The commitment plan may be revised as a result of the postponement of Central Business District Tolling.

At the end of each quarter in 2024 any schedule variances for major commitments will be reported on the following pages. Through Q3 there have been six delayed major commitments, half of which are expected to be committed within the year.

## NYCT/MTA Bus Capital Projects – Commitments – September 2024 – Budget Analysis and Schedule Variances

### NYCT and MTA Bus Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$252	\$446	\$320	\$154	\$1,068
2024 Actual/Forecast	\$366	\$411	\$91	\$522	\$868
Budgeted Value	\$263	\$77	\$75	\$523	\$414



### Q1-Q3 Schedule Variances

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

#### 3 NYCT/MTA Bus Red Commitments (1 new this quarter)

Amber delays are within 2 months of goal.

#### Line Structures

Line Structure Component Repair:	Construction	Apr-24	Oct-24
BW7 & 8AV North	\$	266.0	\$ 181.5

Change in award date reflects extension of bid due date to address bidders' questions and a current extension to qualify the apparent low bidder.

#### Stations

2020-2024 Facility Elevators	Construction	Apr-24	<b>Jun-25</b>
	\$	43.6	\$ 43.6

Project delayed due to the current unavailability of Congestion Pricing funding.

#### Signals

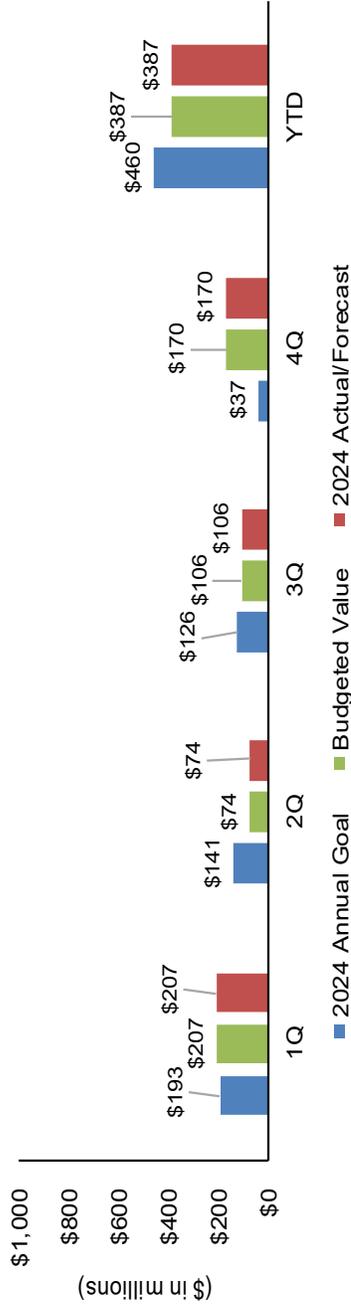
<b>Equip B Division with Second CBTC Radio (New Item)</b>	Construction	Jul-24	Oct-24
	\$	200.0	\$ 200.0

Delay due to the request to advertise undergoing revisions.

**LIRR Capital Projects – Commitments – September 2024 – Budget Analysis and Schedule Variances**

**LIRR Budget Analysis**

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$193	\$141	\$126	\$37	\$460
2024 Actual/Forecast	\$207	\$74	\$106	\$170	\$387
Budgeted Value	\$207	\$74	\$106	\$170	\$387



**Q1-Q3 Schedule Variances**

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

**2 LIRR Red Commitment (1 new this quarter)**

Red delays are beyond 2 months of goal.

Yards	Project	Goal	Act./Forec.
West Side Yard Flood Wall	Construction	Jun-24 \$ 106.0	Jun-25 \$ 106.0

The proposal due date for this RFP was extended to February 2025.

**Rolling Stock**

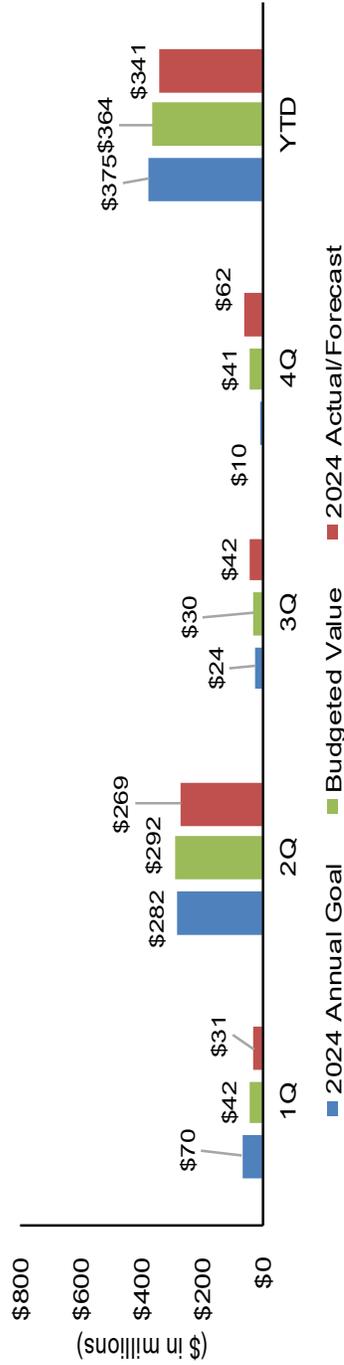
Item	Goal	Act./Forec.
Dual Mode Locomotives (New Item)	Purchase Jul-24 \$ 93.3	Dec-24 \$ 93.3

Currently in active negotiations with Siemens for an LIRR Option, pending funding availability.

MNR Capital Projects – Commitments – September 2024 – Budget Analysis and Schedule Variances

MNR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$70	\$282	\$24	\$10	\$375
2024 Actual/Forecast	\$31	\$269	\$42	\$62	\$341
Budgeted Value	\$42	\$292	\$30	\$41	\$364



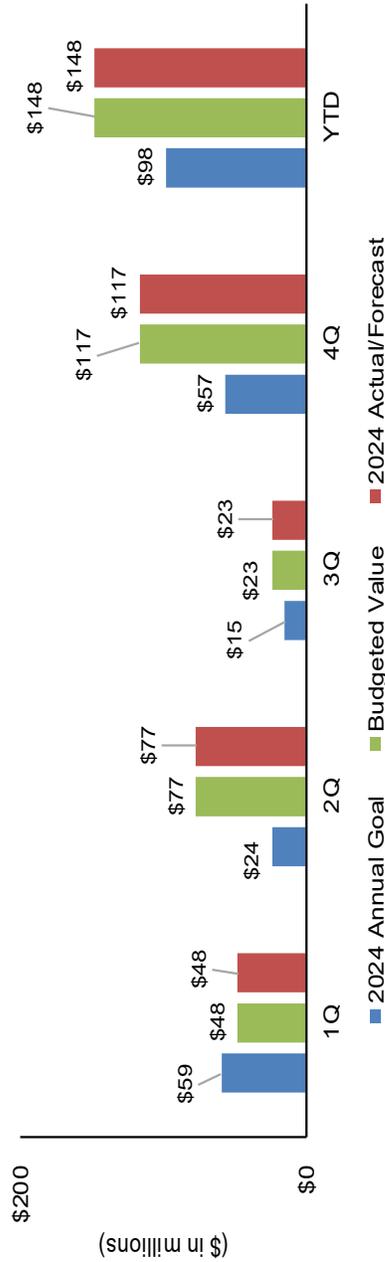
Q1-Q3 Schedule Variances

There are no major schedule slippages to report for MNR.

**MTA Network Expansion Projects – Commitments – September 2024 – Budget Analysis and Schedule Variances**

**MTA Network Expansion Budget Analysis**

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$59	\$24	\$15	\$57	\$98
2024 Actual/Forecast	\$48	\$77	\$23	\$117	\$148
Budgeted Value	\$48	\$77	\$23	\$117	\$148



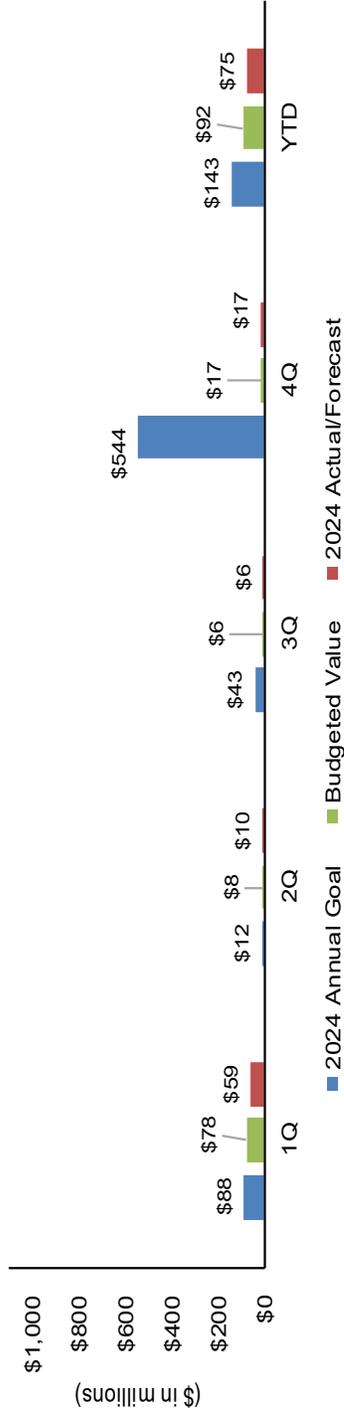
**Q1-Q3 Schedule Variances**

There are no major schedule slippages to report for Expansion.

**B&T Capital Projects – Commitments – September 2024 – Budget Analysis and Schedule Variances**

**B&T Budget Analysis**

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$88	\$12	\$43	\$544	\$143
2024 Actual/Forecast	\$59	\$10	\$6	\$17	\$75
Budgeted Value	\$78	\$8	\$6	\$17	\$92



**Q1-Q3 Schedule Variances**

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

**1 B&T Red Commitment (1 new this quarter)**

Red delays are beyond 2 months of goal.

Bridges

Widening of SB FDR Drive at the RFK Bridge (New Item)	Construction	Aug-24	Feb-25
	\$	28.5	\$ 28.5

Procurement on hold pending funding availability.

### Capital Projects – Completions – September 2024

Goal	MTA-wide 2024 Major Completions												Post 2024
	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	
Total	3	4	2	2	3	5	3	1	1	3	6	21	5
Jan-24	3												
Feb-24		3		1									
Mar-24		1	2				1				1		
Apr-24				1	2	3						1	
May-24					1								
Jun-24						1			1			1	
Jul-24							1						
Aug-24								1		1	1	1	
Sep-24									1			3	2
Oct-24											1		1
Nov-24												2	1
Dec-24						1							13

**BLUE** = Actual/Forecast earlier than Goal  
**GREEN** = Actual/Forecast matches Goal  
**AMBER** = Actual/Forecast within 2 months of Goal  
**RED** = Actual/Forecast beyond 2 months of Goal

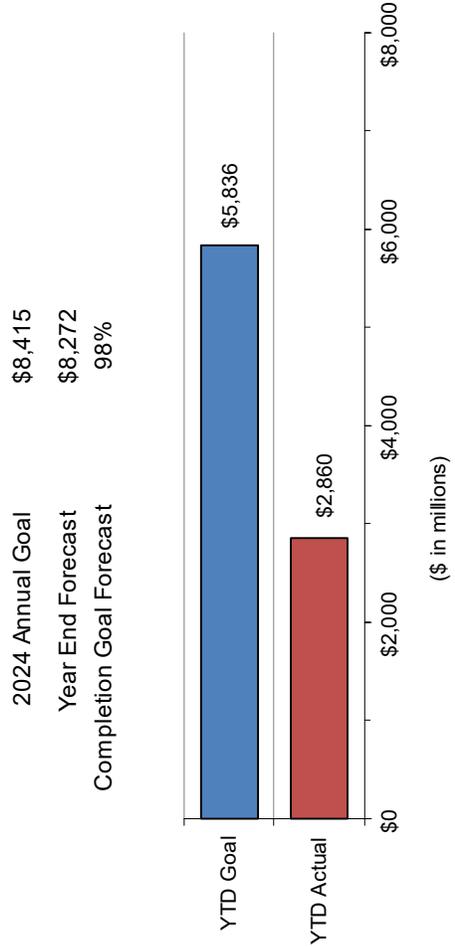
### Completions Summary

In 2024 the MTA plans to complete \$8.4 billion of projects. 59 Major completions will be tracked throughout the year.

Through September, the MTA has completed \$2,860 million versus its year-to-date goal of \$5,836 million. The shortfall is primarily due to the delays of several bus purchases with MTA Bus, the 207<sup>th</sup> St Yard project, CBTC Culver, Bus Radio System project, ADA package 2 and many other smaller projects with NYCT. Overall, there are 27 delayed major completions, all but 5 of which are still expected to be completed within the year.

By the year end the MTA forecasts achieving 98% of its completions goal. This shortfall can be attributed to the several projects that have slipped out of the year at NYCT and LIRR.

### Budget Analysis

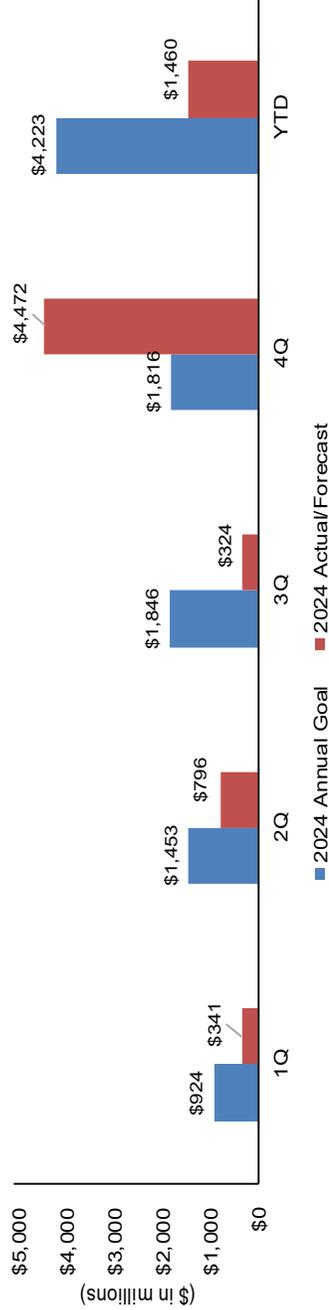


## NYCT/MTA Bus Capital Projects – Completions – September 2024 – Budget Analysis and Schedule Variances

### NYCT and MTA Bus Budget Analysis

Summary Chart Data					
	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$924	\$1,453	\$1,846	\$1,816	\$4,223
2024 Actual/Forecast	\$341	\$796	\$324	\$4,472	\$1,460

2024 Goal (Rolling Stock)	\$0	\$96	\$89	\$251	\$96
2024 Actual/Forecast (Rolling Stock)	\$0	\$101	\$80	\$308	\$101



### Schedule Variances

Project	Completion	Goal	Act./Forec.
---------	------------	------	-------------

#### 7 NYCT/MTA Bus Amber Completions (2 new this month)

Amber delays are delayed less than 2 months of goal.

<b>Buses</b>			
Bus Radio System	Construction	Aug-24	Oct-24
		\$263.73	\$252.32
Substantial completion date subject to mediation with contractor. Change in cost reflects latest estimate at completion.			
<b>ADA</b>			
ADA: 8 Stations (Pkg A)	Construction	Feb-24	Apr-24 (A)
		\$278.76	\$272.20
Change in schedule reflects delay in fire alarm testing due to ConEd power issues at Metropolitan Av station.			
ADA Pkg 2: ADA/Elevators at Legacy Stations	Construction	Sep-24	Nov-24
		\$411.17	\$410.08
Change in schedule due to additional steel defects to be addressed. Change in cost reflects latest estimate at completion.			

Project	Completion	Goal	Act./Forec.
---------	------------	------	-------------

#### 7 NYCT/MTA Bus Amber Completions

<b>Track</b>			
Direct Fixation Track	Construction	Apr-24	Jun-24 (A)
		\$183.35	\$211.83
The change in project schedule was due to pending as-built drawings.			
<b>MTAB</b>			
Depot Component: SC CNG Upgrade	Construction	Jul-24	Oct-24
		\$6.98	\$6.98
Completion date adjusted to account for delay in delivery of CNG gas dispensers.			
<b>Stations</b>			
Platform Components & Track / BW7 (New Item)	Construction	Oct-24	Nov-24
		\$72.34	\$72.34
Change in schedule due track access coordination for change orders.			
<b>Power</b>			
Rehabilitate Forsyth St. Fan Plant (New Item)	Construction	Sep-24	Nov-24
		\$80.56	\$80.56
Delay in completion is due to ongoing work to address minor water leaks at fan plant.			

## NYCT/MTA Bus Capital Projects – Completions – September 2024 – Budget Analysis and Schedule Variances

### Schedule Variances

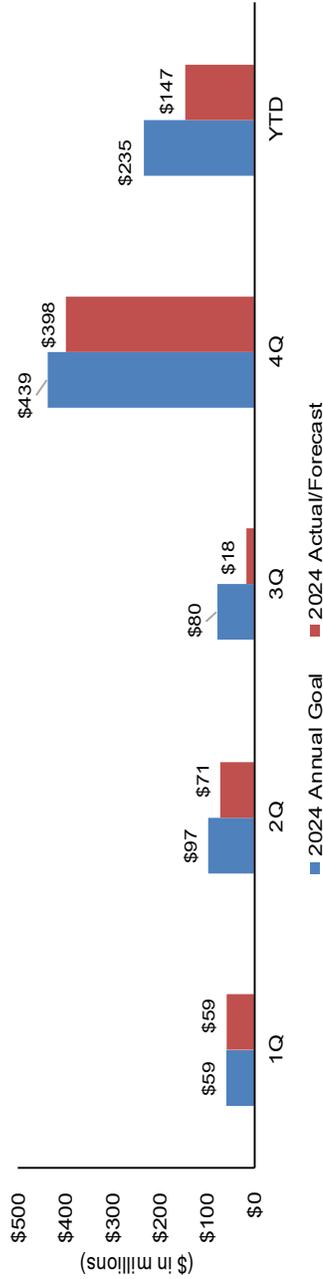
Project	Completion	Goal	Act./Forec.	Project	Completion	Goal	Act./Forec.
<p><b>8 NYCT/MTA Bus Red Completions (1 new this month)</b>                      Red delays are beyond 2 months of goal.</p>							
<p><i>Shops &amp; Yards</i></p>							
207th Street Yard: Sandy	Construction	May-24	Dec-24	<p><b>8 NYCT/MTA Bus Red Completions</b>                      Red delays are beyond 2 months of goal.                      MTA Bus</p>	<p>Construction</p>	<p>Nov-24</p>	<p>Jun-25</p>
Repair/Mitigation		\$600.67	\$608.94				
<p>Change in project schedule due to field conditions and pending as-built drawings.</p>							
<p><i>MTA Bus</i></p>							
Storeroom Expansion - LaGuardia	Construction	Mar-24	Nov-24	<p><b>Passenger ID CCTV: Various</b>                      Change in schedule due to ongoing coordination with Department of Subways on system integration.</p>	<p>Construction</p>	<p>Nov-24</p>	<p>\$65.70</p>
		\$7.42	\$7.42				
<p>Due to the complaint about the area's bird infestation, the storeroom relocation is put on-hold. The contractor's estimate was much higher than anticipated. Therefore, an alternative solution was proposed and is pending approval.</p>							
Purchas 25 Standard Buses	Purchase	Jun-24	Dec-24	<p>Completion date slipped due to production delays, 110 of the total 135 buses were delivered by end of June with the rest expected in December.</p>	<p>Purchase</p>	<p>Jun-24</p>	<p>\$16.81</p>
		\$16.81	\$16.81				
<p>Completion date slipped due to production delays, 110 of the total 135 buses were delivered by end of June with the rest expected in December.</p>							
25 Standard Buses	Purchase	Jun-24	Dec-24	<p>Completion date slipped due to production delays, 110 of the total 135 buses were delivered by end of June with the rest expected in December.</p>	<p>Purchase</p>	<p>Jun-24</p>	<p>\$17.68</p>
		\$17.68	\$17.68				
<p>Completion date slipped due to production delays, 110 of the total 135 buses were delivered by end of June with the rest expected in December.</p>							
85 Standard Buses	Purchase	Jun-24	Dec-24	<p>Completion date slipped due to production delays, 110 of the total 135 buses were delivered by end of June with the rest expected in December.</p>	<p>Purchase</p>	<p>Jun-24</p>	<p>\$61.92</p>
		\$61.92	\$61.92				
<p>Completion date slipped due to production delays, 110 of the total 135 buses were delivered by end of June with the rest expected in December.</p>							
<p><i>Signals</i></p>							
CBTC Culver	Construction	Aug-24	Nov-24	<p>Delays due to discrepancies in grades, scope of work, and a CBTC cutover schedule adjustment.</p>	<p>Construction</p>	<p>Aug-24</p>	<p>\$451.98</p>
		\$451.98	\$451.98				
<p>Change in schedule due to other escalator work at Lexington Ave Station.</p>							
<p><i>Stations</i></p>							
Replace 12 Escalators	Construction	Sep-24	Apr-25	<p>Change in schedule due to other escalator work at Lexington Ave Station.</p>	<p>Construction</p>	<p>Sep-24</p>	<p>\$93.79</p>
		\$83.80	\$93.79				
<p>Change in schedule due to other escalator work at Lexington Ave Station.</p>							

## LIRR Capital Projects – Completions – September 2024 – Budget Analysis and Schedule Variances

### LIRR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$59	\$97	\$80	\$439	\$235
2024 Actual/Forecast	\$59	\$71	\$18	\$398	\$147

2024 Goal (Rolling Stock)	\$0	\$0	\$0	\$0	\$0
2024 Actual/Forecast (Rolling Stock)	\$0	\$0	\$0	\$0	\$0



### Schedule Variances

Project	Completion	Goal	Act./Forec.	Completion	Goal	Actual(A)
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#### 4 LIRR Amber Completions

Amber delays are delayed less than 2 months of goal.

ADA						
ADA Coplague	Construction	Apr-24	May-24 (A)			
Delay with materials for the curtain wall and installation of the elevator components		\$18.05	\$17.44			
ADA Lindenhurst	Construction	Apr-24	Jun-24 (A)			
Delay with materials for the curtain wall and installation of the elevator components		\$17.98	\$17.98			
ADA Arnyville	Construction	Apr-24	Jun-24 (A)			
Delay with materials for the curtain wall and installation of the elevator components		\$15.47	\$15.47			
Facilities						
Mets-Willets EIC Relocation	Construction	Apr-24	May-24 (A)			
Date moved out due to a delay in force account work.		\$28.70	\$19.93			

#### 5 LIRR Red Completion

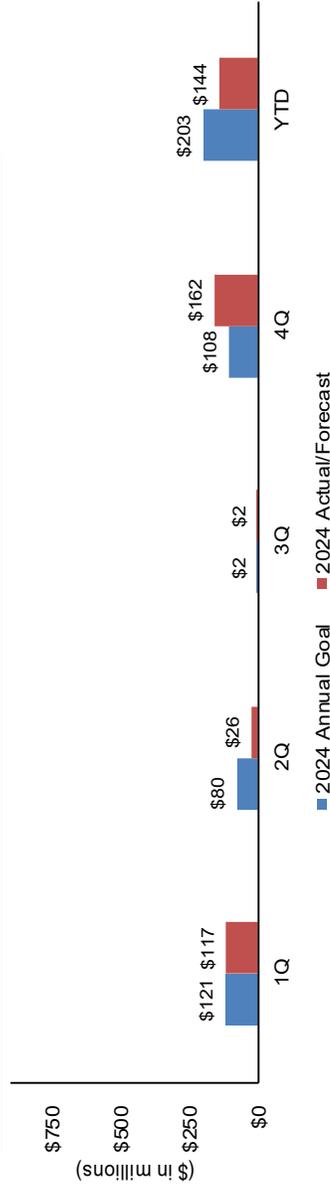
Red delays are beyond 2 months of goal.

Facilities						
Fire Protection Improvements	Construction	Dec-24	May-25			
Completion date extended due to delays with design review, submittal, and safety workplan.		\$25.00	\$25.00			
Yards						
Long Island City Yard Resiliency	Construction	Sep-24	Dec-24			
Delay due to unforeseen site conditions and log lead items.		\$26.29	\$26.29			
Long Island City Phase 3 B	Construction	Sep-24	Dec-24			
Delay due to unforeseen site conditions and log lead items.		\$14.95	\$14.95			
Long Island City Yard -	Construction	Sep-24	Dec-24			
Delay due to unforeseen site conditions and log lead items.		\$2.38	\$2.38			
Power						
Hall & Babylon Signal Power	Construction	Oct-24	Aug-25			
Generator Repl.		\$19.51	\$19.51			
Delay due to coordination with ConEd on final direction for primary and secondary service feeders.						

**MNR Capital Projects – Completions – September 2024 – Budget Analysis and Schedule Variances**

**MNR Budget Analysis**

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$121	\$80	\$2	\$108	\$203
2024 Actual/Forecast	\$117	\$26	\$2	\$162	\$144
2024 Goal (Rolling Stock)	\$0	\$0	\$0	\$0	\$0
2024 Actual/Forecast (Rolling Stock)	\$0	\$0	\$0	\$0	\$0



**Schedule Variances**

Project	Completion	Goal	Act./Forec.
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**1 Metro-North Red Completion**

Red delays are beyond 2 months of goal.

*Shops*

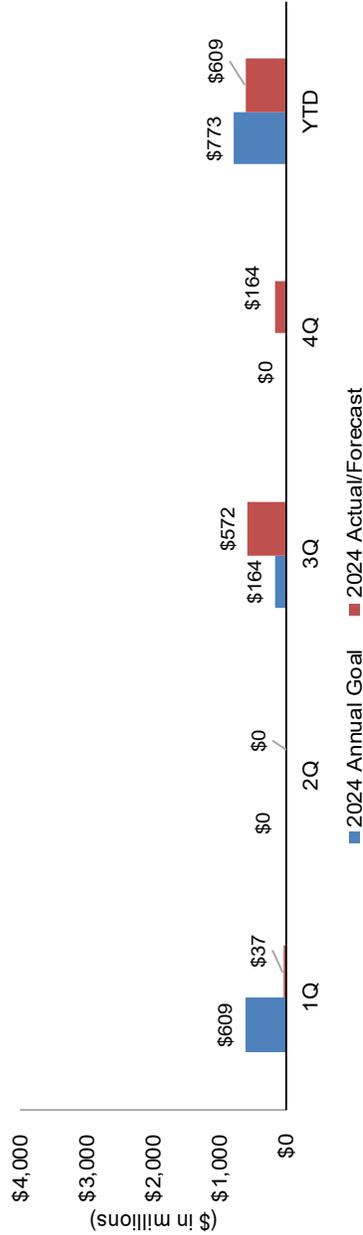
Harlem & Hudson Power Improvements (City Water Substation)	Construction	Jun-24	Oct-24
		\$23.70	\$23.70

Problems stemming from equipment performance issues. Testing is scheduled for October and substantial completion will be declared upon successful testing.

**MTA Network Expansion Projects – Completions – September 2024 – Budget Analysis and Schedule Variances**

**MTA Network Expansion Budget Analysis**

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$609	\$0	\$164	\$0	\$773
2024 Actual/Forecast	\$37	\$0	\$572	\$164	\$609



**Schedule Variances**

Project	Completion	Goal	Act./Forec.
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**2 Network Expansion Red Completions**

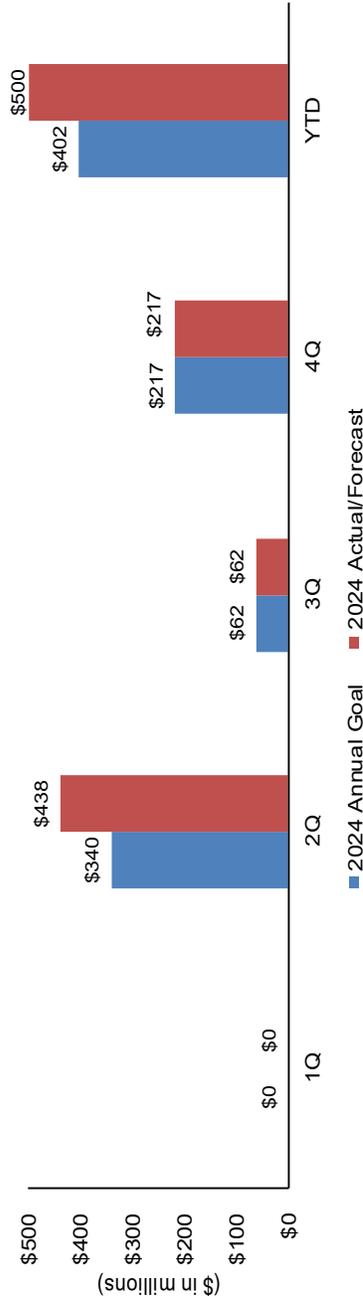
Amber delays are delayed less than 2 months of goal.

East Side Access			
GCT Concourse & Facilities	Construction	Mar-24	Jul-24 (A)
CMD14B		\$572	\$572
The slip was due to a delay in the installation/certification of seismic monitoring equipment.			
East Bound Re-Route			
East Bound Re-Route CH058B	Construction	Aug-24	Dec-24
		\$163.6	\$163.6
Delay due to Track Outage availability			

**B&T Capital Projects – Completions – September 2024 – Budget Analysis and Schedule Variances**

**B&T Budget Analysis**

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2024 Annual Goal	\$0	\$340	\$62	\$217	\$402
2024 Actual/Forecast	\$0	\$438	\$62	\$217	\$500



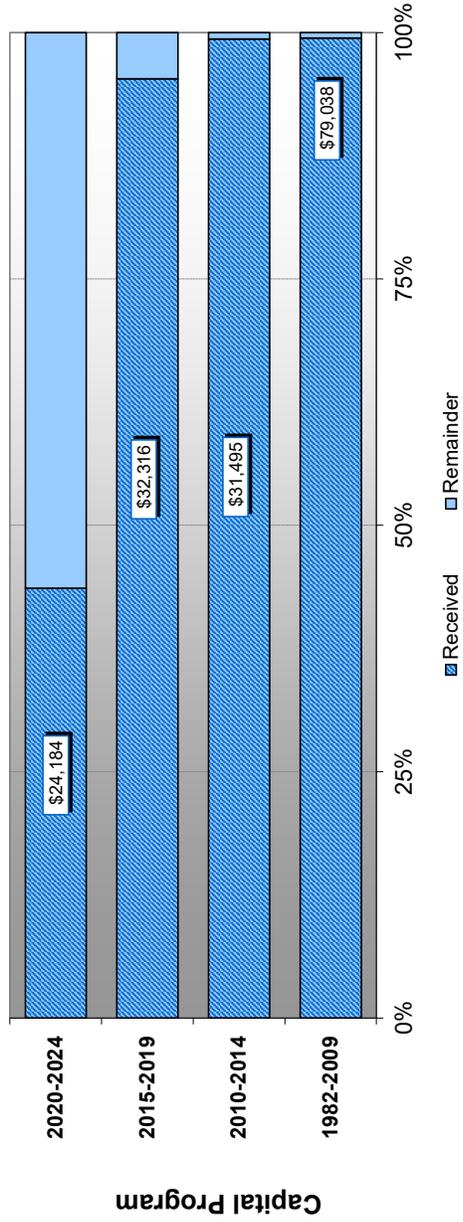
**Schedule Variances**

There are no major schedule slippages to report for B&T.

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# Status of MTA Capital Program Funding

**Capital Funding (September 2024)**  
\$ in millions



**Capital Funding Detail (September 2024)**

\$ in millions

	Funding Plan		Received/Secured		Secured to date	Remainder
	Current	Thru August	September			
<b>2010-2014 Program</b>						
Federal Formula, Flexible, Misc	\$5,844	\$5,790	\$ -		\$5,790	\$54
Federal High Speed Rail	173	173	-		173	-
Federal New Start	1,271	1,271	-		1,271	-
Federal Security	89	89	-		89	-
Federal RRIF Loan	-	-	-		-	-
City Capital Funds	524	524	-		524	-
City Asset Sales	195	84	-		84	110
State Assistance	770	770	-		770	-
MTA Bus Federal and City Match	132	113	-		113	19
MTA Bonds	11,635	11,635	-		11,635	-
Other (Including Operating to Capital)**	1,290	1,290	-		1,290	0
B&T Bonds	2,025	2,000	-		2,000	25
Hurricane Sandy Recovery						
Insurance Proceeds/Federal Reimbursement	6,697	6,697	-		6,697	-
PAYGO	18	18	-		18	-
Sandy Recovery MTA Bonds	659	658	-		658	0
Sandy Recovery B&T Bonds & Cash	383	383	-		383	-
<b>Total</b>	<b>31,704</b>	<b>31,495</b>	<b>-</b>		<b>31,495</b>	<b>209</b>

	Funding Plan		Received/Secured		Secured to date	Remainder
	Current	Thru August	September			
<b>2015-2019 Program</b>						
Federal Formula	\$4,873	\$4,873	\$3		\$4,877	(\$3) a
Federal Flex & Other (Incl HSR/Security/Core Capacity)	528	628	-		628	(100) b
Federal New Start	1,400	1,400	497		1,897	(497) b
State Assistance	9,064	8,248	-		8,248	817
City Capital Funds	2,067	2,066	-		2,066	1
City Non-Tax Levy Revenue Sources	600	-	-		-	600
MTA Bonds	9,118	9,118	-		9,118	-
Asset Sales/Leases	959	326	-		326	633
Pay-as-you-go (PAYGO)**	2,145	2,145	-		2,145	-
Other	217	70	-		70	147
B&T Bonds & PAYGO/Asset Sale	2,942	2,942	-		2,942	-
<b>Total</b>	<b>33,913</b>	<b>31,815</b>	<b>500</b>		<b>32,316</b>	<b>1,597</b>

	Funding Plan		Received/Secured		Secured to date	Remainder
	Current	Thru August	September			
<b>2020-2024 Program</b>						
Capital from Central Business District Tolling	\$15,000	\$ -	\$ -		\$ -	\$15,000
Capital from New Revenue Sources	10,000	5,604	-		5,604	4,396
MTA Bonds and PAYGO	7,393	723	-		723	6,671
Other Contribution	542	-	-		-	542
Federal Formula	9,984	8,113	2,332		10,445	(461) c
State of New York	3,101	511	-		511	2,590
City of New York	3,007	3,001	-		3,001	6
Federal New Start (SAS Ph2)	2,005	2,005	-		2,005	-
Federal Flexible & Other	1,084	1,082	66		1,148	(64) d
B&T Bonds	3,327	748	-		748	2,579
<b>Total</b>	<b>55,442</b>	<b>21,787</b>	<b>2,398</b>		<b>24,184</b>	<b>31,258</b>

a) Receipt of \$3m in federal funding for MTA Bus Company Depot projects  
 b) Receipt of \$497m for New Start for SAS 2  
 c) Includes MTA local funds freed up as a result of the receipt of federal formula funding and made available as a source to the 2020-2024 Capital Program. This month's receipt also includes \$30m in federal funds for NYCT Bus/Depot projects  
 d) Receipt of \$50m federal CMAQ funding for NYCT Middleton Stn ADA project, +\$1m DOT Community Project grant NYCT Classon Ave Stn ADA, and \$15m RAISE grant for NYCT Broadway Junction  
 NOTE: The 2010-2014, 2015-2019 AND 2020-2024 funding plans reflect the last Board approved values. These plans will be updated in the next plan amendment to reflect receipt of unplanned fund sources recognized in the Receipt Report.

## **Contracts Department**

**Evan Eisland, Executive Vice President and General Counsel**

**PROCUREMENT PACKAGE  
OCTOBER 2024**

## PROCUREMENTS

The Procurement Agenda this month includes 5 actions for a proposed expenditure of \$150.7 M.

# Staff Summary

<b>Subject</b> Request Authorization for Several Procurement Actions					
<b>Contracts Department</b> Evan Eisland, Executive Vice President and General Counsel					
<b>Board Action</b>					
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>
1	Capital Program Committee	10/28/24	X		
2	Board	10/30/24	X		

<b>Date:</b> October 23, 2024			
<b>Internal Approvals</b>			
	<b>Approval</b>		<b>Approval</b>
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 Competitive Procurements in the following categories:

<u>Schedules Requiring Two-Thirds Vote</u>	<u># of Actions</u>	<u>\$</u>	<u>Amount</u>
C. Competitive Requests for Proposal (Award of Purchase and Public Works Contracts)	1	\$	118,000,000
SUBTOTAL	1	\$	118,000,000

<u>Schedules Requiring Majority Vote</u>	<u># of Actions</u>	<u>\$</u>	<u>Amount</u>
I. Modifications to Purchase and Public Work Contracts	3	\$	32,515,765
SUBTOTAL	3	\$	32,515,765

MTA Construction & Development proposes to award Ratifications in the following category:

<u>Schedules Requiring Majority Vote</u>	<u># of Actions</u>	<u>\$</u>	<u>Amount</u>
K. Ratification of Completed Procurement Actions	1	\$	234,000
SUBTOTAL	1	\$	234,000
<b>TOTAL</b>	<b>5</b>	<b>\$</b>	<b>150,749,765</b>

**Budget Impact**

The approval of these procurement actions will obligate capital and operating funds in the amounts listed. Funds are available in the capital program and operating budgets for these purposes.

**Recommendation**

That the procurement actions be approved as proposed. (The items are 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.

**OCTOBER 2024**

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Two-Thirds Vote:**

**Schedule C. Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)**

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

- |    |   |                      |                                      |
|----|---|----------------------|--------------------------------------|
| 1. | <b>MLJ Contracting Corp<br/>Contract 1000189246</b> | <b>\$118,000,000</b> | <b><u>Staff Summary Attached</u></b> |
|----|---|----------------------|--------------------------------------|

MTA Construction & Development requests Board approval to award a publicly advertised and competitively solicited contract for Design-Build services for Americans with Disabilities Act station improvements at three Metro-North Railroad Harlem Line stations in the Bronx.

**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.)

- |    |   |                        |                                      |
|----|---|------------------------|--------------------------------------|
| 2. | <b>GCT Constructors, JV<br/>Contract CM014B</b> | <b>\$14,775,107.33</b> | <b><u>Staff Summary Attached</u></b> |
|----|---|------------------------|--------------------------------------|

MTA Construction and Development requests Board approval of a modification to resolve claims for additional work and delays, reconcile allowance bid items and extend the Contract's Substantial Completion date from June 26, 2020 to April 14, 2024.

- |    |  |                     |                                      |
|----|--|---------------------|--------------------------------------|
| 3. | <b>Judlau-TC Electric, JV<br/>Contract MN39881</b> | <b>\$13,500,000</b> | <b><u>Staff Summary Attached</u></b> |
|----|--|---------------------|--------------------------------------|

MTA Construction and Development requests Board approval of a modification to resolve claims for additional work and delays.

- |    |  |                       |                                      |
|----|--|-----------------------|--------------------------------------|
| 4. | <b>Skanska-ECCO III 2, JV<br/>Contract MN81933</b> | <b>\$4,240,657.47</b> | <b><u>Staff Summary Attached</u></b> |
|----|--|-----------------------|--------------------------------------|

MTA Construction and Development requests Board approval of a modification to resolve claims for additional work and delays and extend the Contract's Substantial Completion date from April 30, 2023 to December 29, 2023.

# Staff Summary

## Schedule C: Competitive Requests for Proposals (Award of Purchase and Public Works Contracts)

Item Number 1					
Department, Department Head Name: Delivery, MNR, Ziona Rubin, Vice President					
<b>Board Reviews</b>					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	10/28/24	X		
2	Board	10/30/24	X		
<b>Internal Approvals</b>					
Order	Approval	Order	Approval		
X	Deputy Chief, Development	X	Executive Vice President & General Counsel		
X	Deputy Chief, Delivery	X	President		

<b>SUMMARY INFORMATION</b>	
Vendor Name	Contract Number
MLJ Contracting Corp.	1000189246
Description	
Design-Build Services for Metro-North ADA Improvements at Three Bronx Stations – Harlem Line	
Total Amount	
1. Design-Build Contract:	\$118,000,000
2. Stipend Payments:	\$300,000
Contract Term (including Options, if any)	
930 Calendar Days	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

### ACTION/RECOMMENDATION

MTA Construction & Development (“C&D”) requests Board approval to award to MLJ Contracting Corp (“MLJ”) a publicly advertised and competitively solicited contract for Design-Build services for Americans with Disabilities Act (“ADA”) station improvements at three Metro-North Railroad (“MNR”) Harlem Line stations in the Bronx in the amount of \$118,000,000 and a duration of 930 Calendar Days. In accordance with MTA policy regarding the use of design-build contracts, and to enhance competition and defray proposal costs, the solicitation included a stipend of \$100,000 to be paid to each unsuccessful proposer whose proposal met defined proposal standards. Accordingly, approval is also requested to pay stipends totaling \$300,000 to the three unsuccessful proposers.

### DISCUSSION

This Contract is one of a series of ADA projects supporting the MTA’s commitment to make stations accessible. The Contract provides for ADA Upgrades at the Williamsbridge, Woodlawn, and Botanical Garden stations on MNR’s Harlem Line. The work includes installation of new elevators, staircases, and ramps at Williamsbridge and Woodlawn stations; new staircases and ramps as well as rehabilitation of existing elevators and an overpass at Botanical Garden station; and full platform replacements, new customer information displays, public address, and security systems at all three stations.

A two-step procurement process was conducted for this Contract. In Step 1, a Request for Qualifications was advertised resulting in the submission of ten Statements of Qualifications, which were then evaluated against pre-established Threshold Criteria (addressing completeness, timeliness, capacity, responsibility, and financial capability) and Substantive Evaluation Criteria (addressing team, key personnel and organization, project approach, prior design-build experience, past performance, and diversity compliance). Based on these criteria, the following four firms were selected to receive the Request for Proposal (“RFP”) in Step 2:

- Citnalta Construction Corp. (“Citnalta”)
- ECCO III Enterprises, Inc. (“ECCO III”)
- MLJ
- Scalamandre-Gramercy II, a Joint Venture (“SGJV”)

In response to the RFP, Citnalta, ECCO III, MLJ, and SGJV submitted technical and price proposals. The selection committee, consisting of representatives from C&D Delivery, MNR Stations Operations & Analysis, Development, and Contracts, reviewed the technical proposals and attended the oral presentations of each of the four teams. The selection committee evaluated the technical proposals using the following preestablished selection criteria: design and construction, schedule, management plan, experience, record of performance, safety and quality, diversity practices, and other relevant matters. The selection committee determined that each of the four proposers submitted technical proposals that were responsive. The selection committee thereafter opened the price proposals which were as follows: Citnalta \$131,824,000; ECCO III \$179,554,000; MLJ \$129,400,000; and SGJV \$167,777,713.

After reviewing the price proposals, the selection committee invited Citnalta and MLJ for negotiations. The selection committee removed ECCO III and SGJV from consideration because their price proposals were outside of the competitive range and technical approaches provided minimal or no schedule savings. Negotiations with the two remaining proposers included detailed discussions to identify the major cost drivers in their proposals, as well as their proposed design and construction approach. Both Citnalta and MLJ were invited to submit revised cost proposals based on those discussions. After evaluating revised proposals, the selection committee removed Citnalta from further consideration because Citnalta did not offer significant savings in price, schedule nor track outages as compared to MLJ. MLJ was asked to submit a Best and Final Offer (“BAFO”). MLJ submitted its BAFO in the amount of \$118,000,000.

The selection committee unanimously recommended MLJ for award. The selection committee determined that MLJ offered the best overall value considering the quality of its technical proposal, price, and schedule savings. MLJ was the highest ranked technically. MLJ demonstrated a strong understanding of all components of the scope of work as established in its technical approach, including efficient sequencing of track activities resulting in a schedule that is 60 days shorter than the maximum duration permitted under the Contract. Its technical proposal also includes a significant reduction in Railroad-supplied services (track outages). These proposed reductions will result in savings to the MTA of as much as \$1,372,000 and reduce impact to the public. Additionally, MLJ’s proposed key personnel have successfully completed Design-Build ADA projects of similar scope and magnitude. MLJ’s BAFO of \$118,000,000 is deemed to be fair and reasonable.

#### **DBE/MBE/WBE/SDVOB INFORMATION**

The MTA Department of Diversity and Civil Rights has established an MBE goal of 15%, WBE goal of 15%, and SDVOB goal of 6% for the Contract. Although this is a design-build contract with some undefined scope, MLJ is committed to meet the required goal requirements and its utilization plan is under review. MLJ has achieved its DBE/MBE/WBE goals on recently completed MTA contracts.

#### **IMPACT ON FUNDING**

Funding for the Contract, and stipends for the three unsuccessful proposers, are included in the MNR portion of the MTA’s 2020-2024 Capital Program.

#### **ALTERNATIVES**

None recommended. Currently, MTA lacks available in-house technical personnel to perform the scope of work associated with this Contract.

# Staff Summary

## Schedule I: Modifications to Purchase and Public Work Contracts

Item Number: **2**

<b>Vendor Name (&amp; Location)</b>	
GCT Constructors, JV (Secaucus, New Jersey)	
<b>Description</b>	
GCT Concourse and Facilities Fit-out	
<b>Contract Term (including Options, if any)</b>	
110 months	
<b>Option(s) included in Total Amount?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
<b>Procurement Type</b>	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<b>Solicitation Type</b>	<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:
<b>Funding Source</b>	
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b>	
Delivery, Mark Roche, Deputy Chief Development Officer	

<b>Contract Number</b>	<b>AWO/Modification #</b>
CM014B	547
<b>Original Amount:</b>	
	\$ 428,900,000
<b>Prior Modifications:</b>	
	\$ 130,903,353.97
<b>Prior Budgetary Increases:</b>	
	\$ 99,888,736
<b>Current Amount:</b>	
	\$ 559,803,353.97
<b>This Request:</b>	
	\$ 14,775,107.33
<b>% of This Request to Current Amount:</b>	
	3%
<b>% of Modifications (including This Request) to Original Amount:</b>	
	34%

### DISCUSSION:

Contract CM014B (the "Contract") provides for the fit-out of Grand Central Madison Concourse with the architectural finishes and system elements necessary for the operation as a passenger terminal for the Long Island Railroad. MTA Construction and Development ("C&D") requests Board approval of a modification to resolve all remaining claims asserted by GCT Constructors JV ("GCTC" or the "Contractor") for additional work and delays, provide a final reconciliation of allowance bid items, compensate GCTC for certain changes in the Work implemented in the run-up to the revenue service date, and extend the Contract's Substantial Completion date from June 26, 2020 to April 14, 2024. The total cost of the proposed modification is \$14,775,107.33.

GCTC asserted claims in the amount of \$184,019,174, alleging, among other things, compensable delays and impact costs, extended operation and maintenance costs, costs associated with progressing the work during the COVID-19 pandemic, financing costs, project management costs, costs associated with the interference from the construction of the 270 Park Avenue building within the Grand Central Madison Concourse, claims for delays, inefficiencies and constructive acceleration, claims of entitlement to milestone incentive payments, claims for engineering and scheduling costs and claims by major subcontractors.

C&D analyzed GCTC's claims and, while many are subject to defenses, a number of the claims arise from Change Work directed by MTA or delays attributable to MTA. For example, there were prior changes in the Contract work for which GCTC has validly sought extensions of time and impact costs, but which extensions have not yet been processed through a modification. Also, GCTC is entitled to extended maintenance and operation of plant costs during the extended periods not attributable to GCTC delays. In addition to the settlement of claims outlined above, the modification includes a full reconciliation of the allowance Bid Items that had funds remaining and where additional funds are required for the work performed by GCTC.

This modification also includes a release by the Contractor of all claims that the Contractor has had or may have had as of the date of execution of the modification and resolves all outstanding commercial issues in this Contract. As a result of MTA's assessment of merits and risks of potential exposure for the claims outlined above, MTA offered to the Contractor and the Contractor has agreed to accept, in settlement of all of the above-listed claims, as well as all claims that GCTC could assert in connection with this Contract, the sum of \$14,775,107.33, which is considered fair and reasonable. This amount is within the contingency established for such modifications in the ESA budget.

# Staff Summary

## Schedule I: Modifications to Purchase and Public Work Contracts

Item Number: **3**

<b>Vendor Name (&amp; Location)</b>	
Judlau -TC Electric, JV (College Point, New York)	
<b>Description</b>	
Design Build Services for Power/Communications & Signal Infrastructure Improvements (Hudson Line)	
<b>Contract Term (including Options, if any)</b>	
May 15, 2015 – June 6, 2021	
<b>Option(s) included in Total Amount?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
<b>Procurement Type</b>	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<b>Solicitation Type</b>	<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other:
<b>Funding Source</b>	
<input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b>	
Delivery, Mark Roche, Deputy Chief Development Officer	

<b>Contract Number</b>	<b>AWO/Modification #</b>
MN-39881	153
<b>Original Amount:</b>	
\$	105,521,300.00
<b>Prior Modifications:</b>	
\$	126,128,837.92
<b>Prior Budgetary Increases:</b>	
\$	30,491,387.15
<b>Current Amount:</b>	
\$	\$231,650,137.92
<b>This Request:</b>	
\$	13,500,000.00
<b>% of This Request to Current Amount:</b>	
	5.8%
<b>% of Modifications (including This Request) to Original Amount:</b>	
	12.8%

### DISCUSSION:

Contract 39881 (“Contract”) requires Judlau-TC Electric, JV (the “JV”) to design, construct and test replacement infrastructure for power, communications, and signal equipment on Metro-North Railroad’s (“MNR’s”) Hudson Line, which was damaged by Hurricane Sandy in 2012. MTA Construction and Development (“C&D”) requests the Board’s approval of a modification to resolve claims for compensable delays and extra work through March 2, 2023, for a total cost of \$13,500,000.

The project is divided into two phases, which collectively encompass an approximately 30-mile stretch along MNR’s Hudson Line between the Bronx and Croton-Harmon. Phase I, which encompasses the section of the Hudson Line between Yonkers and Croton-Harmon, had a period of performance of 25 months from the Contract’s Notice of Award on May 13, 2015. Phase 2, which encompasses the section of the Hudson Line between the Bronx and Yonkers, was an option bid item with a period of performance of 25 months from Phase 1’s completion. Substantial Completion of Phase 1 was delayed by nearly 23 months, until May 6, 2019. Substantial Completion of Phase 2 was delayed by approximately 47 months, until December 30, 2022.

On July 8, 2020, the parties entered into an agreement to resolve claims for compensable delays and extra work that the JV had submitted in connection with the Phase 1 work (the “Phase 1 Settlement”). However, the Phase 1 Settlement expressly excluded any claims for impacts to the Phase 2 work arising out of the Phase 1 work.

The JV has asserted claims in the amount of \$27,127,988 in connection with the Phase 2 work through March 2, 2023, and the Phase 1 Settlement. These claims include escalation costs arising from the delayed start of the Phase 2 work; delay damages arising from the Phase 2 delays; costs arising from MNR’s alleged failure to provide contractually required track outages at interlockings; costs to comply with MNR’s directive to revise the JV’s wiring installation at sectionalizing switches to meet standards allegedly outside the Contract’s scope; costs to replace continuity jumpers allegedly not shown in the Contract; costs to store cable beyond the date allegedly required by the Contract; MNR’s alleged failure to pay the contractual allowance amounts for the construction of temporary platforms; and MNR’s alleged failure to pay certain sums allegedly owed under the Phase 1 Settlement.

C&D analyzed the JV’s claims and the costs and exposure associated with litigating those claims. Based on that analysis, C&D offered to the JV and the JV has agreed to accept, in settlement of all of the above-listed claims, as well as all claims that the JV could assert in connection with this Contract through March 2, 2023, the sum of \$13,500,000, which is considered fair and reasonable.

# Staff Summary

## Schedule I: Modifications to Purchase and Public Work Contracts

**Item Number: 4**

<b>Vendor Name (&amp; Location)</b> Skanska-ECCO III 2 JV (East Elmhurst, NY)
<b>Description</b> Design and Construction Services for the Harmon Shop Replacement -Phase V Stage 2
<b>Contract Term (including Options, if any)</b> October 31, 2018 – April 30, 2023
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other:
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Delivery, Mark Roche, Deputy Chief Development Officer

Contract Number	AWO/Modification #
MN-81933	49
<b>Original Amount:</b>	\$ 365,093,000
<b>Prior Modifications:</b>	\$ 25,204,772,72
<b>Prior Budgetary Increases:</b>	\$ 5,000,000
<b>Current Amount:</b>	\$ 390,297,772,72
<b>This Request:</b>	\$ 4,240,657.47
<b>% of This Request to Current Amount:</b>	1%
<b>% of Modifications (including This Request) to Original Amount:</b>	8%

### DISCUSSION:

Contract MN-81933 provides for design and construction of the new Croton-Harmon Shop and associated facilities and equipment at the Croton-Harmon Yard. MTA Construction and Development ("C&D") requests the Board's approval of a modification that resolves all remaining claims asserted by Skanska-ECCO III 2 JV ("SE3") for added work and delays associated with the completion of the Contract for a total cost of \$4,240,657.47 and extension to the Substantial Completion date from April 30, 2023 to December 29, 2023, the date upon which Substantial Completion was achieved.

The modification resolves claims for added work, including changes to the car hoist pit utility layout, upsized conduits and cables for the wayside power stations, and extending enclosed staircases for rooftop access. In addition, this modification extends the Contract's Substantial Completion date from April 30, 2023 to December 29, 2023 to account for delays associated with resequencing of the track work, installation of new fire water tanks, and procurement of the rail car movers and includes delay costs associated with project supervision, field office expenses and labor & material escalation. With the exception of a reconciliation modification to address unused unit items in the Contract, this modification will resolve all outstanding issues and allow the Contract to be closed out.

SE3 sought \$7,617,872.41 for its claimed added Work. C&D analyzed the merits of SE3's claims and, taking into account both the added work established by SE3 and acknowledged by C&D, negotiated an amount of \$4,240,657.47 and an 8-month extension of time to resolve all outstanding claims with respect to this Contract, with the exception of Modification No. 48 for the reconciliation of unit items that is being processed separately. C&D analyzed the merit of the claims submitted by SE3 and deems this resolution to be fair and reasonable.

**OCTOBER 2024**

**LIST OF RATIFICATIONS FOR BOARD APPROVAL**

**Procurements Requiring Majority Vote:**

**Schedule K. Ratification of Completed Procurement Actions (Involving Schedule E – J)**

(Staff Summaries required for all items requiring Board approval)

- |           |  |                  |                                      |
|-----------|--|------------------|--------------------------------------|
| <b>5.</b> | <b>Zion Contracting, LLC<br/>Contract No. A37344</b> | <b>\$234,000</b> | <b><u>Staff Summary Attached</u></b> |
|-----------|--|------------------|--------------------------------------|

MTA Construction and Development requests that the Board ratify a modification for additional concrete repairs.

# Staff Summary

## Schedule K: Ratification of Completed Procurement Actions

Item Number: 5

<b>Vendor Name (&amp; Location)</b> Zion Contracting, LLC (Lynbrook, NY)
<b>Description</b> Station Painting at Component Location at Pelham Bay Park (IRT) in the Borough of the Bronx.
<b>Contract Term (including Options, if any)</b> December 30, 2022 – July 28, 2023
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Delivery, Mark Roche, Deputy Chief Development Officer

<b>Contract Number</b> A37344	<b>AWO/Modification #</b> 3
<b>Original Amount:</b>	\$ 2,127,000
<b>Prior Modifications:</b>	\$ 61,991
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 2,188,991
<b>This Request:</b>	\$ 234,000
<b>% of This Request to Current Amount:</b>	10.7%
<b>% of Modifications (including This Request) to Original Amount:</b>	13.9%

### DISCUSSION:

The Contract provides for structural repairs, lead abatement, painting of the control house facades and street level ceilings and replacement of control house windows at the Pelham Bay Park Station, Pelham Line (IRT) in the Borough of the Bronx. MTA Construction and Development (“C&D”) requests that the Board ratify a modification to the Contract for additional concrete repairs.

The Contract includes 45 cubic feet of concrete repairs on the facade of the Pelham Bay Park Station control house. During the course of concrete repair work, it became evident that the deterioration of the control house was much more severe than what was considered in the Contract, and that additional repairs were necessary.

This modification includes an additional 165 cubic feet of concrete repairs, including concrete spall repairs throughout the control house exterior, concrete repairs underneath the north wall metal panels, concrete beam repairs, repair of five concrete lintels, and painting of metal drain leaders at the exterior of the control house.

The Contractor submitted a cost proposal in the amount of \$261,473.22. Negotiations resulted in agreement of a lump sum price of \$234,000, which is considered fair and reasonable.