

April 2020

MTA Board Action Items



MTA Board Meeting

2 Broadway
20th Floor Board Room
New York, NY 10004

Wednesday, 4/22/2020
10:00 AM - 5:00 PM ET

1. PUBLIC COMMENT PERIOD

2. APPROVAL OF MINUTES

MTA and MTA Agencies Committee & Regular Meeting Joint Minutes - March 25, 2020

MTAHQ

NYCT/MaBSTOA/SIRTOA/MTA Bus Company

MTA Metro-North Railroad

MTA Long Island Rail Road

MTA B&T

MTA Construction & Development

*MTA & MTA Agencies Committee & Regular Meeting Joint Minutes - March 25, 2020 -
Page 4*

3. MTA OTHER BUSINESS

Action Item

i. MTA Family Benefits

MTA Family Benefits Staff Summary and Attachment A - Page 22

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

MNR Procurements Report

MNR Procurements - Page 25

i. Non-Competitive

MNR Non-Competitive - Page 29

ii. Competitive (no items)

iii. Ratifications (no items)

LIRR Procurements Report

LIRR Procurements - Page 31

i. Non-competitive

LIRR Non-Competitive - Page 35

ii. Competitive (no items)

iii. Ratifications (no items)

MTA C&D Procurements Report (no items)

5. COMMITTEE ON NYCT & BUS

NYCT & Bus Procurements Report (no items)

6. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS

B&T Procurements Report

B&T Procurements - Page 38

i. Non-Competitive (no items)

ii. Competitive

B&T Competitive - Page 41

iii. Ratification (no items)

7. COMMITTEE ON FINANCE

MTAHQ Procurements Report

MTAHQ Procurement Report - Page 44

i. Non-Competitive (no items)

ii. Competitive

MTAHQ Competitive Procurements - Page 47

iii. Ratifications (no items)

Real Estate Items

i. Real Estate Agenda and Staff Summaries

Real Estate Agenda and Staff Summaries - Page 50

8. COMMITTEE ON SAFETY

2020 Public Transportation Agency Safety Plan (PTASP)

Staff Summary 2020 PTASP - Page 55

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

**Joint Committee and Board Meeting of the Metropolitan Transportation Authority,
the New York City Transit Authority, the Manhattan and Bronx Surface Transit
Operating Authority, the Staten Island Rapid Transit Operating Authority, the
Metropolitan Suburban Bus Authority, the Triborough Bridge and Tunnel Authority,
the Long Island Rail Road, the Metro-North Commuter Railroad Company, MTA
Construction & Development, the MTA Bus Company and
the First Mutual Transportation Assurance Company
Minutes
2 Broadway
New York, NY 10004
Wednesday, March 25, 2020
10:00 a.m.**

The following Board Members were present in person or by videoconference:

**Hon. Patrick Foye, Chairman & CEO
Hon. Randolph Glucksman
Hon. Rhonda Herman
Hon. David Jones
Hon. Linda Lacewell
Hon. Kevin Law
Hon. Robert W. Linn
Hon. David Mack
Hon. Susan Metzger
Hon. Haeda B. Mihaltses
Hon. Robert F. Mujica*
Hon. Lawrence Schwartz
Hon. Vincent Tessitore, Jr.
Hon. Neal Zuckerman**

*Mr. Mujica joined the meeting but was not present for any votes.

The following alternate non-voting members were present by videoconference:

**Hon. Andrew Albert
Hon. Norman Brown
Hon. John Samuelsen**

The following staff members attended in person or by videoconference:

Anthony McCord, Chief Transformation Officer, Mario Péloquin, Chief Operating Officer, Thomas J. Quigley, General Counsel, Robert Foran, MTA Chief Financial Officer, Patrick Warrant, MTA Chief Safety Officer, David Ross, Chief Procurement Officer, Abby Collins, Chief Communications Officer, Sarah E. Feinberg, Interim President, NYCT, Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses, Michele Woods, Deputy Auditor General, Sally Librera, Sr. V.P. Department of Subways, and Monica Murray, Deputy General Counsel, Governance and Special Projects.

Janno Lieber, MTA Chief Development Officer, MTA Construction & Development, Phillip Eng, President, Long Island Rail Road, Catherine Rinaldi, President, Metro-North Railroad, Daniel DeCrescenzo, Acting President, TBTA, Margaret Terry, General Counsel, TBTA, Josiane Codio, Director, MTA Treasury, Patrick McCoy, Director, MTA Finance, David Florio, Director, R.E. Operations, Leasing & Acquisitions.

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

Votes reflected in these minutes are those of each Committee and that of the MTA Board.

1. CHAIRMAN FOYE'S OPENING REMARKS.

Chairman Foye called the meeting to order and he thanked Board members, staff and the public for being part of the MTA's Board meeting by videoconference.

The Chairman announced that in light of the current health crisis, there were no meetings of the Joint Metro North Railroad and Long Island Committee, New York City Transit Committee, Bridges and Tunnels Committee, Finance Committee and Audit Committee in March.

Suspension of law allowing the attendance of meetings telephonically or other similar service:

The meeting is being conducting remotely via videoconference. Chairman Foye stated that Governor Cuomo's Executive Order 202.1 suspends the Open Meetings Law requirements and accordingly any requirements in the MTA By-Laws that meetings are open to in-person attendance by the public and that Board members may only participate in person are also suspended.

Monica Murray confirmed for the Chairman the presence of a quorum.

Chairman Foye stated that later in the meeting, Agency Presidents and staff will submit their agency's report, procurements and actions for a vote, and the Board members' participation in the meeting but silence at the time of a vote will be considered an affirmative vote for the record. The Chairman advised Board members that if any member would like to vote in opposition or abstain from any action, that Board member should state their name and indicate that.

Chairman Foye noted that speakers for the public comment period were able to register on Monday, March 23, 2020 and send in their video or voice comments. He stated that this approach goes above and beyond what is required for public comment according to the suspension of Open Meetings Law by Executive Order 2.01.

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

2. PUBLIC SPEAKERS SESSION.

Public Speakers' Moderator reminded speakers of the two (2) minute speaking limit, and that speakers will be alerted when thirty (30) seconds remain to conclude their remarks.

The following twelve (12) speakers commented by videoconference during the public speakers' session. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records, for the content of speakers' statements.

Brian Thomas Burke, NYCT/TWU Local 100

Theo Allen, private citizen

Rachael Fauss, Reinvent Albany

Christopher Greif, NYCTRC

Debra Greif, BFSSAC

Jason Anthony, Passengers United

Lisa Daglian, PCAC

Andrew Pollack, Passengers United

Finnley Staub, private citizen

Omar Vera, private citizen

Kimberly Pereira, NYC

Murray Bodin, private citizen

3. CHAIRMAN FOYE'S REMARKS.

The Chairman stated that this is an extraordinary time, and the MTA and agencies are doing some extraordinary things. First, by remaining laser-focused on the safety of the employees and customers, the MTA continues to keep the most essential of employees safely moving through New York. Chairman Foye stated that the 75,000 dedicated women and men of the MTA have been working around the clock to keep the system safe for the heroic health care professionals, childcare, utility and transportation workers, police officers, firefighters and other first responders who still need to get around, and he stated that we owe them and the MTA employees a great debt of gratitude.

The Chairman also thanked Sarah Feinberg, Interim President, NYCT, who he stated has had an eventful first two weeks on the job; Craig Cipriano, Acting President, MTA Bus/Senior Vice President, NYCT Department of Buses; Catherine Rinaldi, President, Metro-North Commuter Railroad; Phil Eng, President, LIRR and Daniel DeCrescenzo, Acting President, TBTA, for their leadership during this time, as well as the rest of the senior leadership team.

**MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020**

The Chairman stated that he also appreciates everyone joining the meeting by videoconference today, which allows the MTA to heed the recommended public health guidelines and maintain social distancing for the good of everyone's health and safety.

Providing an update on novel coronavirus (COVID-19), Chairman Foye stated that the situation is rapidly changing, with new information and guidance being issued regularly. MTA is working closely with its partners at the state, city and federal levels to keep on top of all the events. The Chairman stated that every decision the MTA makes to manage the crisis has been driven by the advice of the CDC, New York State Department of Health Commissioner Dr. Zucker, and his New York City Department of Health counterpart, Dr. Barbot.

Chairman Foye, discussing the actions taken by MTA to protect the customers and employees, stated that all MTA stations and frequent touchpoints continue to be disinfected twice daily, with the full fleet of rolling stock being sanitized on a 72-hour cycle – except for Access-A-Ride vehicles, which are disinfected daily.

The Agencies are also disinfecting offices, stations, crew quarters and other employee locations at least once a day and making hand sanitizer available and reminding everyone of good hygiene habits. In addition, other steps have also been taken to minimize contact and cash collections for the frontline employees – from implementing rear door boarding on buses to minimizing the collection of cash on railroads and in stations.

Chairman Foye stated that in order to protect vital, one-of-a-kind operations centers, MTA has deployed medical personnel to monitor the temperatures of the staff members in efforts to prevent symptomatic individuals from possibly contaminating others within these centers. MTA has also initiated a quick-reaction-team that will be sent to a location within the system where multiple employees are displaying symptoms – a “hot spots” so-to-speak.

Chairman Foye stated that in the last few weeks MTA has seen dramatic drops in ridership, as New Yorkers heed the advice of medical experts and stay home. On the subways, there has been an 87% decline compared to the same time last year, with ridership falling by more than 60% on buses, 94% on Metro-North and 90% on the Long Island Rail Road. The Chairman stated that the decline in ridership has an impact on both service and the MTA's financial position.

Chairman Foye stated that, as announced yesterday, MTA is moving to implement the Essential Service Plan, which was developed in close consultation with groups representing the heroic workers on the front lines of the pandemic, including hospitals, utility workers, and the City and State of New York.

The Chairman stated that the Essential Service Plan went into effect on the subway today, and will be rolling out on buses, Metro-North and Long Island Railroad in the coming days. Across all of MTA services, Chairman Foye noted that ridership is being monitored constantly and adjustments will be made as needed. The complete MTA Essential Service Plan is available on the MTA website, the MYmta app and on countdown clocks in stations and on platforms. The Chairman stated that reducing service is not ideal but it is the right thing to do right now. It will protect the workers on the front lines by allowing for more flexibility in scheduling. Safety for the employees and customers remains, as ever, MTA's number one priority.

With respect to the financial impact, Chairman Foye stated that it is clear that this pandemic is a national and international crisis, causing American industries to come to a dead stop. Every company and agency is currently suffering from a lack of liquidity. In the case of the MTA, this is driven by the fact that farebox and toll revenue is about \$8.5 billion dollars in a normal year, which is about half of the operating budget needed to run the MTA. The Chairman noted that an unsold seat on a flight to Miami is revenue that is lost forever, and the same is true of an unused seat on MTA subways, buses or commuter rails.

Chairman Foye stated that MTA expects the full impact of this crisis from the plummeting fare and toll revenues to be over \$4 billion by the end of the year. The Chairman reported that the MTA is seeing dramatic drops in transit ridership, and significant declines in vehicle crossings at bridges and tunnels, where toll revenue has traditionally served as a boost to MTA finances. This drop is on top of sizable losses on more than \$6 billion in state and local taxes dedicated to the MTA that is likely to evaporate in the inevitable downturn. Additionally, the MTA expects the aggressive disinfecting efforts, undertaken to protect customers and employees, to total over \$300 million on an annualized basis.

Chairman Foye noted that the MTA is taking immediate actions to mitigate this situation. In addition to drawing down \$1 billion on the existing line of credit, the agency has implemented tight cost controls on capital and operating spending, and is laser focused on only essential activities. This includes an immediate, temporary stop to any new capital commitments until the MTA has a more permanent solution to the liquidity issues precipitated by this pandemic. The MTA is also taking a close and focused look at what is coming to the Board each month for approval, starting with this month, shortening the list of action items to only what is essential.

Chairman Foye reported that the MTA is also working with State partners for legislative changes to preserve flexibility and help manage operating cash flow. Thanks to these immediate steps, Chief Financial Officer Robert Foran estimates the agency's liquidity to be \$3.5 billion by the end of March. Chairman Foye stated that this may sound like a large amount, but he noted that it costs more than \$300 million each week to operate the MTA. Considering the dramatic drop in ridership and revenue, and the fact that this health crisis means ridership will continue to be depressed in the months to come, Chairman Foye stated that the only realistic solution is a substantial federal funding commitment.

**MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020**

Chairman Foye stated that the scale of the operating budget deficits the MTA and other agencies face is unprecedented and this is an extraordinary time calling for extraordinary measures. The MTA has called on Congress for a national solution to a national crisis, together with a coalition of transit agencies across the nation. In New York, without at least \$4 billion of federal grant funding, the MTA will be unable to pay its obligations, including making payroll for a critical workforce of approximately 75,000 employees working hard on the front lines of this crisis, a workforce that has already kept New York moving after 9/11, Superstorm Sandy, and countless other disasters. Scaling back service will not be enough and the \$2.8 billion in savings the MTA is already committed to achieving through budget reductions and Transformation efficiencies will not be enough. Allowing critical state-of-good repair investments the MTA has fought long and hard for to be gutted in favor of operational costs is a non-starter. Such a huge blow would come at a time when the MTA has achieved tremendous progress across the system. On-time performance has achieved sustained improvement and ridership was steadily growing, defying national trends.

Chairman Foye stated that the New York Congressional delegation has been fighting hard in Washington, as they did after Superstorm Sandy and 9/11, and the MTA thanks them. The Chairman reported that early this morning, the Administration and Congress reached a deal on a \$2 trillion relief package. In addition, Senator Schumer confirmed that the relief package includes the \$25 billion requested by public transit agencies across the nation, including \$4 billion dedicated to the MTA. The MTA applauds Speaker Pelosi, Senator Schumer, and Representatives Nita Lowey, Peter King, Lee Zeldin, Carolyn Maloney, Sean Patrick Maloney, and Jerry Nadler for their tireless support and efforts to reach this deal. Chairman Foye also thanked the MTA's labor partners for standing with the MTA in advocacy, including John Samuelson and Tony Utano of the TWU, Anthony Simon and the other Long Island Rail Road labor leaders, and Matt Mitchell, Ed Valente, and Bill DeCarlo at Metro-North.

Chairman Foye stated that this funding is critical, not only to ensure that the MTA can continue to operate through the crisis, but also to serve as the catalyst for economic growth once the pandemic subsides and the country's pulse begins beating again. Chairman Foye emphasized that the full impact of this pandemic is still unknown. The MTA has planned for disruptions, but never of this scale. The MTA needs \$4 billion now and will need substantially more than that to survive the crisis.

Chairman Foye stated that the MTA is the lifeblood of the New York economy, and the State cannot recover without a strong public transportation system. It is imperative that the MTA pick up where it left off in improving the system and resuming growth once the crisis is past.

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

4. APPROVAL OF MINUTES.

Upon motion duly made and seconded, the Board approved the MTA Agencies' Committee Meeting Minutes of February 24, 2020 and the MTA and MTA Agencies' Minutes of the Regular Board meeting held on February 26, 2020.

**MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020**

5. CHIEF FINANCIAL OFFICER'S PRESENTATION.

Robert Foran, MTA Chief Financial Officer, provided an update on the MTA Financials.

Refer to video recording of the meeting, produced by the MTA and maintained in MTA records, for the details of Mr. Foran's presentation.

6. METRO-NORTH RAILROAD ("MNR") PRESIDENT CATHERINE RINALDI'S PRESENTATION.

A. MNR Report

President Rinaldi began her report by thanking the entire Metro-North workforce for their efforts over the last few weeks during the COVID-19 crisis.

President Rinaldi reported that Metro-North has been taking all measures possible to prevent the spread of COVID-19, and during this difficult and unprecedented time, Metro-North's top priority is keeping customers and employees safe. Metro-North continues to disinfect stations two-times a day, sanitize trains daily, and perform a complete cleaning of trains every 72 hours. Metro-North is also cleaning and disinfecting employee facilities and remains focused on making working conditions as safe as possible.

President Rinaldi stated that as Metro-North continues to provide train service to health care workers and first responders, she appreciates the close coordination and collaboration exhibited across the MTA family, Metro-North's labor leaders, and the communities that Metro-North serves.

President Rinaldi reported that ridership has dropped precipitously on Metro-North from March 4, 2020 through today. As of last Friday, Metro-North was down over 90% overall compared to the weeks before the pandemic. The declines were led by the New Haven Line (given the high percentage of customers in the finance industry who had the ability to work from home earlier than others). This was followed by the Harlem Line and lastly the Hudson Line (which has a higher percentage of service workers and people in healthcare than the other lines). West of Hudson Service is also showing an approximately 90% drop in ridership. At this point, with only about 10% of Metro-North's customers remaining, those continuing to ride trains are essential workers.

Providing an update on Positive Train Control ("PTC"), President Rinaldi stated that there is some good news to report. As of Saturday, March 14, 2020, Metro-North extended PTC to Grand Central Terminal completing the installation of PTC on the Harlem and Hudson Lines. The coverage includes all trains along the Hudson Line's 74 miles from Grand Central Terminal to Poughkeepsie, including Amtrak and CSX freight trains, and the Harlem Line's 82 miles from Grand Central Terminal to Wassaucott. Crews simultaneously completed activating PTC wayside equipment on the eight miles of the New Canaan Branch in Connecticut. The activation of PTC along the entire Harlem and Hudson Lines as well as the New Canaan Branch demonstrates Metro-North's swift and steady progress to meet the

goal of full PTC implementation by the end of 2020. President Rinaldi stated that thanks to everyone's commitment on implementing PTC, Metro-North now has 68% (189) route miles in full PTC mode. The Metro-North team is focused on completing PTC installation on the remaining 62 miles of the New Haven Main Line to ensure system safety.

President Rinaldi also reported that February's on-time performance ("OTP") climbed to 97.2% which makes it Metro-North's best February in 7 years. By line, the Hudson Line operated at 98.2% with 98.1% in peak periods, the Harlem Line operated at 96.7%, with 95.1% in peak periods, and the New Haven Line operated at 97.1% with 97.2% in peak periods. Year-to-date through February, Metro-North is operating 1.2 percent above last year's performance. President Rinaldi stated that Metro-North could not perform at this level without the dedication and commitment of its workforce, who rise to the challenge every single day.

In closing, President Rinaldi thanked all Metro-North employees for their efforts during these very challenging and frightening times. Public transportation is the lifeblood of the region in good times and is absolutely indispensable in times like these. She stated that she was proud to lead the organization and is so proud of her colleagues.

Metro-North Safety Report:

The full safety report is filed with the records of this meeting.

MTAPD Report:

The full MTAPD report is filed with the records of this meeting.

Operations, Performance Metrics, Ridership, Financial, and Capital Program Reports.

The details of the Operations, Performance Metrics, Ridership, Financial, and Capital Program Reports are contained in reports filed with the records of the meeting.

Joint Information Item:

The details of the following joint information item are contained in reports filed with the records of this meeting:

- Long Island Rail Road/Metro-North PTC Status Report

Metro-North Information Items:

The details of the following information items are contained in reports filed with the records of this meeting:

- Annual Elevator & Escalator Report
- Customer Satisfaction Survey Report

- 2019 Annual Ridership Report

B. Metro-North Committee Items:

The Committee was presented with the following competitive procurement:

- Approval for a contract modification in the not-to-exceed amount of \$2,000,000 to the existing miscellaneous service contract with the firm Clearway Industries, LLC (Clearway). The contract modification is for on-going scheduled brush and tree cutting including debris removal services for Metro-North's Harlem and Hudson Lines as well as emergency services to remove tree and brush that are deemed dangerous, damaged, or has fallen throughout Metro-North's entire territory. The additional funding requested will be required for continuation of these services for the remaining contract term through August 2020.

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

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of President Rinaldi's report, and to the staff summaries for details relating to the action items, copies of which are on file with the records of the Board meeting minutes for MTA and MNR.

7. LIRR PRESIDENT PHILLIP ENG'S PRESENTATION.

A) LIRR Report

President Eng stated that these are unprecedented times, but, working together, we will get through this. Addressing the public and all the first responders, health care workers, food service workers, transportation workers, including many of our own, that are out helping to battle this pandemic and saving lives, President Eng stated that the Long Island Rail Road workforce is taking extraordinary measures to do our part to flatten the curve and combat the spread of COVID-19.

President Eng reported that our Essential Service Plan starting Friday, March 27, has been developed based on our field observations of travel patterns over the last few weeks, to accommodate our current ridership levels. The schedule will be available shortly, and will protect the ability to practice social distancing throughout the day on the railroad. We will be monitoring ridership during the initial phases of the new service plan and be prepared to modify on the fly with additional trains pre-positioned in our yards.

President Eng stated that this is only possible due to the dedication and courage of our employees, both front line and those behind the scenes, as well as the cooperation and support from our labor partners whose contributions have been instrumental. He stated that together, with our sister agencies, we are rising to this challenge as we battle this

**MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020**

pandemic, ensuring that essential employees can continue to depend on us, and doing our part to provide essential services and protect New Yorkers.

Reporting on Positive Train Control, President Eng stated that while our system integrator and their vendors are facing the same challenges as all of us, we all remain committed and on target to hit the December 2020 deadline. He noted that LIRR recently hit a significant milestone, running another 108 miles from Ronkonkoma to Greenport and from Patchogue to Montauk, placing these sections into Extended Revenue Service Demonstration, bringing us to 72% of our 305 total route miles.

President Eng reported that we are also making progress working with Amtrak and the FRA regarding Amtrak's proposed alternative solution in Harold Interlocking, and their back-to-back software for their trains to be inter-operable as they operate through Harold, with more information provided in the Committee Book.

President Eng also reported that LIRR's On-Time-Performance ("OTP") for February was 94.3%, the best February since 2012, and 2.2% better than last year. Additionally, our ridership trend prior to COVID19 continued in February with an increase of 1.1% over last year, representing an additional 75,000 riders.

President Eng referred to the Committee Book for detailed information regarding LIRR's 2019 Annual Satisfaction Survey; he noted that overall, our customers are acknowledging and experiencing positive changes to our service.

President Eng stated that he wants the public to know that with each of us doing our parts, we will get through this together. He thanked the public who can stay home and are doing so, and thanked all the essential workers across Long Island and New York, including our own represented labor workforce and management. Not only are they dealing with the pressures of the job, but with immense uncertainty at home and in the world, their professionalism never ceases to amaze me. Their safety and that of our customers will always be our preeminent concern. To our labor partners, the communication and support has been key in our ability to keep the LIRR running. President Eng wished a speedy recovery to all of our employees at LIRR and MTA being treated for Covid 19. Addressing the Board and the public, President Eng gave his assurances that LIRR is here for you.

B) LIRR Committee Items:

The Committee Book for the Joint Metro-North and Long Island Committee meeting of this day filed with the records of this joint meeting with the Regular Board, contains the details of the following items:

- LIRR Minutes of the Joint Metro-North and Long Island Rail Road Committee meeting of February 24, 2020
- LIRR 2020 Work Plan
- LIRR Safety Report

MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020

- MTA Police Report
- Joint Information Item - Long Island Rail Road/Metro-North PTC Status Report
- LIRR Information Items
 - Annual Elevator & Escalator Report
 - Spring Trackwork Programs
 - Customer Satisfaction Survey Report
 - 2019 Annual Ridership Report
- Operations, Performance Metrics, Ridership, Financial, and Capital Program Reports

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of President Eng's report, and to the staff summaries for details relating to the action items, copies of which are on file with the records of the Board meeting minutes for MTA and LIRR.

8. NYCT INTERIM PRESIDENT SARAH FEINBERG'S PRESENTATION.

A. NYCT Report

Interim President Feinberg discussed the crisis facing the agency and stated that there were 52 employees who tested positive for COVID-19 at NYCT thus far. She noted that these are colleagues and that our thoughts are with them and their families and we wish them well. Interim President Feinberg indicated that while some of these employees present with mild symptoms, other employees are extremely ill and that we are thinking about all of them all of the time and praying for them and sending them good wishes.

Interim President Feinberg also emphasized that 72,000 workers were showing up to work every day including those employees teleworking. She stated that she was incredibly grateful for these employees to show up every day and continue to operate a safe and efficient system, getting essential workers where they need to go to serve those of us who are trying to get through the daily lives, including healthcare workers, grocery store and delivery workers among many others. She expressed that it has been an honor to be a part of a workforce full of heroes and that from the moment she started as Interim President, the workforce has been working on the response to this crisis 24/7 and she has been utterly impressed by all. She noted that NYCT went from disinfecting stations once to twice a day and that NYCT also enabled thousands of people to telework in a matter of hours. She commended the subway team for doing an unbelievable job planning for all kinds of variations and scenarios that may arise in the weeks and months ahead. She noted that they have been engaging in a tremendous amount of work and resources to plan for the kind of expected ridership decline and to account for the many variables along the way.

Interim President Feinberg also commended the quick turn by Buses to rear door boarding, noting that it took massive cooperation from our team and our union partners. She emphasized the priority and need to protect our bus operators.

Interim President Feinberg stated that we are hitting a turning point in this crisis – not in terms of the virus itself but with respect to making changes to service. She stated that NYCT will continue to right-size service and that the efforts being made are not focused on decreasing service, saving money or maximizing efficiency but instead to make sure we can move the essential workers that need to be moved in a safe and efficient way while doing right by our workforce. She indicated that she believes we have so far executed it well but are taking a close look at crowding issues and will be addressing those as close to real time as possible. The priority has to be to move people who need to be moved.

Interim President Feinberg expressed that she is determined to send people home and to keep as many people healthy as possible along the way. She commented on the great job being done by the Chairman and the MTA leadership and in keeping everyone updated.

Interim President Feinberg closed her report by once again thanking the workforce and emphasizing that it has been an honor to work with this workforce.

B. NYCTA Committee Items:

Upon motion duly made and seconded, the Board approved non-competitive procurements requiring a majority vote (Schedule J in the Agenda).

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of Interim President Feinberg’s report, and to the staff summaries, copies of which are on file with the records of the meeting of the Board of the MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

9. MTA CONSTRUCTION & DEVELOPMENT – CHIEF DEVELOPMENT OFFICER JANNO LIEBER’S PRESENTATION.

A. Report

Chief Development Officer (“CDO”) Janno Lieber reported that MTA Construction & Development (“C&D”) continues to move forward on a number of important active transit infrastructure projects that can be safely advanced. He noted that the first thing C&D did was to take a wide range of precautionary measures to make sure all of its employees, consultants, and contractors are safe.

CDO Lieber went on to mention several of the measures that C&D put in place. He stated that approximately 90% of C&D’s staff of 2,000 are presently telecommuting. In addition, C&D has instituted a 24-hour 7 day a week hotline where its contractors and consultants can provide information on COVID-19 issues. With the use of flow charts and medically approved information, C&D is advising its contractors and consultants on how to react to public health issues and reports that they are receiving.

CDO Lieber further reported that while C&D has scaled down some of its projects, many of its projects have continued under the Governor’s Executive Order stating that transportation infrastructure projects are essential. CDO Lieber emphasized that these projects are, however, being done in a different manner than in the past. C&D has re-examined and evaluated site logistics, construction sequences and deployment to maximize social distancing for all work activities. In addition, work tools also are not being shared.

**MTA and Agencies’ Joint Committee and Regular Board Meeting
March 25, 2020**

CDO Lieber reported that C&D has also created an app that allows projects to report their COVID related health information, impacts and status. CDO Lieber noted that C&D is currently receiving roughly 225 reports daily through this app.

CDO Lieber further reported that C&D is managing a range of supply chain issues with elevators and escalators, and deliveries not being able to be made due to the public health crisis. CDO Lieber stated that C&D is managing these issues reasonably well.

CDO Lieber also reported that at this time approximately six projects have been closed down due to health reasons due to COVID-19 positive tests. He noted that site cleanings have been performed at ten project sites where public health information dictated that cleanings should be performed, and that C&D was able to deploy the resources needed for the cleaning quickly.

CDO Lieber reported that C&D originally had one procurement item on today's agenda, a retroactive modification to accelerate work on an elevator project; however, after consultation with Chairman Foye and Chief Financial Officer Foran, that procurement was withdrawn due to a need to re-examine the MTA's financial condition.

CDO Lieber also acknowledged the extraordinary efforts of the MTA staff and consultants during this pandemic, along with the collaboration that the MTA has had with the trade associations and labor. CDO Lieber has spoken to each of the major trade associations and collaborated well with them to ensure work is done in most safe manner.

Board Member Albert inquired if the completion of the Canarsie Tube work is being impacted, and if work on the tunnel portion will be completed in April as planned or some time close to that. CDO Lieber responded that, although there was a major logistical reorganization for the planned work this past weekend for safety purposes, C&D did have a successful weekend of work with the double track outages and anticipates completion of the tunnel portion of the Project will be in April.

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

10. TBTA ACTING PRESIDENT DANIEL DeCRESCENZO'S PRESENTATION.

A. TBTA Report

Mr. DeCrescenzo thanked all TBTA employees for their excellent performance in a very challenging environment and keeping our bridges and tunnels open and safe during the COVID-19 crisis.

B. TBTA Committee Items:

TBTA Procurements

Mr. DeCrescenzo stated that there are two (2) procurements totaling \$40.7 million.

Non-Competitive Procurements

Mr. DeCrescenzo stated that there are no non-competitive procurements.

Competitive Procurements

Mr. DeCrescenzo stated that there are two (2) competitive procurements totaling \$40.7 million.

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

Various Contractors	Contract No. GFM-534 TBTA is seeking Board approval under the All-Agency General Procurement Guidelines to award public work contracts via the competitive RFP process for Miscellaneous Electrical Construction on an As-Needed Basis.	\$30,000,000.00
---------------------	--	-----------------

Personal Service Contracts

WSP USA, Inc.	Contract No. (s): PSC-19-3035A	\$3,283,140.00
Hardesty & Hanover, LLC	PSC-19-3035B	\$2,681,161.00
HNTB New York Engineering and Architecture, P.C.	PSC-19-3035C	\$3,164,330.00
KB Group of NY, Inc.	PSC-19-3035D	<u>\$1,611,132.00</u>
	TBTA is seeking Board approval under the All-Agency Service Procurement Guidelines to award four personal service contracts for the 2020 Biennial Bridge Inspections at the: (i) Robert F. Kennedy Bridge: Main Line (ii) Robert F. Kennedy Bridge Approach Ramps and Lift Span, (iii) Verrazzano-Narrows Bridge Main Spans and (iv) Verrazzano-Narrows Bridge Approach Ramps.	\$10,739,763.00

Upon a motion duly made and seconded, the Board approved these procurements.

TBTA Action Items:

M. Margaret Terry, Senior Vice President and General Counsel, introduced the action items. Ms. Terry presented two TBTA action items for Board approval for TBTA to implement split tolling at the Verrazzano-Narrows Bridge (VNB) in accordance with the recent federal law which eliminated one-way tolling and directed that tolls be collected in the Staten Island-bound and Brooklyn-bound directions. It is expected that split tolling will be implemented by the end of 2020. TBTA asked the Board to approve and adopt the Type II Determination/Determination of No Significance for split tolling. Upon a motion duly made and seconded, the Board approved this action item. TBTA asked the Board to approve and adopt the change in TBTA's method of toll collection at the VNB to split tolling and the corresponding changes in the toll schedule regulation. Upon a motion duly made and seconded, the Board approved this action item.

Ms. Terry then presented two MTA action items for Board approval to change the MTA's VNB Rebate Programs to accommodate split tolling. The Board was asked to approve and adopt the Negative Declaration for the changes to the rebate programs. Upon a motion duly made and seconded, the Board approved this action item. The Board was asked to approve and adopt changes to the MTA's VNB Rebate Programs that will go into effect with the expected implementation of split tolling by the end of 2020. Upon a motion duly made and seconded, the Board approved this action item.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of Acting President DeCrescenzo's report, and to the staff summaries for the details relating to the action items, copies of which are on file with the records of the Board meeting minutes for MTA and TBTA.

11. MTA COMMITTEE ON FINANCE.

A. Action Items.

Patrick McCoy, MTA Director of Finance, presented a summary of the item #1 below and Josiane Codio, Director of Treasury, presented a summary of item # 2 below.

Upon motion duly made and seconded the Board approved the action items listed below. The specifics are set forth in the staff summaries and documentation filed with the meeting materials. Board Member Linda Lacewell recused herself from the vote on item # 2 below.

1. Transportation Revenue Anticipation Notes. Approved a resolution and necessary documentation and activities to issue revenue anticipation notes under the Transportation Revenue General Resolution ("RANs") to provide for short-term liquidity.
2. Increase of MTA All Agency Investment Limit. Approved the increase of the MTA All Agency investment limit.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of Board Members' discussion relating to the action items.

B. Procurement Item.

Chairman Foye, commenting on the Transformation RFP being presented for Board approval today, stated that he would like to clarify a few points relating to the Transformation.

Chairman Foye stated that Anthony McCord, Chief Transformation Officer, and his team continue to work on Transformation, but on a different timeline. The situation is dynamic and the agency is solely focused on employee and customer health, and having sufficient numbers of employees to run the system. Chairman Foye stated that the Transformation

will proceed on a timeline that prioritizes getting through the pandemic and the liquidity crisis that it has started. Nothing will be implemented until the crisis has past. Chairman Foye noted that the agency has no plans to lay off any employee as a result of the pandemic, and that everyone's help is needed to keep the system moving forward.

Chairman Foye further stated that approval of the RFP today does not mean that Transformation begins tomorrow, and he stated that Anthony McCord and David Ross, Chief Procurement Officer, will discuss the RFP in a moment. Chairman Foye noted that the agency will not move forward on implementing the contract until the public health crisis is over.

Anthony McCord, Chief Transformation Officer, presented a summary of the Transformation procurement items, and David Ross, Chief Procurement Officer, provided a summary of all other procurement items. In addition, Mr. Ross announced that the All-Agency Procurement Report and the Prompt Payment Report are also being presented to the Board for approval and information, respectively.

Upon motion duly made and seconded the Board approved the following procurement items listed below. The specifics are set forth in the staff summaries and documentation filed with the meeting materials. Board Member Neal Zuckerman recused himself from the vote on items #2, 3, and 4 below.

1. New York State Industries for the Disabled – Janitorial and Window Cleaning Services – Nos. 0600000000006413 (NYCT) and 0400000000001062 (LIRR). Approval to extend and increase the contract values for two non-competitive miscellaneous service contracts with New York State Industry for Disabled (NYSID) for janitorial and window cleaning services an additional six months ending June 30, 2020 with an option to extend for an additional six months ending December 31, 2020.
2. TruView BSI, LLC – Background Verification and Investigation Services – No. 201882. Approved the award of a competitively negotiated, all-agency personal service contract for background verification and related investigative services for five years.
3. Ernst & Young US, LLP) – MTA Transformation Implementation, Category 1 – No. 0009000015-10. Approved the award of one competitively negotiated contract to Ernst & Young US LLP.
4. Various Contractors – MTA Transformation Implementation, Category 2 – Nos. 0009000015-21, 22, 23,24. Approved the award of competitively negotiated, as needed, consulting contracts to Argo, Inc., The Boston Consulting Group, Ernst & Young US, LLP, and HNTB New York Engineering and Architecture, PC. Each base contract will be awarded for zero dollars and individual work assignments awarded pursuant to a competitive mini-RFP process wherein the awardees will submit technical and cost proposals that will be evaluated by a selection committee prior to the award of any tasks.

**MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020**

5. Alexander Proudfoot Company – MTA Transformation Implementation, Category 3 – No. 00090000015-30. Approved the award of a competitively negotiated contract to Alexander Proudfoot company.
6. CorVel Healthcare Corporation – All-Agency Medical Bill Review and Payment Services – No. C908341-0100, Modification No. 14. Approved a competitively negotiated, all-agency, personal service contract for an additional 9 months ending December 31, 2020.
7. 2019 Annual Procurement Report. Authorized the filing with the State of New York of the annual MTA All Agency Procurement Report for the period January 1, 2019 - December 31, 2019, as required under Section 2879 of the Public Authorities Law.
8. Information Item - MTA Prompt Payment Annual Report 2019. The Board received the MTA Prompt Payment Annual Report that is required to be submitted to the State Comptroller, the State Director of the Budget, the Chairman of the Senate Finance Committee, and the Chairman of the Assembly Ways and Means Committee.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of Chairman Foye's and Board Members' comments.

- C. **Real Estate Items.** David Florio, Director, R.E. Operations, Leasing & Acquisitions, presented a summary of the real estate items.

Upon motion duly made and seconded the Board approved the real estate items listed below.

New York City Transit Authority

1. Lease agreement with Raffie Hadi Bhai nd Aziz Mavani for the operation of four travel convenience stores located at 34th Street, Penn Station (8th Avenue), New York, N.Y.
2. Lease agreement with Sudhir Patel for the operation of three travel convenience stores located at 34th Street, Penn Station (7th Avenue), New York, N.Y.

Metropolitan Transportation Authority

3. Approved the revised and updated MTA Real Estate Department's Real Property Disposition Guidelines and the appointment of the Chief Development Officer of MTA as the Real Property Disposition Contracting Officer responsible for compliance with and enforcement of such Guidelines, and the updated MTA's All-Agency Guidelines for the Disposal of Agency Personal Property, and the appointment of the MTA staff persons designated as the Personal Property Disposition Contracting Officers listed in Attachment C of the staff summary,

**MTA and Agencies' Joint Committee and Regular Board Meeting
March 25, 2020**

each promulgated in accordance with Section 2895-2897 of the Public Authorities Law.

12. **AUDIT COMMITTEE.** Michele Woods, Deputy Auditor General, presented the Audit Report and a summary of the Audit action items.

Refer to the Audit Committee's minutes of this date, for the details of the reports and the items approved by the Board, and to the video recording of the meeting, produced by the MTA and maintained in MTA records, for the further details.

13. **ADJOURNMENT.**

Following questions and remarks from Board members' and staff, and upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:42 a.m.

Respectfully submitted,

Richard Gans
Vice President, General Counsel and Secretary
Metro-North Railroad

Paige Graves
Secretary
LIRR

s/Mariel A. Thompson
Assistant Secretary
NYCTA

David K. Cannon
Assistant Secretary
MTA C&D

Adana Savary
Assistant Secretary
TBTA

Victoria clement
Assistant Secretary
MTAHQ

Staff Summary

Subject AGREEMENTS WITH VARIOUS MTA UNIONS PROVIDING ADDITIONAL DEATH BENEFITS RELATED TO COVID-19
Department Labor Relations
Department Head Name Anita Miller, Chief Employee Relations and Administrative Officer
Department Head Signature
Project Manager Name Charles Glasgow, Senior Director, Employee and Labor Relations

Date April 22, 2020
Vendor Name N/A
Contract Number
Contract Manager Name N/A
Table of Contents Ref. #

Board Action					
1					
Order	To		Approval	Info	Other
	MTA Board		X		

Internal Approvals			
4/22/20			
Order	Approval	Order	Approval
1	Human Capital	5	Chairman/CEO
2	Chief Financial Officer		
3	General Counsel		
4	COO		

NARRATIVE

Purpose:
To obtain the Board's adoption and approval of Agreements reached through collective bargaining with various MTA unions.

Discussion:
As of April 14, 2020, infections related to COVID 19 have cost the lives of 65 MTA employees across titles, unions and agencies of MTA. This devastating toll has occurred as MTA employees continue to provide essential transportation services moving health care workers, first responders and many, many others critical to support both the sick and those

complying with the Governor's emergency orders to stay safe and stay home. At the direction of the Chairman, staff engaged representatives of the unionized workforce, principally TWU Local 100, to review benefit levels applicable to family survivors of deceased MTA employees. It should be noted that survivor benefits are not uniform across the MTA family. Life insurance benefits, pension provisions, line of duty benefits and other benefits differ widely across the employee population. Further, MTA did not wish to engage in a complex and adversarial analysis whether illness is an accident under the various contracts and whether a COVID infection should be determined to be contracted as a result of the performance of duties. Lastly, again at the direction of the Chairman, MTA did not wish to provide different levels of family protection to survivors of deceased MTA employees predicated upon their title, union or agency. Hence MTA staff and representatives of major segments of the MTA workforce agreed upon a template which would be applicable to any covered employee of a signature union. In addition, staff recommends that the same family benefit payments be made to non-represented employees under equivalent terms.

The agreements all provide as follows:

- Eligibility:** Employee must have been in active service on or after February 1, 2020.
Employee's death must be preceded by a COVID 19 infection that was unresolved at the time of death.
- Benefit:** \$500,000.00 paid in a single lump sum to employee's spouse/beneficiary or estate.
Continuation of health coverage (COBRA) for three years for surviving spouse and dependents (if under/until age 26).
- Other conditions:** This payment is in lieu of any other death benefit provided by a collective bargaining agreement.
This payment is in addition to any other benefit provided by a pension, life insurance policy or other welfare fund.
- Term:** April 14, 2020 until April 13, 2021.

Financial Impact:

Staff estimates the gross financial liability on April 14, 2020, at \$37.4M. Current modeling indicates Covid 19 deaths in New York State as of April 14, 2020 to represent 70% of total expected deaths. Extension of that modeling would increase the expected financial liability to about \$54M. Existing contractual obligations would offset these expected liabilities but would have no effect on expenditures since these events were unexpected.

Recommendation: It is recommended that the MTA Board approve the Agreements listed in Attachment A and further authorize the Chairman to execute future agreements without further approval on the same terms with any certified representatives of MTA employees which have not yet executed such agreements.

“ATTACHMENT A”- Executed COVID Family Benefits Agreements

April 21, 2020

UNION	UNION LEADER	AFFECTED AGENCY	RECEIVED DATE
ACRE 1	Edward Valente	MNR	4/15/2020
ACRE 113	Kai Peterson	MNR	4/15/2020
ACRE 166	Darren Berger	MNR	4/14/2020
ACRE 37	Thomas Delgado	MNR	4/15/2020
ACRE 9	Matt Mitchell	MNR	4/15/2020
AFSCME District Council 37 L1931	Anthony Mattia	B&T	4/16/2020
AFSCME District Council 37	Rose Lovaglio-Miller	B&T, NYCT	4/17/2020
ARSA MoE & MoW	Michael Miller	MNR	4/17/2020
ATDA	Leo McCann	SIR	4/14/2020
ATU L726	Danny Cassella	NYCT	4/14/2020
ATU L1056	Mark Henry	NYCT	4/17/2020
ATU L1179	Jose De Jesus	Bus	4/16/2020
ATU L1181	Michael Cordiello	Bus	4/15/2020
BLET	Kevin Sexton	LIRR	4/14/2020
BRS L56 & L241	Christopher Natale	LIRR	4/15/2020
BTOBA	Wayne Joseph	B&T	4/14/2020
COA	John Castagna	HQ	4/16/2020
Doctors Council, SEIU	Kevin Collins	NYCT	4/16/2020
IAMAW	Andrew W. Sandberg	LIRR, MNR	4/14/2020
IBEW	Arthur J. Davidson	MNR	4/15/2020
IBEW L589	Ricardo Sanchez	LIRR	4/14/2020
IBEW-S	Peter Famularo	MNR	4/16/2020
IBT L808	Osvaldo LoVerme / F. Chris Silvera	HQ, MNR	4/14/2020
IRSA	Robert Santos	LIRR	4/15/2020
IUOE	William Lynn	NYCT	4/15/2020
NCFO	Mike Pistone	LIRR, MNR	4/14/2020
OSA	Adam Orgel	NYCT	4/16/2020
PBA	Michael O'Meara	HQ	4/16/2020
SISEA	John Mendicino	NYCT	4/15/2020
SMART	John McKloskey	LIRR, MNR	4/14/2020
SMART L1440	Thomas Wilson	SIR	4/16/2020
SMART TD	Anthony Simon	LIRR	4/14/2020
SMART Y	Michael Miele	LIRR	4/15/2020
SSSA	Michael Carrube	NYCT, SIR	4/15/2020
TCU	Nick Peluso	HQ, LIRR, MNR, SIR	4/14/2020
TTB&TA, SOBA	Christina Lampropoulos	B&T	4/16/2020
TSO	Vincent Modafferi / John Samuelson	Bus, NYCT	4/15/2020
TWU L100	Anthony Utano / John Samuelson	HQ, Bus, NYCT	4/14/2020
TWU L2001	Pat Howard	MNR	4/18/2020
TWU L2055	Bob Cifarelli	MNR	4/17/2020
UTLO	Mark Bucceri	Bus, NYCT	4/21/2020



Metro-North Railroad

Procurements

Subject Request for Authorization to Award Various Procurements					
Department Procurement and Material Management					
Department Head Name Anthony Gardner, Sr Director					
Department Head Signature					
Project Manager Name					
Board Action					
Order	To	Date	Approval	Info	Other
1	MNR Comm. Mtg.	4-22-20	X		
2	MTA Board Mtg.	4-22-20	X		
Internal Approvals (cont.)					
Order	Approval	Order	Approval	Order	Approval

Date April 13, 2020			
Vendor Name Various			
Contract Number Various			
Contract Manager Name Various			
Table of Contents Ref #			
Internal Approvals			
	Approval		Approval
X	President	X	Executive Director Management & Budget
X	Executive Vice President	X	V.P. Capital Programs
X	Sr. V.P. Operations		
X	V.P. & General Counsel		
Internal Approvals (cont.)			
Order	Approval	Order	Approval

PURPOSE:

To obtain approval of the Board to award various contracts/contract modifications and purchase orders, and to inform the MTA Metro-North Railroad Committee of these procurement actions.

DISCUSSION:

MNR proposes to award non-competitive procurements in the following categories:

	<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>	NONE	
<u>Schedules Requiring Majority Vote</u>		
Schedule H: Modifications to Personal/Miscellaneous Service Contracts	1	\$1,600,000
• Dayton T. Brown, Inc. \$1,600,000		
SUB TOTAL:	1	\$1,600,000

MNR proposes to award competitive procurements in the following categories:

	<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>	NONE	
<u>Schedules Requiring Majority Vote</u>	NONE	
SUB TOTAL:		

MNR presents the following procurement actions for Ratification:

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>	NONE	
<u>Schedules Requiring Majority Vote</u>	NONE	
SUB TOTAL:		
TOTAL:	1	\$1,600,000

The contractors noted above and on the following Staff Summary Sheets have been found in all respects responsive and responsible, and are in compliance with State laws and regulations concerning procurements.

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

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

METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in the annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.

2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which it is deemed in the public interest to obtain authorization to solicit competitive proposals through a publicly advertised RFP for the reasons specified therein the Board declares it to be impractical or inappropriate to utilize a procurement process inviting sealed bids with award to the lowest responsive/responsible bidder.

3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.

4. The Board ratifies each action taken set forth in Schedule D for which ratification is requested.

5. The Board authorizes the execution of each of the following for which Board authorization is required: i) the miscellaneous procurement contracts set forth in Schedule E; ii) the personal service contracts set forth in Schedule F; iii) the miscellaneous service contracts set forth in Schedule G; iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; v) the contract modifications to purchase and public work contracts set forth in Schedule I; and vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.

6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.

APRIL 2020

METRO-NORTH RAILROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Majority Vote:

**H. Modifications to Personal /Miscellaneous Service Contracts
(Approvals/Staff Summaries required for substantial change orders and change orders that cause the original contract to equal or exceed the monetary or durational threshold required for Board approval)**

**1. Dayton T. Brown, Inc. \$1,600,000 (not-to-exceed) Staff Summary Attached
Engineering Support Services for Positive Train Control**

Approval is requested for additional funding to an existing miscellaneous service contract with the firm Dayton T. Brown, Inc. (DTB) in the not-to-exceed amount of \$1,600,000. The funding will allow DTB to provide additional staffing to support PTC fieldwork and perform additional site visits to meet the PTC program deadline of December 2020. This cost also includes the completion of the technical manuals, preparation of various reports, and the maintenance of the data repository.

In order to support Metro-North's PTC deadline, DTB will be taking a more in-depth approach by installing system software and hardware as well as installing additional radio assembly kits as required. DTB's involvement in the PTC communication infrastructure has also increased to include review and verification of the installation of the communication antennas throughout Metro-North's territory.

As indicated in the original non-competitive award to DTB approved by the Board in November 2017, DTB has the necessary experience in providing engineering support in both heavy rail and transit environments. They are the only qualified company in the North-East region with available resources to immediately support this vital effort. DTB's support to date has been a key factor in Metro-North adhering to its PTC implementation schedule, and their continuing support is essential to efforts to achieve full compliance by the December 2020 federal deadline.

MNR has received the benefit of DTB pricing established by the US Defense Contract Audit Agency (DCAA). This total not-to-exceed amount of \$1,600,000 is to be Federally funded through the MTA Capital Program.

Schedule H: Modifications to Personal Service and Miscellaneous Service Contracts



Item Number: H

Vendor Name (& Location) Dayton T. Brown, Inc. Bohemia, NY 11716-5014	Contract Number 88157	AWO/Modification # 04
Description Engineering Support Services for Positive Train Control	Original Amount:	\$ 500,000
Contract Term (including Options, if any) November 22, 2017 – May 21, 2021	Prior Modifications:	\$ 6,537,149
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Prior Budgetary Increases:	\$
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	Current Amount:	\$ 7,312,149
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source	This Request:	\$ 1,600,000 (not-to-exceed)
Funding Source <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amount:	23%
Requesting Dept./Div. & Dept./Div. Head Name: Procurement & Material Management, Anthony Gardner, Sr. Director	% of Modifications (including This Request) to Original Amount:	1,627%

Discussion:

Approval is requested for additional funding to an existing miscellaneous service contract with the firm Dayton T. Brown, Inc. (DTB) in the not-to-exceed amount of \$1,600,000. The funding will allow DTB to provide additional staffing to support PTC fieldwork and perform additional site visits to meet the PTC program deadline of December 2020. This cost also includes the completion of the technical manuals, preparation of various reports, and the maintenance of the data repository.

In order to support Metro-North’s PTC deadline, DTB will be taking a more in-depth approach by Installing system software and hardware as well as installing additional radio assembly kits as required. DTB’s involvement in the PTC communication infrastructure has also increased to include review and verification of the installation of the communication antennas throughout Metro-North’s territory.

As indicated in the original non-competitive award to DTB approved by the Board in November 2017, DTB has the necessary experience in providing engineering support in both heavy rail and transit environments. They are the only qualified company in the North-East region with available resources to immediately support this vital effort. DTB’s support to date has been a key factor in Metro-North adhering to its PTC implementation schedule, and their continuing support is essential to efforts to achieve full compliance by the December 2020 federal deadline.

Metro-North completed a responsibility review of Dayton T. Brown as defined in the All Agency Responsibility Guidelines in connection with this award recommendation, which yielded no significant adverse information (SAI).

MNR has received the benefit of DTB pricing established by the US Defense Contract Audit Agency (DCAA). This total not-to-exceed amount of \$1,600,000 is to be Federally funded through the MTA Capital Program.

LONG ISLAND RAIL ROAD

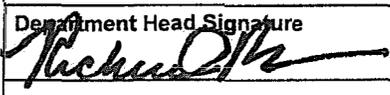
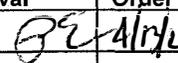
PROCUREMENTS

FOR

BOARD ACTION

April 22, 2020

Staff Summary

Subject: Request for Authorization to Award Various Procurements						Date April 22, 2020			
Department Procurement and Logistics									
Department Head Name Richard A. Mack, Acting Chief Procurement and Logistics Officer									
Department Head Signature 									
Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LI Committee	4.22.20				X	President		
2	MTA Board	4.22.20							

PURPOSE:

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

DISCUSSION:

LIRR proposes to award Non-Competitive Procurements in the following categories:

	<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote</u>		
Schedule A: Non-Competitive Purchases and Public Works Contracts	1	\$250,000,000
SUBTOTAL:	1	\$250,000,000

LIRR proposes to award Competitive Procurements in the following categories:

	<u># of Actions</u>	<u>\$ Amount</u>
	None	

LIRR proposes to award Ratifications in the following categories:

	<u># of Actions</u>	<u>\$ Amount</u>
	None	
TOTAL:	<i>1</i>	<u>\$250,000,000</u>

BUDGET IMPACT:

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

RECOMMENDATION:

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

METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

APRIL 2020

MTA LONG ISLAND RAIL ROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote

Schedule A: Non-Competitive Purchases and Public Work Contracts

(Staff Summaries required for all items greater than: \$1,000,000 Sole Source; \$1,000,000 Other Non-Competitive)

- | | | | |
|----|---|---|-------------------------------|
| 1. | Bombardier Transportation NA
Progress Rail Locomotive
Non-Competitive
Sole Source (OEM)
Contract No. C4BP03629, 04...713 | \$220,000,000
+ 30,000,000
\$250,000,000 (Not-to-Exceed) | <i>Staff Summary Attached</i> |
|----|---|---|-------------------------------|

LIRR on behalf of itself and MNR (the “Railroads”) requests Board approval to exercise two (2) individual contract options with Bombardier Transportation NA and Progress Rail Locomotive in a total not to exceed amount of \$250,000,000 (Bombardier \$220,000,000 + Progress Rail \$30,000,000.) Combined, these two agreements will provide for the timely acquisition of various OEM spare parts for continued maintenance and technical support services for the LIRR’s M-3, M-7, and M-9 electric railcars and its DE/DM locomotive fleets as well as MNR’s M-3 and M-7 electric railcars.

In January 2009, the MTA Board approved the award of a contract to Bombardier for a five (5) year Material & Technical Support Agreement (MSA) in the amount of \$81,510,000 to enable the Railroads to repair and maintain its fleet of M-7 electric railcars. This agreement established fixed prices for the first year and subsequent price adjustments based on contracted producer price indices for each subsequent year. In addition, it included options for two – five-year extensions. In February 2015 the Railroads received MTA Board approval to exercise the first – five-year option for extension and increasing funding by \$140,000,000 (LIRR \$118,000,000 / MNR \$22,000,000). The approval of this request, which will exercise the second of these two options through April 2025 will increase the funding by \$220,000,000 (LIRR \$170,000,000 / MNR \$50,000,000) for a new total amount of \$441,510,000.

Staff Summary



Item Number: 1

Vendor Name (& Location) Bombardier, Progress Rail Locomotive
Description OEM Purchase Agreements for Spare Parts- LIRR/MNR
Contract Term (including Options, if any) 2 Years (April 2020 – April 2022) Progress Rail 5 Years (April 2020 – April 2025) Bombardier
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-Competitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: OEM Sole Source

Contract Number C4BP03629, 04...713	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount:	Bombardier: \$220,000,000 Progress Rail: \$30,000,000 Total: \$250,000,000
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Maintenance of Equipment – Craig Daly	
Contract Manager: Jim Lorig	

Discussion:

LIRR on behalf of itself and MNR (the “Railroads”) requests Board approval to exercise two (2) individual contract options with Bombardier Transportation NA and Progress Rail Locomotive in a total not to exceed amount of \$250,000,000 (Bombardier \$220,000,000 + Progress Rail \$30,000,000.) Combined, these two agreements will provide for the timely acquisition of various OEM spare parts for continued maintenance and technical support services for the LIRR’s M-3, M-7, and M-9 electric railcars and its DE/DM locomotive fleets as well as MNR’s M-3 and M-7 electric railcars.

In January 2009, the MTA Board approved the award of a contract to Bombardier for a five (5) year Material & Technical Support Agreement (MSA) in the amount of \$81,510,000 to enable the Railroads to repair and maintain its fleet of M-7 electric railcars. This agreement established fixed prices for the first year and subsequent price adjustments based on contracted producer price indices for each subsequent year. In addition, it included options for two – five-year extensions. In February 2015 the Railroads received MTA Board approval to exercise the first – five-year option for extension and increasing funding by \$140,000,000 (LIRR \$118,000,000 / MNR \$22,000,000). The approval of this request, which will exercise the second of these two options through April 2025 will increase the funding by \$220,000,000 (LIRR \$170,000,000 / MNR \$50,000,000) for a new total amount of \$441,510,000.

In December 2003, the MTA Board approved the award of a contract to Electro-Motive Diesel, Inc. for a ten (10) year Original Equipment Manufacturer (OEM) spare parts agreement in the amount of \$58,000,000 to enable the LIRR to repair and maintain its fleet of 45 DE/DM diesel locomotives. In August 2016, Electro-Motive Diesel, Inc. was sold to Progress Rail Services and changed its name to Progress Rail locomotive. This agreement established fixed prices for the first year and subsequent price adjustments based on contracted Producer Price Indices for each subsequent year. In addition, it included options for five (5) two (2) year extensions. In June 2013, The MTA approved exercise of the first of these five options, which increased the funding by \$24,000,000 for a new total amount of \$82,000,000. In June 2015 the MTA Board approved the exercise of the second of the five options, which increased the funding by \$38,000,000 for a new total amount of \$120,000,000. The MTA Board approved the exercise of the third of the five options in February 2018,

Staff Summary



which increased the funding by \$30,000,000, for a new total amount of \$150,000,000. The approval of this request, which will exercise the fourth of those five options and will increase the funding by \$30,000,000 a new total amount of \$180,000,000 through April 2022.

These agreements on parts permits the LIRR to add or delete parts from the original list as needed and as a result, the LIRR has increased the parts list to supply inventory for the Reliability Centered Maintenance (RCM) cycle to improve fleet performance. Bombardier and Progress Rail are the sole sources for the parts, repairs, and services in connection with major railcar systems and components such as cab components and locomotive spare parts that will be provided under these purchase agreements. Other vendors do not have access to the proprietary designs, specifications, and drawings for these systems or materials and therefore cannot readily provide these parts and repair services. Under these purchase agreements, the OEM’s will supply, on an as needed basis, complete systems, parts, other equipment, technical/field support and repair services as required. Purchase orders and payments will only be issued for parts that are ordered and delivered over the course of the five-year option period.

This joint approach utilizes the combined buying power of the two railroads to achieve most favorable uniform pricing and better supply chain management. Additional benefits are the process efficiencies that reduce the number and frequency of small purchase activities. These long-term contracts assure the Railroads that the OEM’s will continue to maintain their tooling and manufacturing capabilities necessary to produce the parts, which are not available from any other sources.

<u>Supplier</u>	<u>System</u>	<u>LIRR</u>	<u>MNR</u>	<u>Totals</u>
Bombardier Transportation NA	Car body, Trucks, Toilets	\$170M	\$50M	\$220M
Progress Rail Locomotive	Locomotive Parts	\$30M	-	<u>\$30M</u>
Grand Total				\$250M

In order to be prepared for possible unscheduled events and occurrences, the Railroads further seek approval to reallocate funds between OEM’s with the following limitation; any reallocated amount may not exceed the grand total approved herein.

This purchase agreement will be funded by each Railroads’ Operating Budget.



Bridges and Tunnels

Procurements April 2020



Staff Summary



Subject: Request for Authorization to Award Various Procurements
Department: Procurement
Department Head Name: <i>BB</i> Julia Christ
Department Head Signature:
Project Manager Name: Various

Date: 4/8/2020
Vendor Name:
Contract Number:
Contract Manager Name:
Table of Contents Ref #:

Board Action					
Order	To	Date	Approval	Info	Other
1	President	4/10/2020			
2	MTA B&T Committee	4/22/2020			
3	MTA Board	4/22/2020			

Internal Approvals			
Order	Approval	Order	Approval
	President DD		VP & Chief Financial Officer DA
	SVP & General Counsel		VP Operations
	VP & Chief of Staff		VP & Chief Engineer
			VP & Chief Procurement Officer <i>BB</i>

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

PURPOSE:

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

DISCUSSION:

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

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

<u>Schedule Requiring Majority Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule H: Modifications to Personal Service Contracts and Miscellaneous Service Contracts	1	\$17.0M
Schedule I: Modification to Purchase and Public Works Contract	1	\$25.6M
SUBTOTAL	2	\$42.6M

MTA B&T presents the following procurement actions for Ratification: None

TOTAL	2	\$42.6M
--------------	----------	----------------

BUDGET IMPACT:

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

RECOMMENDATION:

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

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

MTA BRIDGES & TUNNELS
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
APRIL 2020

MTA BRIDGES & TUNNELS

Procurements Requiring Majority Vote:

H: Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded

(Staff Summaries requiring Board approval)

- | | | |
|---------------------------------|------------------------|--------------------------------------|
| 1. TransCore, LP | \$16,996,380.00 | <u>Staff Summary Attached</u> |
| Contract No. PSC-13-2949 | | |

9 years, 8 months – Competitive RFP

B&T is seeking Board approval under the All-Agency Service Contract Procurement Guidelines to amend this personal service contract with TransCore, LP to: (i) implement cashless tolling at the Verrazzano-Narrows Bridge Eastbound travel lanes and (ii) upgrade B&T's Travel Time System to serve as interim Toll Collection System in case of catastrophic event.

I: Modifications to Purchase and Public Works Contracts Awarded

(Staff Summaries requiring Board approval)

- | | | |
|---|------------------------|--------------------------------------|
| 1. El Sol Contracting/ES II Enterprises JV | \$25,610,000.00 | <u>Staff Summary Attached</u> |
| Contract No. VN-84AX | | |

2 years, 6 months – Competitive IFB

B&T is seeking Board approval under the All-Agency Procurement Guidelines to modify this public works contract with El Sol Contracting | ES II Enterprises, a Joint Venture for work associated with the implementation of Split Tolling at the Verrazzano-Narrows Bridge.

Schedule H: Modifications to Personal Service Contracts and Miscellaneous Service Contracts

Item Number:

Vendor Name (& Location) TransCore, LP		Contract Number PSC-13-2949	AWO/Modification
Description All-Electronic Open Road Tolling (ORT)		Original Amount:	\$ 7,968,282.00
Contract Term (including Options, if any) July 18, 2014 – March 1, 2024		Prior Modifications:	\$146,562,980.00
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Prior Budgetary Increases:	\$0.00
Procurement Type	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	Current Amount:	\$154,531,262.00
Solicitation Type	<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	This Request:	\$ 16,996,380.00
Funding Source		% of This Request to Current Amount:	11.0%
<input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		% of Modifications (including This Request) to Original Amount:	2053%
Requesting Dept./Div. & Dept./Div. Head Name: Allison L. C. de Cerreño, Senior Vice President			

Discussion

B&T is seeking Board Approval in accordance with the All Agency Service Contract Procurement Guidelines to amend this personal service contract, Contract PSC-13-2949, All-Electronic Open Road Tolling (ORT) with TransCore, LP (TransCore) to (i) implement cashless tolling at the Verrazzano-Narrows Bridge (VNB) Eastbound travel lanes and (ii) upgrade B&T's Travel Time System to serve as an interim Toll Collection System in case of catastrophic events in the not-to exceed amount of \$16,996,380.

Subsequent to Board approval, this competitively solicited contract was awarded to TransCore in July 2014 in the negotiated amount of \$7,968,282, for a duration of eight (8) years. Initially, the Contract requirements included TransCore to furnish, install and maintain an All-Electronic Tolling (AET), ORT system (cashless tolling system) at the Henry Hudson Bridge (HHB). Subsequent amendments added cashless tolling systems at the eight (8) additional B&T Toll Facilities and six (6) years of maintenance services, increasing the contract value by \$146,562,980.

On December 20, 2019, the federal Further Appropriations Act 2020 §126 was enacted that eliminated the current one-way tolling requirement and restored split tolling at the VNB so that tolls will be collected in both the Staten Island-bound and Brooklyn-bound directions. In March 2020, the Board provided the approvals needed to implement split tolling at the VNB. In order to expeditiously move this project forward to comply with this newly enacted federal law, the installation of new tolling structures (gantries) and toll system equipment need to be installed in the eastbound lanes. TransCore's scope of work includes: furnishing and installing toll system equipment; testing; commissioning and maintaining the system equipment in the toll lanes. The total amount for this portion of the Work is \$11.11 million (\$7.96M for implementation plus \$3.15 million for a 1-year warranty and 3 years of maintenance).

Given that the Toll Collection System is in an area that historically has been impacted by both natural and human events and the size and scope of B&T's toll collection operations has significantly increased, it is critical that a Catastrophic Events Mitigation System (CEMS) be implemented as expeditiously as possible. B&T is proposing to upgrade the Travel Time System (TSS) as a backup toll collection system in case of a catastrophic event. B&T's Travel Time System is part of the regional TIMED system, a regional traffic monitoring system that reads E-ZPass tags at strategic locations throughout New York City to provide valuable traffic information to the public. Each B&T facility contains a series of non-tolling tag readers that are used to feed B&T and TIMED travel data. Readers are connected to antennas mounted at multiple locations outside the tolling zone. The existence of these readers and antennas provides B&T with a source of redundant transponder reads that may be utilized for toll revenue collection purposes during a disaster recovery operation. TransCore will design, install, test and commission equipment to upgrade the TTS. The total for this work is \$5.88 million (\$4.88M for implementation plus \$1.0M for 3 years of maintenance). System maintenance is in a not-to-exceed amount and is to be provided on a time and material basis.

Negotiations resulted in B&T agreeing to \$11.11M for the VNB split tolling which is 14% lower than the User's estimate of \$12.76M and a cost of \$5.88M for CEMS which is 0.1% lower than the estimate, which is considered fair and reasonable. The total amount of this amendment is a not-to-exceed amount of \$16,996,380. Funding is available in the Capital Program and in the Operating Budget.

Schedule I: Modifications to Purchase and Public Works Contracts

Item Number:

Vendor Name (& Location) El Sol Contracting/ES II Enterprises J.V.	Contract Number VN-84AX	AWO/Modification #
Contract Title: Construction Services for Reconstruction and Rehabilitation of the Upper Level Approach Decks at the Verrazzano-Narrows Bridge	Original Amount:	\$143,962,121.00
Contract Term (including Options, if any) December 12, 2019 – June 11, 2022	Prior Modifications:	\$0.00
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Prior Budgetary Increases:	N/A
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	Current Amount:	\$143,962,121.00
Solicitation Type <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:	This Request:	\$25,610,000.00
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amount:	17.8%
Requesting Dept/Div & Dept/Div Head Name: Engineering & Construction, Joe Keane, P.E.	% of Modifications (including This Request) to Original Amount:	17.8%

Discussion:

B&T is seeking the Board's approval under the All Agency General Contract Procurement Guidelines to modify this public works contract with El Sol Contracting/ES II Enterprises J.V. (El Sol) for additional work to furnish and install Split Tolling infrastructure at the Verrazzano-Narrows Bridge (VNB), Eastbound toll lanes in the negotiated amount totaling \$25,610,000.

The Contract was awarded to El Sol in the amount of \$143,962,121 in December 2019, subsequent to a competitive price + time (A + B) sealed bid process. The scope requires El Sol to perform rehabilitation and reconstruction of the Staten Island and westbound Brooklyn approach decks at the VNB. The scope includes but is not limited to: replacement of the existing deck and related work for lighting, drainage, fire standpipe and bearing replacement; superstructure steel repairs, strengthening and seismic upgrades at all approaches; and superstructure steel replacements at the anchorage spans.

On December 20, 2019, the federal Further Appropriations Act 2020 §126 was enacted that eliminated the current one-way tolling requirement and restored split tolling at the VNB so that tolls will be collected in both the Staten Island-bound and Brooklyn-bound directions. In March 2020, the Board provided the approvals needed to implement split tolling at the VNB. In order to progress this project forward to comply with this newly enacted federal law and properly coordinate with other planned capital projects at the VNB, implementation of required civil and structural work is necessary at this time. Based on experience previously gained during the Open Road Tolling (ORT) implementation at the VNB and other B&T facilities, an analysis of various procurement strategies was conducted. B&T determined that in order to meet this objective an amendment to an existing construction contract was the most advantageous method of procurement to ensure the timely success of this expedited initiative. It was further determined that amending Contract VN-84AX with El Sol would provide the best opportunity for the most cost effective and successful split tolling infrastructure implementation for reasons as follows: (i) El Sol is currently mobilized under Contract VN-84AX for infrastructure work; (ii) the toll plaza infrastructure work must be fully coordinated with the VN-84AX roadway work and (iii) El Sol's prior successful experience performing expedited ORT infrastructure work.

The Scope of Work requires civil and structural works associated with the installation of two sets of gantries (6 gantries in total), one for the upper level approach lanes and another set for the lower level approach lanes and local on-ramp lanes, along with electrical, communications, and electronic toll collection infrastructure as well as a Vehicle Occupancy Detection System and a toll enforcement system. The new gantries would be constructed over existing roadway infrastructure. The Brooklyn-bound ORT system is anticipated to be operational by December 2020.

El Sol proposed \$28,798,682.64, and the negotiated amount of \$25,610,000 is 0.98% above the Engineer's estimate of \$25,361,137.94 and is fair and reasonable based on comparison to that estimate. In order to meet the split tolling implementation schedule, El Sol was authorized to procure long lead time materials, commence gantry fabrication and progress drawings for drilled shaft footings, in an amount not to exceed \$934,462. Funding for this amendment is available in the 2015-2019 Capital Program under Project D703VN63 – VN-X1, EB Tolling Construction, (Task D04829).

PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed expenditure of \$ 85.1M.

Staff Summary

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

Date April 13, 2020
Vendor Name Various
Contract Number Various
Contract Manager Name Various
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	04/22/2020	X		
2	Board	04/22/2020	X		

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

PURPOSE:

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

DISCUSSION:

MTAHQ proposes to award Competitive procurements in the following categories:

Schedules Requiring Majority Vote:

Schedule F: Personal Service Contracts

	<u># of</u> <u>Actions</u>	<u>\$ Amount</u>
	1	\$ 85,100,000
SUBTOTAL	<u>1</u>	<u>\$ 85,100,000</u>
TOTAL	<u>1</u>	<u>\$ 85,100,000</u>

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

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

BOARD RESOLUTION

METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

APRIL 2020

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

F. Personal Service Contracts

(Staff Summaries required for all items greater than \$1M; Sole Source; Other Non-Competitive; Competitive RFP.)

- 1. International Business Machines Corp. \$85,100,000 Staff Summary Attached
Managed Security Services for (not-to-exceed)
Cyber Security Operations Center
Contract No. 90000000003412
Competitively negotiated – 4 proposals – 36 months plus 2 one-year options**

Board approval is sought to award a competitively negotiated, personal service contract to International Business Machines Corp. (IBM) to assess, design and implement standardized cybersecurity controls across all operational and informational MTA technology systems. IBM will also provide managed security services to augment the MTA's Cyber Security Operations Center (CSOC).

Staff Summary

Schedule F: Personal Service Contracts

Item Number: 1					
Dept & Dept Head Name: MTA IT / Rafail Portnoy					
Division & Division Head Name: IT Security/ Tariq Habib					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Finance	4/22/20	X		
2	Board	4/22/20	X		
Internal Approvals					
Order	Approval	Order	Approval		
1	Procurement	4	DDCR		
2	IT	5	Legal		
3	Security	6	CFO		

SUMMARY INFORMATION	
Vendor Name: International Business Machines Corp.	Contract Number: 900000000003412
Description: Managed Security Services for Cyber Security Operations Center	
Total Amount: \$ 85,100,000	
Contract Term (including Options, if any): Three (3) Years plus two (2) one-year Options	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type: <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

Board approval is sought to award a competitively negotiated, personal service contract to International Business Machines Corp. (IBM) to assess, design and implement standardized cybersecurity controls across all operational and informational MTA technology systems. IBM will also provide managed security services to augment the MTA’s Cyber Security Operations Center (CSOC). The proposed contract shall not exceed \$85,100,000, which is broken out as follows: initial term of 3 years totaling \$19,932,226; two one-year renewal options totaling \$12,876,293; and allocation of \$52,291,482 to allow yearly scalability and as-needed purchase of various security tools over the full 5-year contract term.

II. DISCUSSION

An emergency and immediate operating need was declared to conduct this Request for Proposals (RFP) in an expedited manner to address the heightened alerts due to international cybersecurity threats. The MTA requires the services of a Managed Security Service Provider (MSSP) for 24/7 security monitoring of all MTA information technology (IT) and operational technology (OT) assets (all hardware/software) and to transition its current on-premise cyber security office to a cloud model. This will improve tracking and monitoring of cyber incident threats and responses in real-time while facilitating prioritization of high-risk and advanced threats. This contract also provides for evaluating existing hardware & software currently residing in the MTA environment in order to determine vulnerabilities. Finally, the contract will provide implementation of advanced cyber detection equipment, and installation of cyber protection and security monitoring equipment.

Public advertising was waived, allowing for an expedited procurement process to quickly implement the cyber security operational improvements for the CSOC. Twelve industry leaders in cyber security were solicited, and four proposals were received. The Selection Committee consisted of the MTA Chief Security Officer, Director of the MTA CSOC, and MTA’s Cyber Security Monitoring Lead. The selection criteria included the successful demonstration of the vendor’s understanding of the MTA scope of work (SOW), the vendor’s experience in cyber security transformation, proposed staffing, expertise of the vendor’s project team, and cost. Of the four firms that submitted proposals, only two firms were deemed technically responsive to the RFP (IBM and DXC Technology (DXC)). The other two firms failed to provide critical details on how they would migrate the on-premise cyber security office to the cloud, specific best practice methodologies and a breakdown of staffing and service components. Therefore, the Selection Committee determined that these firms did not fully understand the MTA’s SOW requirements.

IBM was ultimately selected based on its ability to demonstrate a clear delivery model for cloud migration, a thorough governance process with the right flexibility and scalability, specific equipment options on various advanced technologies, and project team members that showed in-depth experience in all aspects of cyber security services. In contrast, DXC failed to demonstrate the ability to deliver on advanced technologies in threat detection and monitoring, and its pricing models were unclear even after multiple discussions.

IBM will provide services pursuant to the four phases of MTA's SOW: (i) requirements gathering and design, (ii) asset inventory of OT infrastructure, (iii) implementation of security tools, and on-boarding of logs data, and (iv) finalize use cases, alerts and escalation criteria. After design and establishment of the infrastructure and processes to go-live, IBM will serve as a MSSP during steady state.

Negotiations yielded an overall price reduction of \$11.4 million or 26% on the fixed price components from IBM's original proposed cost of \$44,249,355 to \$32,808,518. IBM's professional service all-inclusive rates range from \$220/hour for a Security Consultant to \$395/hour for a Project Executive. These rates are in-line with other existing professional service agreement rates currently in place at the MTA and NYS Office of General Service Agreements, which range from \$227/hour to \$437/hour for similar skillsets. Thus, all labor rates have been deemed fair and reasonable.

This contract also allocates \$52.2 million for increasing and improving security components and network segments duration the contract period. Once the design and asset inventory phases are completed, IBM will install and implement new hardware and software, and provide technical support, cloud hosting and monitoring for up to 30 operational technology networks. This will include implementation and expansion of security products that were priced with specificity in IBM's proposal. About 80% of the optional cost elements are specific products while about 20% is reserved for associated consulting services. IBM's pricing for these items includes discounts between 30% and 60% off list. All negotiated professional service rates will remain firm through all phases of the contract. The allocation of \$52.2 million will be used on an as-needed basis and is not guaranteed.

In connection with a previous contract awarded to IBM, IBM was found to be responsible notwithstanding significant adverse information pursuant to the All-Agency Responsibility Guidelines, and such responsibility finding was approved by the MTA Chairman/CEO in consultation with the MTA General Counsel on July 25, 2016. No new SAI has been found relating to IBM and IBM has been found to be responsible.

III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights (DDCR) has established goals of 0% for MBE, 0% for WBE and 0% for SDVOB due to the lack of certified firms in the marketplace available to provide the managed security services required for this contract. IBM has not achieved its MWDBE/SDVOB goals on previous MTA contracts but has demonstrated good faith effort towards meeting those goals.

IV. IMPACT ON FUNDING

The total cost for this contract is \$85,100,000; and will be funded by MTA IT's operating budget.

V. ALTERNATIVES

1. Perform services in-house – This alternative is not feasible since MTA does not have the bandwidth in the existing workforce to monitor and secure OT infrastructure for all MTA.
2. Do not approve award – This would place the MTA vulnerable to cyber threat and will not be able to identify, detect, respond and protect critical infrastructure and services which can result in service disruptions, loss of revenue, loss of reputation and impact public safety. This alternative is not advisable.

APRIL 2020
MTA REAL ESTATE
LIST OF REAL ESTATE ACTION ITEMS FOR BOARD APPROVAL

MTA NEW YORK CITY TRANSIT

License Agreement with Jamestown OTS, L.P. at Times Square Station

Installation of a roof top antenna pole and equipment for telecommunications as part of the Buses Radio System

Staff Summary

Subject REVOCABLE LICENSE WITH JAMESTOWN OTS, L.P. AT TIMES SQUARE STATION COMPLEX
Department REAL ESTATE
Department Head Name JOHN N. LIEBER
Department Head Signature
Project Manager Name IAN SALSBERG

Date APRIL 22, 2020
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	4/22/20	X		
2	Board	4/22/20	X		

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

AGENCY: MTA New York City Transit (“NYCT”)

LICENSEE: Jamestown OTS, L.P. (“Jamestown”)

LOCATION: Times Square Station Complex (the “Station”)

ACTIVITY: Revocable license (the “Revocable License”) of a volume of space from the roof of the Station to below the platform level near the shuttle area (the “Licensed Area”) for the below ground portion of two (2) Jamestown elevators (the “Elevator Structures”)

ACTION REQUESTED: Authorization to enter into the Revocable License

TERM: License is revocable at any time but is intended to be coterminous with New York City Department of Transportation’s (“DOT”) Revocable Consent Agreement with Jamestown for the above ground portion of the two Jamestown elevators

SPACE: Approximately 286 square feet

COMPENSATION: 1) \$43,000 per year for the Licensed Area, 2) construction and maintenance of an ADA-compliant elevator from the street to the platform level of the Station near the shuttle area (the “NYCT Elevator”), 3) a canopy and 4) station signage at sidewalk level

COMMENTS:

Jamestown intends to convert its One Time Square building to use as a museum and observation deck. The changed use of the building requires new passenger elevators which cannot be built within its building, Jamestown has, therefore, proposed two (2) exterior elevators which extend beyond the property line and into and over the public right of way, a public plaza, requiring Jamestown to obtain a Revocable Consent Agreement from DOT for these elevators. In addition, these exterior elevators will extend through the sidewalk of the plaza and down below the platform level of the Station within the Licensed Area. The elevators will open to the basement of the Jamestown building which is adjacent to a portion of the Station. NYCT will enter into a Revocable License with Jamestown to allow access to the Station to build and maintain the Elevator Structures within the Licensed Area. Jamestown will remove the Elevator Structures and restore the Station at the termination of the Revocable License.

Jamestown will remove from the Licensed Area and deliver to the New York Transit Museum certain historical artifacts in accordance with SHPO and FTA guidelines and approval.

Staff Summary

FINANCE COMMITTEE MEETING REVOCABLE LICENSE WITH JAMESTOWN OTS L.P. AT TIMES SQUARE STATION COMPLEX (Cont'd.)

In exchange for permission to construct the portion of the elevators within the Station, Jamestown has agreed to the following:

- A) pay a \$43,000/year license fee for the use of the Licensed Area. This dollar amount was based on the rate which tenants at Grand Central Terminal pay for back of house storage (because the space for the Elevator Structures is located behind a stair in an area otherwise not useable for retail except storage). MTA Real Estate did an appraisal of comparable back of house storage space in the midtown Manhattan area and this proposed amount is equal to or better than market value. If the Revocable License continues for more than ten (10) years, NYCT can raise the rate based on a new appraisal.
- B) construct the NYCT Elevator to NYCT standards for NYCT customer use and either maintain the unit or pay NYCT a one-time lump-sum "buy-out" of the cleaning, maintenance and replacement costs. If the Revocable License is terminated, NYCT will take over the maintenance of the NYCT Elevator.
- C) construct and maintain a canopy over NYCT's planned new stair being built by NYCT as part of NYCT's Times Square shuttle reconfiguration project.
- D) fabricate and maintain NYCT station signage on the canopy to direct NYCT passengers.

MTA Real Estate/Transit Oriented Development is requesting permission to enter into this Revocable License based on Circumstance 3 in the Metropolitan Real Estate Department Policies and Procedures for the Licensing of Real Property, Licenses Requiring Board Approval But Not Requiring Requests for Proposals because this property is located such that apart from NYCT, Jamestown is the only entity that can reasonably make use of this area adjacent to its basement located between a wall and a stair. In addition, the proposed Revocable License fee is equal to or better than market value of the space and the proposed benefits to NYCT (a new NYCT Elevator, a canopy and signage all maintained by Jamestown) will be of great value to NYCT and its customers.

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

Staff Summary

Subject ROOF ANTENNA LICENSE IN YONKERS, NY
Department REAL ESTATE
Department Head Name JOHN N. LIEBER
Department Head Signature
Project Manager Name MICHAEL DANIELS

Date APRIL 22, 2020
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	4/22/20	X		
2	Board	4/22/20	X		

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

AGENCY: MTA New York City Transit ("NYCT")
LICENSOR: National Resources, LLC / Hudson View Associates, LLC
LOCATION: Mutually agreed portion of the roof at 29 Wells Avenue, Yonkers, NY
ACTIVITY: Installation of a roof top antenna pole and equipment for telecommunications as part of the BRS (defined below)
ACTION REQUESTED: Approval of terms and authorization to enter into a license agreement
TERM: Ten (10) years
SPACE: A portion, approved by both parties, of the roof top of the building at the Location
RENT: \$4,000.00/month (\$48,000.00) first year; total license payments for the initial term shall not exceed \$550,206.21
RENT ESCALATION: 3% per annum rent escalations starting in the 2nd Year
RENEWAL OPTIONS: Two (2) consecutive 5-year periods
TAX ESCALATION: None
OPERATING EXPENSES: None
ELECTRICITY: At Licensee's sole cost and expense, including installation of meter
TERMINATION: Licensee shall have the right to terminate the agreement on 90 days prior written notice at no cost to Licensee
ASSIGNMENT: Licensee shall have the right to assign the agreement to any MTA entity without Licensor's consent

COMMENTS:

This Location is part of the new Buses Radio System ("BRS") 700/800 MHz project to provide digital radio coverage for buses in the Greater NYC service area, which includes routes to Yonkers. This new digital radio system consists of approximately 35 base stations and towers sites placed in strategic locations across Greater NYC and New Jersey.

NYCT has determined this site to be the most appropriate for digital BRS radio coverage.

Staff Summary

FINANCE COMMITTEE MEETING ROOF ANTENNA LICENSE (Cont'd.)

The proposed license fee is within market range based on fees charged to the MTA PD where it licenses antenna positions on privately owned telecommunications structures as part of the Police Radio Project.

MTA Real Estate engaged an appraiser at the beginning of the MTA PD radio project with specialized qualifications in infrastructure valuation to estimate the market license fee rates, which the MTA PD should expect to pay to locate antennas and equipment on privately owned structures.

The appraiser found that monthly license fee rates for such occupancies ranged between \$1,400.00 per month to \$4,000.00 per month, depending on demand at the location. The initial monthly license fee of \$4,000.00 per month for this location is within the current month range that MTA PD is currently paying to numerous site owners.

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

Staff Summary

Subject NYCT and Bus Safety Plans
Department Safety
Department Head Name Pat Warren
Department Head Signature
Project Manager Name Carl Hamann

Date April 22, 2020

Board Action-					
Order	To	Date	App	Info	Other
1	Safety	4/22/2020	x		
2	Board	4/22/2020	x		

Internal Approvals			
Order	Approval	Order	Approval
1	Chief Safety Officer		
2	Legal		
3	NYCT President		
4	MTA Bus President		

The MTA Chief Safety Officer in coordination with New York City Transit (“NYCT”) and MTA Bus submits the attached Public Transportation Agency Safety Plans (“PTASP”) for the MTA Board’s review and approval.

The Federal Transit Administration (FTA) PTASP Final Rule 49 CFR 673 requires operators of urban public transportation systems that receive federal funds to develop a PTASP that documents the processes and procedures that are in place to manage the agency safety program through the implementation of Safety Management Systems (SMS). Implementation of SMS is intended to improve public transportation safety by effectively and proactively managing safety risks through a comprehensive, collaborative approach to managing safety.

New York City Transit’s Office of System Safety (“OSS”) generated the 2020 PTASPs for NYCT Subways and NYCT/MTA Bus in conjunction with representatives from the various departments.

The final PTASPs were approved by departmental staff and signed by agency senior leadership. As per 49 CFR Part 673, the 2020 PTASPs also require MTA board approval prior to being submitted to the New York State Public Transportation Safety Board.

OSS must conduct an annual review of the PTASPs in accordance with 49 CFR Part 673 to incorporate modifications and updates as which may include items mandated by the PTASB, changes in management, incorporation of new equipment, or new systems and facilities, operational changes, and any safety related topics and recommendations from the MTA Board. This annual review requires MTA Board’s review and approval.

Recommendation

Approve the 2020 PTASPs for NYCT Department of Subways and Department of Buses/MTA Bus.