



Metropolitan Transportation Authority

September 2015

MTA Board Action Items



MTA Board Meeting
2 Broadway, 20th Floor Board Room
New York, N.Y. 10004
Thursday, 9/24/2015
10:00 AM - 12:00 PM ET

1. PUBLIC COMMENT PERIOD

2. APPROVAL OF MINUTES

MTA Regular Board Minutes - July 22, 2015

MTAHQ Minutes - July 22, 2015 - Page 5

NYCT/MaBSTOA/SIR/Bus Company Regular Board Minutes - July 22, 2015

NYCTA Minutes - July 22, 2015 - Page 11

MTA Metro-North Railroad Regular Board Minutes - July 22, 2015

Metro-North Minutes - July 22, 2015 - Page 15

MTA Long Island Rail Road Regular Board Minutes - July 22, 2015

LIRR Minutes - July 22, 2015 - Page 20

Triborough Bridge & Tunnel Authority Regular Board Minutes - July 22, 2015

TBTA Minutes - July 22, 2015 - Page 25

MTA Capital Construction Regular Board Minutes - July 22, 2015

MTACC Minutes - July 22, 2015 - Page 29

3. COMMITTEE ON FINANCE

Action Item

i. Resolution to Authorize the Execution, Filing and Acceptance of Federal Funds

Resolution to Authorize the Execution, Filing and Acceptance of Federal Funds - Page 32

Procurements Report

MTAHQ Procurement Report - Page 42

i. Non-Competitive (no items)

ii. Competitive

MTAHQ Competitive Procurements - Page 44

iii. Ratifications

MTAHQ Ratifications - Page 57

Real Estate Items

i. Real Estate Agenda and Staff Summaries

Real Estate Agenda and Staff Summaries - Page 60

4. COMMITTEE ON NYCT & BUS

Action Items

i. Design and Construction Oversight Services for 200 East 63rd Street

MTACC Design and Construction Services for 200 East 63rd Street - Page 77

ii. Installation of Additional On The Go Machines in Subway Stations

NYCT Extension of On The Go Station Kiosk License Agreements - Page 79

Procurements

NYC Transit September Procurement Staff Summary and Resolution - Page 81

i. Non-Competitive (None)

ii. Competitive

NYCT Competitive Actions - Page 85

iii. Ratifications

NYCT, MTACC Ratifications - Page 100

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

Action Item: MNR

i. NYSDOT Grant for Connecting Services

NYSDOT Grant for Connecting Services - Page 106

Procurements: MNR, LIRR and MTACC

MNR Procurements Report

MNR Procurements - Page 108

i. Non-Competitive

MNR Non-Competitive Procurements - Page 112

ii. Competitive

MNR Competitive Procurements - Page 120

iii. Ratification

MNR Ratifications - Page 130

LIRR Procurements Report

LIRR Procurements - Page 131

i. Non-Competitive

LIRR Non-Competitive Procurements - Page 135

ii. Competitive

LIRR Competitive Procurements - Page 138

iii. Ratification (no items)

MTACC Procurements Report

MTA CC Procurements - Page 142

i. Non-Competitive (no items)

ii. Competitive

MTA CC Competitive Procurements - Page 143

iii. Ratification (no items)

6. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS

Procurements

BT Procurements - September 2015 - Page 145

i. Non-Competitive (no items)

ii. Competitive

Competitive - Page 148

iii. Ratifications

Ratifications - Page 160

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

8. EXECUTIVE SESSION

Date of next MTA Board meeting: Wednesday, October 28, 2015

**Metropolitan Transportation Authority
Minutes of
Regular Board Meeting
2 Broadway
New York, NY 10004**

**Wednesday, July 22, 2015
10:00 a.m.**

The following members were present:

**Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Jonathan A. Ballan
Hon. Allen P. Cappelli
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman**

The following members were absent:

**Hon. John H. Banks, III
Hon. Robert C. Bickford
Hon. Jeffrey A. Kay
Hon. James L. Sedore, Jr.**

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Stephen J. Morello, Counselor to the Chairman, Robert Foran, Chief Financial Officer, Board Member Andrew Albert, Board Member Norman Brown, Carmen Bianco, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, Chief Financial Officer, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, and Michael Horodniceanu, President, MTA Capital Construction, also attended the meeting.

The Board of the Metropolitan Transportation Authority also met as the Board 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, the MTA Capital Construction Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

Unless otherwise indicated, these minutes reflect items on the agenda of the Board of the Metropolitan Transportation Authority, the Metropolitan Suburban Bus Authority, and the First Mutual Transportation Assurance Company. Refer to the other agencies' minutes of this date for items on the agendas of the Boards of the other agencies.

1. **PUBLIC SPEAKERS.** There were five (5) public speakers. The speakers listed below spoke on items relevant to MTA agenda. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records, and to the other agencies' minutes of this date, for the names of other speakers and for the content of speakers' statements.

Mr. X, private citizen

Felice Farber, General Contractors Association

Gene Russianoff, Straphangers Campaign

Alexander Roberts, Westchester Workforce Coalition

2. **CHAIRMAN'S REMARKS.**

Chairman Prendergast welcomed new MTA Board Member Lawrence Schwartz.

The Chairman announced the retirement of Carmen Bianco, President of New York City Transit Authority, effective August, 2015; and Fred Smith, Senior V.P. and Chief Engineer, NYCTA. On behalf of the Board and the MTA, Chairman Prendergast thanked Mr. Bianco and Mr. Smith for their exemplary service to the MTA and wished them well.

Chairman Prendergast noted that toward the end of today's meeting Robert Foran, Chief Financial Officer, will present the MTA's Financial Plan; and the Chairman highlighted a few aspects of the Plan. Chairman Prendergast stated that the MTA is on track to reduce more than \$1.3 billion from its ongoing expenses this year, with more reductions planned every year to bring annual savings to almost \$1.8 billion by 2019. The Chairman said that besides keeping the fare increase to a minimum and investing \$129 million a year in services since 2012, the savings have helped to make a sizable funding commitment to the MTA's new Capital Program. A total of \$415 million per year will be allocated to a "Pay-Go" account, which could generate \$8.1 billion for projects in the 2015 – 2019 Program. On the operating side of the budget, the Chairman said that the Plan reflects the MTA's commitment to improve service, working toward keeping up with surging and historic ridership levels. While revenues have come in lower than expected, there have been increased revenues from subsidies and dedicated taxes. The Chairman stated that cost cutting has allowed MTA to propose a package of new annual investments to improve services, adding \$35 to \$40 million a year to mitigate delays, enhance and expand Select Bus Service and improve communications.

3. **MINUTES.** Upon motion duly made and seconded, the Board approved the minutes of the regular Board meeting held on June 24, 2015.

4. **COMMITTEE ON FINANCE.**

- A. **Action Item.** The Action Item for the approval of the Remarketing Agent was withdrawn from this month's Agenda.
- B. **Procurement Items.** Upon motion duly made and seconded, the Board approved the following procurement items. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.
1. **Prudential Retirement Insurance and Annuity Co. – Third Party Recordkeeping/Trustee Services – No. 13244-0100.** Approved the award of a competitively negotiated, personal services contract to provide trustee/recordkeeping services for the MTA Deferred Compensation Program for a period of five (5) years, August 1, 2015 through July 31, 2020.
 2. **Various Contractors – All-Agency Minority/Women Business Enterprises/Small Business Concerns (“MWBE/SBC”) Discretionary Firms for Architects and Engineers (A&E) – Nos. 14073-0100 thru 5900.** Approved fifty-nine (59) all-agency competitively negotiated, personal services contracts for MWBE/SBC Discretionary Firms for A&E services on an as-needed basis for a period of thirty-six (36) months from August 1, 2015 thru July 31, 2018.
 3. **Metropolitan Life Insurance (“MetLife”) and CIGNA - All-Agency Life Insurance, Long Term Disability & Short Term Disability – Nos. 13245-0100 & 13245-0200.** Approved two competitively negotiated all-agency personal services contracts to (i) CIGNA to provide Long Term Disability benefits and to (ii) MetLife to provide Short Term Disability Benefits and Life Insurance for non-represented employees and certain represented employees for a period of three years from August 1, 2015 thru July 31, 2018, with two one-year options, exercised at MTA's sole discretion.
 4. **Deloitte & Touche, LLP – Independent Auditor for the MTA and its Agencies – No. 15008-0100.** Approved a competitively negotiated personal services contract to Deloitte & Touche, LLP to serve as the Independent Auditor for MTA and its Agencies.
 5. **SourceOne, Inc. – Energy Management & Advanced Metering Infrastructure Solution – No. 15182-0100.** Approved a competitively negotiated miscellaneous service agreement with SourceOne Inc. to furnish and deploy an MTA-wide Energy Management Solution, including Energy Management Software Platform (Phase I) and Advanced Metering Infrastructure (Phase II and III) over a five (5) year period.
- C. **Real Estate Items.** The Board approved the following real estate items. The specifics are set forth in the staff summaries and documentation filed with the

meeting materials. Board Member Ballan recused himself from the vote on items # 1 and #6 below.

All Agency

1. Resolution on statement of purpose regarding affordable housing.

New York City Transit Authority

2. License agreement with Bais Brocho D'Karlin Stolin, Inc. for the operation of a playground located at 4318 New Utrecht Avenue (Kings County, Block 5602, Lot 22), Brooklyn, N.Y.
3. Lease agreement with Unique Candy Corp. for the operation of a gift shop and newsstand located at Woodhaven Boulevard Station, Unit 01 and Unit 02, Queens, N.Y.
4. Lease agreement with Unique Candy Corp for the operation of a newsstand located at 53rd Street- Lexington Avenue Station, New York, N.Y.
5. License agreement with Linden Plaza Housing Co. for use of land to house construction trailers and store materials located adjacent to Pitkin Yard at 671 Lincoln Avenue, Brooklyn, N.Y.
6. Extension of advertising license agreement with Outfront Media, Inc. (successor to CBS Outdoor Group Inc.) for MTA NYCT and Staten Island Rapid Transit Operating Authority subway systems.

Metro-North Railroad

7. License agreement with 350 Park Eat LLC for installation and maintenance of an emergency wireless communication system antenna serving Grand Central Terminal train shed and the Park Avenue Tunnel located near Metro-North's emergency exit door that leads from the Park Avenue Tunnel to 52nd Street at 350 Park Avenue, New York, N.Y.
8. Modification of a lease with Rite Aid of New York, Inc. d/b/a Rite Aid for retail space MC-10 at Grand Central Terminal, New York, N.Y.
9. Modification of lease with 25 Vanderbilt Corp., d/b/a PIQ for retail space MC-08 at Grand Central Terminal, New York, N.Y.

Long Island Rail Road

10. Modifications to leases with One Penn Plaza, LLC, an affiliate of Vornado Realty Trust, relating to portions of Pennsylvania Station and the adjoining, privately-owned building known as One Penn Plaza, New York, N.Y.

**Regular Board Meeting
July 22, 2015**

11. Lease modification and renewal with 450 7th Avenue Associates, LLC c/o Kaufman Management Company, LLC, relating to office space located at 450 Seventh Avenue, New York, N.Y.

MTA Bus Company

12. Lease agreement with 89th Jamaica Realty Company LLC for use of bus bays at Jamaica Bus Terminal, 89th Avenue between 165th Street and Merrick Boulevard, Queens, N.Y.

MTA Capital Construction

13. Easement agreement with Broadway 280 Park Fee LLC for permanent and temporary easements to construct and permanently maintain a customer elevator located at 280 Park Avenue (Block 1284, Lot 26), in connection with the East Side Access Project, New York, N.Y.
14. Acquisition of easements from 335 Madison Avenue LLC (controlled by Milstein Properties Corp.) for elevators located at 335 Madison Avenue (Block 1278, Lot 20), New York, N.Y.

Manhattan and Bronx Surface Transit Operating Authority

15. Lease with Flor Realty Corp for swing room for bus operators and dispatchers located at 248 East 125th Street, New York, N.Y.
16. License agreement with Topnotch Riverdale Inc. for restroom facility located at 542 Riverdale Avenue, Yonkers, N.Y.

MTA Headquarters

17. Termination of sublease with Kura River Management Ltd. relating to a 2 Broadway Garage (Block 11, Lot 1), New York, N.Y.

5. JOINT SESSION OF THE BOARD AND FINANCE COMMITTEE OF THE MTA FOR CHIEF FINANCIAL OFFICER'S PRESENTATION OF 2015 MID-YEAR FORECAST, 2016 PRELIMINARY BUDGET AND 2016 - 2019 FINANCIAL PLAN .

MTA Chief Financial Officer Robert Foran presented MTA 2015 Mid-Year Forecast, 2016 Preliminary Budget and the 2016-2019 Financial Plan to the Finance Committee and MTA Board members. Copies of the Mid-Year Forecast, Preliminary Budget, and Financial Plan were distributed to Board members at the Board meeting.

Chairman Prendergast thanked Robert Foran for the presentation and invited Board discussion concerning the proposed financial plan. The details of the presentation and Board

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

6. **EXECUTIVE SESSION.** Upon motion duly made and seconded, the Board voted to convene an executive session in accordance with Section 105(1)(e) to discuss matters relating collective bargaining, pursuant to the New York State Public Officers Law.

Upon motion duly made and seconded, the Board approved resolutions providing for amendments to the MTA Pension Plan.

7. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:35 a.m.

Respectively submitted,

Victoria Clement
Assistant Secretary

**Minutes of the
Regular Board Meeting
for the New York City Transit Authority,
Manhattan and Bronx Surface Transit Operating Authority,
Staten Island Rapid Transit Operating Authority and
MTA Bus Company**

**2 Broadway
New York, NY 10004**

**Wednesday, July 22, 2015
10:00 a.m.**

The following members were present:

**Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Jonathan A. Ballan
Hon. Allen P. Cappelli
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman**

The following members were absent:

**Hon. John H. Banks, III
Hon. Robert C. Bickford
Hon. Jeffrey A. Kay
Hon. James L. Sedore, Jr.**

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Stephen J. Morello, Counselor to the Chairman, Robert Foran, Chief Financial Officer, Board Member Andrew Albert, Board Member Norman Brown, Carmen Bianco, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Rail Road, Donald Spero, Chief Financial Officer, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, and Michael Horodniceanu, President, MTA Capital Construction, also attended the meeting.

1. CHAIRMAN PRENDERGAST CALLED THE MEETING TO ORDER

2. PUBLIC COMMENT PERIOD

Three (3) public speakers addressed MTA NYC Transit/MTA Bus issues:

Mr. X. discussed issues he has with the MTA Police Department.

Felice Farber, General Contractors Association, spoke about the importance of funding for the capital program.

Gene Russianoff, Straphangers Campaign, urged legislative leaders to stand up for the public.

3. CHAIRMAN PRENDERGAST'S COMMENTS

Details of Chairman Prendergast's comments are set forth in minutes recorded by the MTA, 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.

4. MINUTES

Upon motion duly made and seconded, the Board unanimously approved the minutes of the regular board meeting of MTA NYC Transit, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, and MTA Bus Company held on June 24, 2015.

5. COMMITTEE ON FINANCE

Real Estate Items:

MTA NYC Transit: Upon motion duly made and seconded, the Board approved: (i) a license agreement with Bais Brocho D'Karlin Stolin, Inc. for the operation of a playground at 4318 New Utrecht Avenue, Brooklyn, NY; (ii) a lease agreement with Unique Candy Corp. for the operation of a gift shop and newsstand at Woodhaven Boulevard Station, Queens, NY; (iii) a lease agreement with Unique Candy Corp. for the operation of a newsstand at Lexington Avenue-53rd Street Station, New York, NY; (iv) a license agreement with Linden Plaza Housing Co. Inc. for use of land by MTA NYC Transit at 671 Lincoln Avenue, Brooklyn, NY; and (v) the extension of an advertising license agreement with Outfront Media, Inc., for the MTA NYC Transit and Staten Island Rapid Transit Operating Authority systems.

MTA Bus Company: Upon motion duly made and seconded, the Board approved a lease agreement with 89th Jamaica Realty Co. LLC for use of bus bays at Jamaica Bus Terminal, Queens, NY.

Manhattan and Bronx Surface Transit Operating Authority: Upon motion duly made and seconded, the Board approved: (i) a lease agreement with Flor Realty Corp for use of retail space

at 248 East 125th Street, New York, NY; and (ii) a license agreement with Topnotch Riverdale, Inc. for use of a restroom facility at 542 Riverdale Avenue, Yonkers, NY.

6. COMMITTEE ON TRANSIT & BUS OPERATIONS
MTA NYC Transit & MTA Bus Company

Procurements:

Non-Competitive Procurements: Upon motion duly made and seconded, the Board approved the non-competitive procurements requiring a two-thirds vote (Schedule A in the Agenda) and a majority vote (Schedule E in the Agenda). Details of the above items are set forth in staff summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

Competitive Procurements: Upon motion duly made and seconded, the Board approved the competitive procurements requiring a two-thirds vote (Schedules B and C in the Agenda) and a majority vote (Schedules F, G and I in the Agenda). Details of the above items are set forth in staff summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

Ratifications: Upon motion duly made and seconded, the Board approved the ratifications requiring a majority vote (Schedule K in the Agenda). Details of the above items are set forth in staff summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

7. JOINT SESSION OF THE BOARD AND FINANCE COMMITTEE OF THE MTA FOR CHIEF FINANCIAL OFFICER'S PRESENTATION OF 2015 MID-YEAR FORECAST, 2016 PRELIMINARY BUDGET AND 2016 - 2019 FINANCIAL PLAN

MTA Chief Financial Officer Robert Foran presented the MTA 2015 Mid-Year Forecast, 2016 Preliminary Budget and the 2016-2019 Financial Plan to the Finance Committee and MTA Board members.. Copies of the Mid-Year Forecast, Preliminary Budget, and Financial Plan were distributed to Board members at the Board meeting.

Chairman Prendergast thanked Robert Foran for the presentation and invited Board discussion concerning the proposed financial plan. The details of the presentation and Board members' comments with respect thereto are included in the videotape of the meeting produced by the MTA and maintained in MTA records.

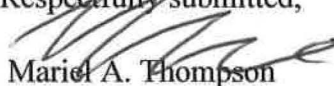
8. EXECUTIVE SESSION

Upon motion duly made and seconded, the Board voted to convene an executive session in accordance with Section 105(1)(e) to discuss matters relating collective bargaining pursuant to the New York State Public Officers Law.

9. **ADJOURNMENT**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:35 a.m.

Respectfully submitted,



Mariel A. Thompson
Assistant Secretary

Minutes of the Regular Meeting
Metro-North Commuter Railroad Company
2 Broadway – 20th Floor
New York, NY 10004

Wednesday, July 22, 2015
10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Jonathan A. Ballan
Hon. Allen P. Cappelli
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Robert C. Bickford
Hon. Jeffrey A. Kay
Hon. James L. Sedore, Jr.

Board Member Andrew Albert, Board Member Norman Brown and Joseph J. Giulietti, President, Metro-North Railroad also attended the meeting as did various other agency presidents and staff, including Carmen Bianco, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Donald Spero, Chief Financial Officer, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, Michael Horodniceanu, President, MTA Capital Construction, Catherine Rinaldi, Metro-North Executive Vice President, Susan Sarch, Metro-North Acting General Counsel, Donna Evans, MTA Chief of Staff, Jerome F. Page, MTA General Counsel, Stephen J. Morello, Counselor to the Chairman and Robert Foran, MTA Chief Financial Officer.

Chairman Prendergast called the meeting to order.

1. Public Speakers:

There were five public speakers. The speaker listed below spoke on items relevant to Metro-North matters. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the speakers' comments, and to the other agencies' minutes of this date, for the names of the other public speakers.

Neil Weisman, NYC Cycle Club

2. Chairman's Opening Remarks:

Chairman Prendergast welcomed new MTA Board Member Lawrence Schwartz.

The Chairman announced the retirement of Carmen Bianco, President of New York City Transit Authority, effective August, 2015; and Fred Smith, Senior V.P. and Chief Engineer, NYCTA. On behalf of the Board and the MTA, Chairman Prendergast thanked Mr. Bianco and Mr. Smith for their exemplary service to the MTA and wished them well.

Chairman Prendergast noted that toward the end of today's meeting Robert Foran, Chief Financial Officer, will present the MTA's Financial Plan; and the Chairman highlighted a few aspects of the Plan. Chairman Prendergast stated that the MTA is on track to reduce more than \$1.3 billion from its ongoing expenses this year, with more reductions planned every year to bring annual savings to almost \$1.8 billion by 2019. The Chairman said that besides keeping the fare increase to a minimum and investing \$129 million a year in services since 2012, the savings have helped to make a sizable funding commitment to the MTA's new Capital Program. A total of \$415 million per year will be allocated to a "Pay-Go" account, which could generate \$8.1 billion for projects in the 2015 – 2019 Program. On the operating side of the budget, the Chairman said that the Plan reflects the MTA's commitment to improve service, working toward keeping up with surging and historic ridership levels. While revenues have come in lower than expected, there have been increased revenues from subsidies and dedicated taxes. The Chairman stated that cost cutting has allowed MTA to propose a package of new annual investments to improve services, adding \$35 to \$40 million a year to mitigate delays, enhance and expand Select Bus Service and improve communications.

The details of the Chairman's comments are contained in the video recording of the meeting, produced by the MTA and maintained in MTA records and in the minutes of the other Agencies of this date.

3. Approval of Minutes:

Upon motion duly made and seconded, the minutes of the Regular Board Meeting of June 24, 2015 were approved.

4. Committee on Finance:

Procurements:

Upon motion duly made and seconded, the Board approved the following competitive procurements recommended to it by the Committee on Finance that relate to Metro-North:

- Approval of 59 competitively negotiated, all-agency, personal service contracts for Minority/Women Business Enterprises (M/WBE)/Small Business Concerns (SBC) Discretionary Firms for Architects and Engineers (A&E) services on an as-needed basis for a period of 36 months from August 1, 2015 to July 31, 2018.
- Approval of two competitively negotiated, all-agency, personal services contracts with: (1) Cigna to provide Long Term Disability benefits and (2) Metropolitan Life Insurance Company (MetLife) to provide Short Term Disability benefits and life insurance for non-represented employees and certain represented employees.
- Approval of a competitively negotiated, personal services contract with Deloitte & Touche, LLP to serve as the independent auditor for MTA and its agencies.
- Approval of an all-agency, five-year (three year base period and two year options), miscellaneous service agreement with SourceOne, Inc. to furnish and deploy an MTA-wide Energy Management Solution, including Energy Management Software Platform (Phase I) and Advanced Metering Infrastructure (Phase II and III).

The details of the above items are contained in the minutes of the MTA Board meeting held this day, staff summaries and reports filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

Real Estate Items:

Upon motion duly made and seconded, the Board approved the following real estate items recommended to it by the Committee on Finance that relate to Metro-North:

- License agreement with 350 Park Eat LLC for the installation and maintenance of an emergency wireless communication system antenna serving the Grand Central Terminal train shed and the Park Avenue tunnel in New York, New York.
- Modification of the lease with Rite Aid of New York, Inc., d/b/a Rite Aid, relating to space MC-10 at Grand Central Terminal.
- Modification of lease with 25 Vanderbilt Corp., d/b/a Piq, relating to space MC-08 at Grand Central Terminal.

The details of the above items are contained in the minutes of the MTA Board meeting held this day, staff summaries and reports filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

5. Committee on Metro-North Railroad:

Procurements:

Upon motion duly made and seconded, the Board approved the following competitive procurement recommended to it by the Committee on Metro-North Railroad Operations:

- Approval of an eight month, non-competitive, purchase and public works contract to the firm of Voestalpine Nortrac, Inc. for the supply and delivery of various turnout replacement parts.

Upon motion duly made and seconded, the Board approved the following non-competitive procurement recommended to it by the Committee on Metro-North Railroad Operations:

- Approval to use the Request for Proposals (RFP) process to solicit and evaluate proposals from prospective contractors for the design, manufacture, and delivery of two, self-propelled, Catenary Inspection & Maintenance Vehicles (CMVs) designed for the maintenance and inspection of overhead electric catenary lines.

The details of the above items are contained in staff summaries and reports filed with the records of this meeting and in the video recording of the meeting produced by the MTA and maintained in the MTA records.

6. CFO Presentation and Associated Action Item:

CFO Robert Foran presented the following to a joint session of the Board and the Finance Committee:

- 2015 Mid-Year Forecast
- 2016 Preliminary Budget
- July Financial Plan 2016-2019

The details of Mr. Foran's presentation, including discussion with the Chairman and Board members, are contained in the video recording of the meeting, produced by the MTA and maintained in MTA records and in the materials filed with the minutes of the meeting of the Board of the Metropolitan Transportation Authority held this day.

7. Executive Session:

The Board, upon motion duly made and seconded, voted to convene in Executive Session pursuant to Section 105(1)(e) of the New York State Public Officers Law to discuss matters relating to collective bargaining negotiations.

Upon motion duly made and seconded, the Board voted to reconvene in public session.

8. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:35 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Montanino". The signature is fluid and cursive, with the first name "Linda" written in a larger, more prominent script than the last name "Montanino".

Linda Montanino
Assistant Secretary

July 2015 Board Minutes
Legal/Corporate

Minutes of the Regular Board Meeting
Long Island Rail Road Company
2 Broadway
New York, NY 10004

Wednesday, July 22, 2015
10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Jonathan A. Ballan
Hon. Allen P. Cappelli
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Robert C. Bickford
Hon. Jeffrey A. Kay
Hon. James L. Sedore, Jr.

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Stephen J. Morello, Counselor to the Chairman, Robert Foran, Chief Financial Officer, Board Member Andrew Albert, Board Member Norman Brown, Carmen Bianco, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, Chief Financial Officer, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, and Michael Horodniceanu, President, MTA Capital Construction, also attended the meeting.

Chairman Prendergast called the meeting to order.

1. Public Speakers:

There were five public speakers, none of whom spoke on LIRR agenda items. The details of the speakers' comments are contained in the video recording of the meeting, produced by the Metropolitan Transportation Authority (MTA) and maintained in MTA records, and in the minutes of the other Agencies of this date.

2. Chairman's Remarks:

Chairman Prendergast welcomed new MTA Board Member Lawrence Schwartz.

The Chairman announced the retirement of Carmen Bianco, President of New York City Transit Authority, effective August, 2015; and Fred Smith, Senior V.P. and Chief Engineer, NYCTA. On behalf of the Board and the MTA, Chairman Prendergast thanked Mr. Bianco and Mr. Smith for their exemplary service to the MTA and wished them well.

Chairman Prendergast noted that toward the end of today's meeting Robert Foran, Chief Financial Officer, will present the MTA's Financial Plan; and the Chairman highlighted a few aspects of the Plan. Chairman Prendergast stated that the MTA is on track to reduce more than \$1.3 billion from its ongoing expenses this year, with more reductions planned every year to bring annual savings to almost \$1.8 billion by 2019. The Chairman said that besides keeping the fare increase to a minimum and investing \$129 million a year in services since 2012, the savings have helped to make a sizable funding commitment to the MTA's new Capital Program. A total of \$415 million per year will be allocated to a "Pay-Go" account, which could generate \$8.1 billion for projects in the 2015 – 2019 Program. On the operating side of the budget, the Chairman said that the Plan reflects the MTA's commitment to improve service, working toward keeping up with surging and historic ridership levels. While revenues have come in lower than expected, there have been increased revenues from subsidies and dedicated taxes. The Chairman stated that cost cutting has allowed MTA to propose a package of new annual investments to improve services, adding \$35 to \$40 million a year to mitigate delays, enhance and expand Select Bus Service and improve communications.

The details of the Chairman's comments are contained in the video recording of the meeting, produced by the MTA and maintained in MTA records and in the minutes of the other Agencies of this date.

3. Approval of Minutes:

Upon motion duly made and seconded, the minutes of the Regular Board Meeting of June 24, 2015 were approved.

4. Committee on Finance:

Procurements:

The following procurements that relate to LIRR were approved:

- Approval of a competitively negotiated, personal service contract to Prudential Retirement Insurance & Annuity Company, for Third Party Recordkeeping/Trustee Services for the MTA Deferred Compensation Program.

- Approval of 59 competitively negotiated, all-agency, personal service contracts for Minority/Women Business Enterprises (M/WBE)/Small Business Concerns (SBC) Discretionary Firms for Architects and Engineers (A&E) services on an as-needed basis for a period of 36 months from August 1, 2015 to July 31, 2018.
- Approval of two competitively negotiated, all-agency, personal services contracts with: (1) Cigna to provide Long Term Disability benefits and (2) Metropolitan Life Insurance Company (MetLife) to provide Short Term Disability benefits and life insurance for non-represented employees and certain represented employees.
- Approval of a competitively negotiated, personal services contract with Deloitte & Touche, LLP to serve as the independent auditor for MTA and its agencies.
- Approval of an all-agency, five-year (three year base period and two year options), miscellaneous service agreement with SourceOne, Inc. to furnish and deploy an MTA-wide Energy Management Solution, including Energy Management Software Platform (Phase I) and Advanced Metering Infrastructure (Phase II and III).

Real Estate Items:

The following real estate items that relate to LIRR were approved:

- Approval of modifications to Leases (and settlement of disputes) with One Penn Plaza, LLC, relating to space at One Penn Plaza, New York, NY.
- Approval of the renewal of the lease with 450 Seventh Avenue Associates for office space at 450 Seventh Avenue, New York, NY for a ten-year period.

The following real estate items that relates to MTA Capital Construction were approved:

- Approval of an easement agreement with property owner Broadway 280 Park Fee LLC for an East Side Access ADA elevator at 280 Park Avenue, New York, NY.
- Approval of acquisition of easements from 335 Madison Avenue LLC for an elevator to service LIRR's future Terminal Management Center at Grand Central Terminal, New York, NY.

The details of the above items are contained in the minutes of the MTA Board meeting held this day and in staff summaries and reports filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

5. Committee on New York City Transit & Bus:

Among the procurements approved for New York City Transit was a multi-agency miscellaneous services contract for the handling, removal, transportation and recycling of various lamps and bulbs, awarded to Northeast Lamp Recycling, Inc., in the total estimated amount of \$417,720, including an estimated amount for LIRR of \$17,700.

The details of the above item are contained in the minutes of the MTA Board meeting held this day and in the staff summary filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

6. Committee on Long Island Rail Road:

Action Item:

Upon motion duly made and seconded, the following LIRR Action Item was approved:

- Fare Policy Changes

Procurements:

Upon motion duly made and seconded, the following LIRR non-competitive procurement was approved:

- Approval to award a sole source miscellaneous services contract to ARINC, Inc. in the amount of \$698,754 for the modification of the Babylon Tower Supervisory Control System.

MTA Capital Construction Action Item:

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

- An agreement with 415 Madison Avenue LLC for reimbursement of design consultant services in connection with utility relocation and foundation reinforcement work at 415 Madison Avenue related to the 48th Street entrance for East Side Access for the not-to-exceed amount of \$400,000.

MTA Capital Construction Procurements:

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

- Modification to Schindler Elevator Corporation Contract VM014 to adjust Milestones and Access Restraints and to compensate the contractor for the associated Impact Costs in the amount of \$2,380,000.00.

- Ratification of a Modification to Contract CM006 – Manhattan North Structures for an upgrade to the existing temporary power system in the amount of \$2,542,709.00.

The details of the above items are contained in the staff summaries filed with the records of this meeting and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

7. CFO Presentation and Associated Action Item:

CFO Robert Foran presented the following to a joint session of the Board and the Finance Committee:

- 2015 Mid-Year Forecast
- 2016 Preliminary Budget
- July Financial Plan 2016-2019

The details of Mr. Foran's presentation, including discussion with the Chairman and Board members, are contained in the video recording of the meeting, produced by the MTA and maintained in MTA records and in the materials filed with the minutes of the meeting of the Board of the Metropolitan Transportation Authority held this day.

8. Executive Session:

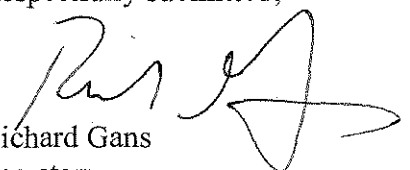
The Board, upon motion duly made and seconded, voted to convene into Executive Session pursuant to Sections 105(1)(e) of the New York State Public Officers Law to discuss matters relating to collective bargaining negotiations. Upon motion duly made and seconded, the Board voted to reconvene in public session.

Upon motion duly made and seconded, the Board voted to reconvene in public session.

9. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:35 a.m.

Respectfully submitted,


Richard Gans
Secretary

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

BOARD MINUTES

July 22, 2015

Minutes of the Regular Meeting
Triborough Bridge and Tunnel Authority
July 22, 2015

Meeting Held at
2 Broadway, 20th Floor
New York, New York 10004

10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Jonathan A. Ballan
Hon. Allen P. Cappelli
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Robert C. Bickford
Hon. Jeffrey A. Kay
Hon. James L. Sedore, Jr.

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Stephen J. Morello, Counselor to the Chairman, Robert Foran, Chief Financial Officer, Board Member Andrew Albert, Board Member Norman Brown, Carmen Bianco, President, New York City Transit, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, Chief Financial Officer, Triborough Bridge and Tunnel Authority, Darryl Irick, Senior Vice President, New York City Transit Department of Buses/President, MTA Bus Company and Michael Horodniceanu, President, MTA Capital Construction, also attended the meeting.

The Board of the Metropolitan Transportation Authority also met as the Board 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, the MTA Capital Construction Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

1. Public Speakers

There were five (5) public speakers. None of the speakers specifically commented on issues regarding the Triborough Bridge and Tunnel Authority.

Refer to the video recording of the meeting produced by the Metropolitan Transportation Authority and maintained in MTA records, and to the other agencies' minutes of this date, for the content of the speakers' statements.

2. Chairman and Chief Executive Officer Prendergast's Opening Comments

Chairman and CEO Prendergast opened his remarks by introducing Lawrence Schwartz, a new Board member, who is a former Secretary to two governors and a former Deputy County Executive of both Suffolk and Westchester Counties. He acknowledged that Carmen Bianco, President of New York City Transit, and Fred Smith, Senior Vice President and Chief Engineer of New York City Transit, will be retiring and he thanked them for their service. Chairman and CEO Prendergast stated that Robert Foran, MTA Chief Financial Officer, will give a presentation on the July Financial Plan 2016-2019. He stated that the MTA is on track to cut more than \$1.3 billion from its ongoing expenses this year with more cuts planned every year to bring annual savings to almost \$1.8 billion by 2019. Besides keeping fare increases to a minimum and investing \$129 million a year since 2012, the savings have helped the MTA make a sizable funding commitment to its new Capital Program. In addition, \$415 million a year will be put into a "Pay-Go" account that could generate \$8.1 billion for Capital Program projects. Finally, on the operating side of the budget, the MTA is committed to improving service to meet unprecedented demand.

The details of Chairman and CEO Prendergast's comments are contained in the video recording of this meeting, produced by the MTA and maintained in MTA records, and the MTA's and other agencies' minutes of the meeting of this date.

3. Approval of the Minutes of the Regular Meeting June 24, 2015

Upon a motion duly made and seconded, the minutes of the Regular Board Meeting held on June 24, 2015 were approved.

4. Committee on MTA Bridges and Tunnels Operations

Procurements

Commissioner Cappelli stated that there is one (1) procurement totaling \$1.199 million.

Non-Competitive Procurements

Commissioner Cappelli stated that there are no non-competitive procurements.

Competitive Procurements

Commissioner Cappelli stated that there is one (1) competitive procurement totaling \$1.199 million.

Commissioner Cappelli stated that the Committee members who were present at the Committee Meeting considered and voted in favor of the procurement although a Committee Quorum was not present. Upon a motion duly made and seconded, the Board approved the procurement recommended to it by the Committee for MTA Bridges and Tunnels Operations.

Modifications to Personal Service Contracts and Miscellaneous Service Contracts
Awarded as Contracts for Services

Henningson, Durham &
Richardson Architecture
and Engineering, PC

Contract No. PSC-10-2885
Contract amendment for funding to provide
construction support services for the
construction phase of Project MP-03 at the
Marine Parkway - Gil Hodges Memorial
Bridge (MPB).

\$1,199,971.98

Ratifications

Commissioner Cappelli stated that there are no ratifications.

5. CFO Presentation to a Joint Session of the Board and Finance Committee

MTA Chief Financial Officer Robert Foran presented and discussed the July Financial Plan for 2016 through 2019. The details of Mr. Foran's presentation and the discussions with regard to same are contained in the minutes of the meeting of the Board of the Metropolitan Transportation Authority.

6. Executive Session

Upon a motion duly made and seconded, the Board unanimously voted to convene in Executive Session pursuant to Public Officers Law §105(1)(e) to discuss matters relating to collective negotiations.

7. Public Session

Upon a motion duly made and seconded, the Board unanimously voted to reconvene in Public Session.

8. Adjournment

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 11:35 a.m.

Respectfully submitted,



Julia R. Christ
Acting Assistant Secretary

**Regular Board Meeting
MTA Capital Construction Company
2 Broadway
New York, NY 10004
Wednesday, July 22, 2015
10:00 AM**

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Jonathan A. Ballan
Hon. Allen P. Cappelli
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Robert C. Bickford
Hon. Jeffrey A. Kay
Hon. James L. Sedore, Jr.

Board Member Andrew Albert, Board Member Norman Brown and Michael Horodniceanu, President, MTA Capital Construction Company also attended the meeting as did various other agency presidents and staff including: Donna Evans, Chief of Staff, MTA, Jerome F. Page, General Counsel, MTA, Stephen J. Morello, Counselor to the Chairman, MTA, Robert Foran, Chief Financial Officer, MTA, Carmen Bianco, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, Chief Financial Officer, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, Evan M. Eisland, Sr. Vice President, General Counsel and Secretary, MTA Capital Construction Company and David K. Cannon, Sr. Director & Chief Procurement Officer, MTA Capital Construction Company.

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

Chairman and Chief Executive Officer Prendergast called the meeting to order.

Public Comment Period

There were five public speakers. Felice Farber of the General Contractors Association commented on the effect of not having an approved 2015 – 2019 Capital Program on the East Side Access and Second Avenue Subway projects. None of the other speakers commented on MTA Capital Construction Company matters. The names of the remaining speakers and the subjects of their comments are filed with the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Chairman's Remarks

The Chairman welcomed new Board member Lawrence Schwartz. The Chairman noted that NYCT President Carmine Bianco and Senior Vice President and Chief Engineer Fred Smith are both retiring and thanked them for their dedication and years of service to the MTA. The Chairman's remarks are more fully noted in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Approval of Minutes

Upon motion duly made and seconded, the Board approved the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority and the MTA Capital Construction Company held on June 24, 2015.

Committee on Finance

Procurement

Upon motion duly made and seconded, the Board approved the following competitive procurement items:

1. Award of fifty-nine competitively negotiated all-agency three year personal services contracts (14073-0100 through 14073-5900) for Minority/Woman Business Enterprises (M/WBE)/Small Business Concerns (SBC) Discretionary Firms for Architects and Engineers on an as-needed basis for a period of three years (August 1, 2015 – July 31, 2018).
2. Award of a competitively negotiated all-agency personal service contract (15008-0100) for an Independent Auditor for a one year period (with six one year options) at a total cost no-to-exceed \$13,791,733 for the seven-year period (September 1, 2015 – August 31, 2022).
3. Award of an all-agency miscellaneous service contract (15182-0100) to furnish and deploy an MTA-wide Energy Management Solution (EMS) over a five year period at an estimated cost of \$17,815,000.

A copy of the Resolution, Staff Summaries and details of the above items are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Real Estate

Upon motion duly made and seconded, the Board approved the following Real Estate Action Items:

1. A Resolution authorizing the MTA to enter into an agreement with 280 Park Fee LLC or if the parties fail to reach an agreement, the use of eminent domain for the acquisition of permanent and temporary easements to construct, permanently operate and maintain a customer elevator for the East Side Access project.
2. Authorization for the MTA to enter into an agreement with 335 Madison LLC (controlled by Milstein Properties Corp.) for the acquisition of permanent and temporary easements to construct, permanently operate and maintain two customer elevators for the East Side Access project.

A copy of the Resolution, Staff Summaries and details of the above items are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Committee on New York City Transit & Bus

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

A modification to the Fulton Transportation Center Project's Dey Street Concourse, R/W Underpass and Platform Finishes contract (A-36138) in the amount of \$805,000 in order to address impact costs associated with a previously granted excusable and impactable time extension.

A copy of the Resolution, Staff Summary and details of the above item is filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Upon motion duly made and seconded, the Board ratified the following procurement items:

1. A modification to the Second Avenue Subway Project's 86th Street Station Finishes, Mechanical, Electrical and Plumbing Systems, Ancillary Buildings and Entrances contract (C-26012) in the amount of \$1,640,000 to address changes to the station facility power at the 86th Street Station.
2. A modification to the Second Avenue Subway Project's 63rd St. Station Reconstruction contract (C-26006) in the amount of \$4,750,000 to address additional structural steel work performed.

A copy of the Resolution, Staff Summaries and details of the above items are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Committee on Long Island Rail Road

Action Item

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

An agreement with 415 Madison Avenue LLC for reimbursement of design consultant services in connection with utility relocation and foundation reinforcement work at 415 Madison Avenue related to the 48th Street entrance for East Side Access for the not-to-exceed amount of \$400,000.

A copy of the Staff Summary and details of the above item is filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Procurement

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

A modification to the East Side Access Project's Vertical Circulation Elements contract (VM014) in the amount of \$2,380,000 to adjust the Milestones and Access Restrains and to compensate the contractor for the associated Impact Costs.

A copy of the Resolution, Staff Summary and details of the above item is filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

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

A modification to the East Side Access Project's Manhattan North Structures contract (CM006) in the amount of \$2,542,709 to upgrade the existing Temporary Power System to support immediate and future needs.

A copy of the Resolution, Staff Summary and details of the above item is filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Joint Session of the Board and Finance Committee

MTA Chief Financial Officer Robert Foran presented MTA's 2015 Mid-Year Forecast, 2016 Preliminary Budget and the 2016-2019 Financial Plan.

The details of the presentation and Board members' comments with respect thereto are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on July 22, 2015.

Executive Session

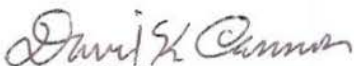
Upon motion duly made and seconded, the Board voted to convene into Executive Session pursuant to Sections 105(1)(d) and (e) of the New York State Public Officers Law to discuss matters relating to proposed or pending litigation and collective bargaining negotiations.

Thereafter, upon motion duly made and seconded, the Board voted to resume proceedings in public session.

Adjournment

Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 11:35 a.m.


Respectfully submitted,



David K. Cannon
Assistant Secretary

Staff Summary



Subject
Board Authorization to File for and Accept Federal Grants
Department
Capital Programs
Department Head Name
Craig Stewart
Department Head Signature

Project Manager Name
Marc Albrecht

Date
September 24, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action-					
Order	To	Date	App	Info	Other
1	Finance	9/21/2015	x		
2	Board	9/24/2015	x		

Internal Approvals			
Order	Approval	Order	Approval
1	Capital Programs		
2	Government Relations		
3	CFO		
4	Legal		
5	Chief of Staff		

Narrative

Purpose

To secure MTA Board approval to file for and accept Federal grants for Federal Fiscal Year (FFY) 2015 and 2016.

Discussion

Enclosed is a resolution for Board action prepared in conformance with past practices to:

- 1) Authorize filing of applications in request of Federal capital assistance for the balance of FFY 2015 and FFY 2016.
- 2) Authorize the Chairman/Chief Executive Officer or any of his designees to make required certifications.
- 3) Authorize acceptance of grants.

Projects authorized to be submitted for Federal funding are those referenced in the published Notice of Public Hearing and described in the MTA Description of Projects for FFY 2016. A copy of the resolution requesting MTA Board approval and the list of the projects are attached to this staff summary.

A Public Hearing inviting public comment on the projects proposed to be submitted for federal funding was held in accordance with FTA regulations on Wednesday, September 2, 2015 at the MTA, at which the Deputy Director of Grant Management read into the record the amounts of Federal funds and dollar amounts of work covered by the Notice.

A transcript of the hearing and written statements submitted in conjunction with the hearing are available on Director's Desk and the MTA website. Thirteen members of the public spoke at the public hearing. There were comments from speakers about accessibility at subway stations as well as comments about the proposed capital projects. In accordance with applicable federal requirements, MTA and agency staff have reviewed and considered all substantive public comments concerning the proposed program of capital projects for federal funding.

Recommendation

It is recommended that the MTA Board approve the attached resolution in order to permit the filing and acceptance of Federal capital assistance for FFY 2015 and 2016.

**RESOLUTION ADOPTED AT A MEETING OF
METROPOLITAN TRANSPORTATION AUTHORITY
September 2, 2015**

WHEREAS, on and after August 6th, a Notice of Public Hearing on the projects to be considered for inclusion in applications to the United States Department of Transportation (USDOT) for Federal financial assistance under Section 5307, Section 5309, Section 5324, Section 5337, Section 5339 and Section 5340 of Title 49, Chapter 53, United States Code, as well as funds available for transit use under Title I of the Moving Ahead for Progress in the 21st Century Act (MAP-21) was published in newspapers of general circulation (including newspapers oriented to minority communities) in the geographic area to be served thereby, which Notice contained a summary of the capital improvement program for the balance of federal fiscal year 2015 and federal fiscal year 2016 for the New York City Transit Authority, Manhattan and Bronx Surface Transit Operating Authority, Long Island Rail Road, Metro-North Commuter Railroad, Capital Construction Company, MTA Bus Company, Staten Island Rapid Transit Operating Authority; and

WHEREAS, the full program of projects, including descriptions of individual projects, for the balance of federal fiscal year 2015 and federal fiscal year 2016, was available to the public, as indicated in the notices published in newspapers, either by request or at public offices in the area served by the Authority; and

WHEREAS, all of the principal elected officials of each general purpose unit of government within the service areas of the public transportation operators for whom assistance is being sought under the said project application were notified by mail of such application; and

WHEREAS, on September 2, 2015, the Public Hearing was conducted by the Authority affording to all concerned the opportunity to present their views, and to submit written statements concerning the projects, including consideration of the economic and social effects of the projects, their impact on the environment and their consistency with the goals and objectives of such urban planning as has been promulgated by the affected communities; and

WHEREAS, the members of the Authority have had an opportunity to review the testimony given at the said Public Hearing, and the statements submitted in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY METROPOLITAN TRANSPORTATION AUTHORITY:

1. The Chairman and Chief Executive Officer, or any of his designees, be and each of them hereby is, with respect to applications for grants for projects under Section 5307, Section 5309, Section 5324, Section 5337, Section 5339 and Section 5340 of Title 49, Chapter 53, United States Code, as well as funds available for transit under Title I of MAP-21, authorized to certify to the United States Department of Transportation that the Authority has (a) afforded an adequate opportunity for a Public Hearing on the projects

pursuant to adequate prior notice, and has held such Hearing; (b) considered the economic and social effects of the projects and their impact on the environment, including requirements under the Clean Air Act, the Federal Water Pollution Control Act and other applicable federal environmental statutes, and their consistency with goals and objectives of such urban planning as has been promulgated by the affected communities; (c) found that the projects are consistent with the official plans for the comprehensive development of the urban area to be affected; and (d) found that the projects are in the best overall public interest taking into consideration the need for fast, safe and efficient public transportation services, and conservation of environment, historic sites and natural resources and the cost of eliminating or minimizing any adverse effects.

2. The Chairman and Chief Executive Officer, or any of his designees be, and each of them hereby is, authorized to deliver to the said department a copy of the published notices of and transcript of the said Hearing, including those written statements submitted in connection therewith, and to advise the said department (a) that it may consider the applications as the Authority's final applications, subject to such revisions as the Chairman and Chief Executive Officer or his designees may deem acceptable; (b) that the views, if any, concerning the projects of those principal elected officials of each general purpose unit of government within the service areas of the mass transportation operators for whom assistance is being sought under the said applications, are as set forth in the transcript of the said Public Hearing and those written statements submitted in connection therewith.
3. The Chairman and Chief Executive Officer, or any of his designees be, and each of them hereby is, authorized to execute and file applications and accept from the United States of America, on behalf of the Authority, grants of financial assistance under successor legislation to Section 5307, Section 5309, Section 5324, Section 5337, Section 5339 and Section 5340 of Title 49, Chapter 53, United States Code, as well as funds available for transit use under Title I of MAP-21 (in such amounts as may become available) in connection with the projects upon such terms and conditions as the Chairman and Chief Executive Officer, or any of their designees shall deem acceptable.

CERTIFICATION

The undersigned hereby certifies that she is the Assistant Secretary of Metropolitan Transportation Authority, a public benefit corporation of the State of New York, and that the foregoing is a true and correct copy of a resolution adopted at a meeting of the said Authority duly held on the 24th day of September 2015, at 2 Broadway, New York, New York at which meeting a quorum of the said Authority was present and acting throughout.

Victoria Clement
Assistant Secretary

Dated: _____

Proposed Program of Projects Federal Fiscal Year 2016

**ACEP ID/
Agency PIN**

Program/Project Description

NEW YORK CITY TRANSIT

Subway Cars

T7010101 Purchase B-Division Railcars R211

Buses

T7030205 Purchase 300 Articulated Buses

Stations

ET040320 Long Term Flood Mitigation/Resiliency at 6 Critical Subway Stations
T7040701 Replace 11 Hydraulic Elevators/ Various
T7040702 Replace 12 Traction Elevators/Broadway-7th Ave
T7040703 Replace 8 Traction Elevators / Various
T7040705 Replace 9 Hydraulic Elevators
T7040706 Replace 2 Escalators: Grand Central, 42nd Street/ Lexington Line
T7041203 Station Renewal: Ditmars Boulevard, Astoria Line
T7041204 Station Renewal: Astoria Boulevard, Astoria Line
T7041205 Station Renewal: 30 Avenue, Astoria Line
T7041206 Station Renewal: Broadway, Astoria Line
T7071207 Station Renewal: 36 Avenue, Astoria Line
T7041208 Station Renewal: 39 Avenue, Astoria Line
T7041213 Station Renewal: Woodhaven Boulevard, Jamaica Line
T7041214 Station Renewal: 85 Street-Forest Parkway, Jamaica Line
T7041215 Station Renewal: 75 Street-Elderts Lane, Jamaica Line
T7041216 Station Renewal: Cypress Hills, Jamaica
T7041302 ADA: Astoria Boulevard, Astoria Line
T7041303 ADA: Bedford Park Boulevard, Concourse Line
T7041304 ADA: 86 Street, 4 Avenue Line
T7041305 ADA: Gun Hill Road, Dyre Line
T7041401 Station Signage Improvements (2016)

Track

T7050202 2016 Mainline Track Rehabilitation
T7050208 2016 Continuous Welded Rail
T7050302 2016 Mainline Track Switch Replacement

ACEP ID/ Agency PIN	Program/Project Description
<i>Line Equipment</i>	
ET0603	Flood Mitigation/Resiliency Implementation at 14 Critical Fan Plant Facilities
ET060305	Flood Mitigation/Resiliency Implementation at 17 Fan Plants and Adjacent Tunnels
T7060201	Tunnel Lighting: 34 St-West 4 St Local Tracks - 6th Ave Line
T7060301	Fan Plant Motor Control System Replacement - 10 Locations
T7060402	Rehabilitate 4 Pump Rooms, Various Locations
<i>Line Structures</i>	
T7070303	Elevated Structure Rehab - Livonia Yard Overpass & Retaining Wall
T7070304	Elevated Structure Rehab: Viaduct & Deck Sections-Bushwick-Myrtle
T7070312	Line Structure Overcoat: 157 St Portal to 164 Street, Jerome Line
T7070313	Overcoat Painting: 72 Street - 103 Street, Flushing Line
T7070315	Overcoat Painting: East New York Yard & Shop Leads And Loops
T7070320	Ventilator Rehabilitation - Various Locations - 2016
<i>Signals and Communications</i>	
T7080323	Signals Key-By Circuit Modification, Ph 4
T7080325	Install Fire Suppression System, Ph 2
T7080604	Fiber Optic Cable Replacement, Ph 2
T7080605	Copper Cable Upgrade/Replacement, Ph 4
<i>Power</i>	
T7090201	Substation Renewal: Burnside Avenue, Concourse Line
T7090202	Substation Renewal: Avenue Z, Culver Line
T7090205	Replace Existing 25Hz Frequency Converters at 12 Substations
T7090210	Installation of Resistance Contact Rail, Canarsie Tube
T7090211	Three (3) New Substations, Canarsie Line
T7090401	Circuit Breaker House #586 Rehab, Culver Line
T7090403	Construction of Circuit Breaker House #210 , White Plains Road Line
T7090404	Circuit Breaker House #86, Wilson Avenue, Canarsie Line
T7090413	Upgrade SCADA System
<i>Shops</i>	
ET1003/08	Near-Term Flood Protection: 207th St Yard
T7100401	Department of Car Equipment Shop Components, Ph 1
T7100402	Roof Repair: 207 St Maintenance and Overhaul Shop and Component Repair
T7100411	2016 Yard Track
T7100417	2016 Yard Switches
T7100422	Yard Lighting: 207th Street Yard
T7100428	Car Cleaning Facility Component Repairs

ACEP ID/ Agency PIN	Program/Project Description
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NEW YORK CITY TRANSIT

Depots

T7120311	Zerega CMF Component Rehab
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Miscellaneous

ET1603/08	Near-Term Flood Protection: Hammels Wye
ET160309	Near-Term Flood Protection: Stillwell Ave. Terminal Facilities
T7160408	Enterprise Asset Management
T7160601	Fire Alarm System Replacement - Four Locations
T7160706	Employee Facility Rehab Elevator & Escalator Facility. E Broadway/6Av Line

Staten Island Railway

ES0703	Flood Mitigation for Staten Island Railway Facilities
S7070102	SIR Station Component Program

LONG ISLAND RAIL ROAD

Stations

L70204UL	Station Platform Lighting
L70204UM	Murray Hill Station - New Elevators
L70204UN	Nostrand Avenue Station Rehabilitation
L70204UP	Port Washington Station Improvements
L70204UR	Station Platform Railing Replacement
L70204US	Station Signage
L70204UT	Station & Building Electrical Systems
L70204UU	Mentor Allowance - Stations
L70204UW	GCT/ESA Unified Trash Facility
L70205V1	Parking Rehabilitation
L70206VP	Penn Station Elevator/Escalator Replacement
L70206VQ	Penn Station Customer Facilities

Track

L70301WB	2016 Annual Track Program
L70301WF	Right of Way Fencing
L70301WG	Construction Equipment
L70301WH	Retaining Walls / Right-of-Way Improvements
L70304WU	Jamaica Capacity Improvements - Phase II
L70304WX	Double Track Phase II / South Shore Resiliency

ACEP ID/ Agency PIN	Program/Project Description
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Line Structures

L70401BQ	Bridge Program
L70401BR	Main Line Bridges Component Renewals
L70401BS	Bridge Painting and Bridge Waterproofing
L70401BT	Removal of Montauk Cut-Off Viaduct
L70401BU	Mentor Allowance – Line Structures

Communications and Signals

L70501SD	Fiber Optic Network (FON)
L70501SE	Communication Pole Line
L70501SF	Improved Radio Coverage
L70501SJ	LIRR Public Address System
L70501SQ	Atlantic Avenue Tunnel Security Improvements
L70501SR	Station Platform CCTV Cameras
L70502LH	Babylon Interlocking Renewal
L70502LJ	Signal Normal Replacement
L70502LK	Positive Train Control (PTC)
L70502LL	Ronkonkoma to Yaphank Signalization
L70502LN	Babylon to Patchogue Signal System
L70502LP	Lightning Protection

Shops and Yards

EL0603ZQ	East River Tunnel High Density Signaling
EL0603ZP	West Side Yard (WSY) and East River Tunnel (ERT) Mitigation
L70601YR	Yard Improvements
L70604YJ	Mentor Allowance – Shops & Yards
L70604YV	Hillside Facility & Upper Holban Improvements
L70604YW	Rehabilitation of Employee Facilities
L70604YX	Fire Protection Improvements

Power

L70701XA	Substation Replacements
L70701XB	Substation Component Renewal
L70701XC	Third Rail - 2000 Million Cubic Meter (MCM) Cable
L70701XD	Third Rail - Disconnect Switches
L70701XE	Third Rail - Protection Board
L70701XF	Third Rail - Composite Rail

ACEP ID/ Agency PIN	Program/Project Description
<i>Power</i>	
L70701XG	Third Rail - Feeder Cable Upgrade
L70701XH	Negative Reactor Upgrade
L70701XJ	Substation Battery Replacement
L70701XK	Signal Power Motor Generator Replacement
L70701XL	Direct Current (DC) Relay Controls Replacement
L70701XM	Signal Power Line Replacement
L70701XN	Power Pole Replacement
L70701XP	Atlantic Avenue Tunnel Lighting
L70701XQ	4160 Volt Feeders

<i>Miscellaneous</i>	
L70904NQ	Program Administration
L70904NR	Enterprise Asset Management (EAM)
TRANTECH	Transit Technical Assistance

METRO-NORTH RAILROAD

<i>Stations</i>	
M702-01-01	GCT Trainshed/Tunnel Structure
M702-01-04	GCT Fire Protection
M702-01-07	GCT PA and Visual Information Systems
M702-02-02	Lower Harlem Line Station Improvements
M702-02-03	Upper Hudson Station Improvements

<i>Track and Structures</i>	
M703-01-01	Cyclical Track Program
M703-01-03	Rock Slope Inspection/Stabilization
M703-01-04	Turnouts: Mainline/High Speed
M703-01-05	GCT Turnouts/Switch Renewal
M703-01-06	Turnouts - Yard/Sidings
M703-01-09	Purchase of M of W Equipment
M703-02-02	Bridge Preservation Program
M703-02-03	Undergrade Bridge Rehab. - East of Hudson
M703-02-05	Park Avenue Direct Fixation
M703-02-06	Railtop Culverts
M703-02-07	Bridge Walkways
M703-02-08	Replace Timbers - Undergrade Bridges
M703-03-01	Rock Slope Stabilization West of Hudson
M703-03-03	West of Hudson Undergrade Bridge Rehabilitation

ACEP ID/ Agency PIN	Program/Project Description
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Communication and Signals

EM04-03-01	Power and Signals Resiliency Improvements
M704-01-01	Network Infrastructure Replacement
M704-01-03	Positive Train Control - East of Hudson
M704-01-06	Upgrade Grade Crossing

Power

M705-01-02	Transformer Rehabilitation
M705-01-03	Replace AC Circuit Breaker/Switchgear
M705-01-04	Harlem & Hudson Power Rehabilitation
M705-01-07	3rd Rail Component Replacement

Miscellaneous

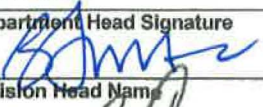
M708-01-06	Program Administration
M708-01-09	GCT/ESA Unified Trash Facility
M708-01-10	Systemwide Security Initiatives

MTA BUS

Facilities




U6030201	Project Administration
U6030221	Engineering Design Services
U6030226	Bus Radio System - MTABC
U7030201	28 Articulated Buses
U7030202	257 Express Buses
U7030208	Rehab & Facility Upgrade - Spring Creek Depot

Staff Summary

Subject
Request for Authorization to Award Various Procurements
Department
Executive
Department Head Name
Bob Foran
Department Head Signature

Division Head Name
Angel Barbosa

Date
September 14, 2015
Vendor Name
Various
Contract Number
Various
Contract Manager Name
Various
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	9/21/2015	X		
2	Board	9/24/2015	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:

of Actions **\$ Amount**

MTAHQ proposes to award Non-competitive procurements in the following categories:

Schedules Requiring Majority Vote

None None

MTAHQ proposes to award Competitive procurements in the following categories:

Schedules Requiring Majority Vote

Schedule E: Miscellaneous Procurement Contracts	1	\$ 31,394,963.00
Schedule F: Personal Service Contracts	10	\$ 2,722,463.00
Schedule G: Miscellaneous Service Contracts	2	\$ 6,351,660.89
SUBTOTAL	13	\$ 40,469,086.89

MTAHQ presents the following procurement actions for Ratification:

Schedule K: Ratification of Completed Procurement Actions (Involving Schedules E-J)	1	269,000.00
TOTAL	14	\$ 40,738,086.89

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
Use this Resolution Page
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 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 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.

7. The Board authorizes the budget adjustments to estimated quantity contracts set forth in Schedule L.

LIST OF PROCUREMENTS FOR BOARD APPROVAL, SEPTEMBER 2015
COMPETITIVE PROCUREMENTS

METROPOLITAN TRANSPORTATION AUTHORITY

Procurements Requiring Majority Vote:

E. Miscellaneous Procurement Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive)

- | | | |
|--|------------------------|--------------------------------------|
| 1. All-Agency Wireless Services | \$31,394,963 | <u>Staff Summary Attached</u> |
| Contract Nos. 14065-0100 thru -0400 | (Not-to-Exceed) | |
| a. Cello Partnership d/b/a Verizon Wireless | | |
| b. AT&T Mobility National Accounts LLC | | |
| c. Sprint Solutions, Inc. | | |
| d. T-Mobile USA, Inc. | | |

Competitively negotiated – 5 proposals – 60 months

To recommend that the Board approve the award of four competitively negotiated, all-agency, miscellaneous procurement contracts to Cello Partnership d/b/a Verizon Wireless (Verizon Wireless), AT&T Mobility National Accounts LLC (AT&T Wireless), Sprint Solutions, Inc. (Sprint/Nextel) and T-Mobile USA Inc. (T-Mobile) to provide wireless voice and data services. These contracts are for a period of five (5) years (three-year initial term with two additional one-year options) from September 28, 2015 to September 27, 2020 in an amount not to exceed \$31,394,963 which includes a contingency of \$2.9 million. MTA Headquarters (including MTA Police) and the Agencies utilize wireless services to conduct routine and critical business operations. These services include voice (cell phone), push-to-talk (2-way radio), machine-to-machine (M2M), personal data devices (Blackberry, Tablets), and wireless data cards for personal computers. The projected All-Agency spend amount for the next 12 months of \$8.93M, which is based on the All-Agency usage under existing contracts, was reduced through negotiations to \$4.72M in the first year of the contract, representing a savings of \$4.21M (47%). Annual savings for each of the next four years are projected to be a minimum of \$2.99M (33%) and will total \$16.17M (36%) during the proposed five-year contract period. Based on the negotiated savings, the total cost of \$31,394,963 which includes a contingency of \$2.9 million for the five-year period is considered fair and reasonable.

F. Personal Service Contracts

Staff Summaries required for items greater than: \$100k Sole Source; \$250 other Non-Competitive, \$1 million Competitive

- | | | |
|--|------------------------|--|
| 2. DynTek Services, Inc. | \$199,500 | |
| Services for Microsoft Office 365 email Migration | (not-to-exceed) | |
| Contract No. 13203-0100 | | |

Ride New York State OGS Contract No. PT64308 – 12 months

DynTek Services, Inc. (a value-added reseller under NY State Contract No. PT64308) to provide consultant services for a period of twelve months from October 01, 2015 through September 30, 2016 for the migration of MTA's Email Archive system from MTA's on premise Exchange servers to the Microsoft Office 365 Cloud; and for the deployment of Office 365 Pro Plus to 24,000 desktops across the MTA agencies. MTA IT is in the process of Migrating emails to the Microsoft Office 365 Cloud, with Phase I of this project being the migrating of more than 90 days of emails to the Cloud Archive system. The Hourly rate for these services (\$225/hr. and \$175.00/hr.) are 23% lower than the rates established under New York State Contract PT64308 (\$269.15/hr. and \$275.00/hr.). Based on this, the rates are considered fair and reasonable.

METROPOLITAN TRANSPORTATION AUTHORITY
COMPETITIVE PROCUREMENTS

3. **All-Agency As-Needed Qualitative Market Research Services** **\$1,666,763** Staff Summary Attached
(Not-to-Exceed)

Contract Nos. 14344-0100 thru -0500

- a. **Clarion Research, Inc.**
- b. **Perspective Resources, Inc.**
- c. **Resource Systems Group, Inc.**
- d. **The Research Associates, Inc.**
- e. **Widener-Burrows & Associates**

Competitively negotiated – 7 proposals – 48 months

To recommend that the Board approve the award of the above five (5) competitively negotiated all-agency personal services contracts for Qualitative Market Research Services on an as-needed basis for a period of forty-eight (48) months from October 1, 2015 to September 30, 2019. The combined cost for all market research contracts (including qualitative and quantitative) for the first year will not exceed the total Year 2016 Market Research Budget of \$1,666,763 for the MTA and the operating agencies. Funding for subsequent years will be based on the Board approved budgets for MTA headquarters and the operating agencies for those years and will not exceed limits approved by the Board. The MTA and its operating agencies require the services of qualitative market research firms to conduct one-on-one interviews, focus groups, and mini-groups on an *ad hoc* basis to support capital investments and improvements, service planning, strategic business initiatives and marketing. The original rates proposed by the five vendors ranging from \$700 to \$30 were negotiate down to a range of \$500 to \$30. This represents a reduction of \$200 or 28% per focus group. These negotiated rates are the same as negotiated under the current 4-year contract and will remain the same for this 4-year contract.

4. **Ernst & Young, LLP** **\$425,000** Staff Summary Attached
MTA Owner Controlled Insurance Program Study (Not-to-Exceed)
Contract No. 14391-0100

Competitively negotiated – 3 proposals – 5 months

To recommend that the Board approve the award of a competitively negotiated, personal services contract to Ernst & Young LLP to conduct a study that will develop a business case examining MTA use of Owner Controlled Insurance Programs (OCIPs) with an estimated duration of five (5) months from October 1, 2015 to March 1, 2016, for a fixed fee of \$325,000 with a contingency of \$100,000 for a total not-to-exceed cost of \$425,000. This study is a component of an overall strategy to ensure that MTA Capital Program third-party projects are insured in the most cost effective and efficient manner possible. The business case produced in this project will help the MTA to refine this strategy, particularly with respect to the 2015-2019 Capital Program. As a result of negotiations, the original cost of \$380,655 proposed by Ernst & Young LLP was reduced to \$325,000, a negotiated savings of \$55,655 or 14.62% which is considered fair and reasonable

METROPOLITAN TRANSPORTATION AUTHORITY
COMPETITIVE PROCUREMENTS

5. **Various (see below)** **\$TBD** **Staff Summary Attached**
All-Agency Temporary IT Consulting Svs. (MWBEs) (not-to-exceed)
Contract No. 14357-0100 thru 2900

Competitively negotiated – 50 proposals – 61 months

To recommend that the Board approve the award of the below twenty-nine (29) competitively negotiated, all-agency personal services contracts for Minority/Women Business Enterprises (M/WBE)/Small Business Concerns (SBC) Discretionary Firms for All-Agency Temporary Information Technology Consulting Services on an as-needed basis for a period of sixty-one (61) months from November 1, 2015 through December 31, 2020. Each contract will be awarded on a zero-dollar basis. Individual work assignments will be awarded through a mini-RFP competitive process, among some or all firms, and will not exceed \$200,000 pursuant to Section 2879(3)(b)(i) of the Public Authorities Law (the “Discretionary Procurement Law”). These technology and consulting discretionary contracts are designed to provide professional opportunities for NYS certified M/WBE technology firms who historically have been limited to working as subconsultants to work directly with the MTA as a prime contractor. Additionally, these contracts will enhance MTA’s ability to increase contract awards to New York State certified M/WBE’s and SBC’s to meet the State of New York’s goal for increasing M/WBE participation from 20% to 30%, as of April 1, 2015. The original rates submitted by the twenty-nine (29) firms (\$40 to \$152 for 87 titles) were within the market range and were deemed fair and reasonable. There are no prior contracts for this service with which these rates can be compared. Based on the above, the negotiated hourly rates are deemed fair and reasonable.

- | | | |
|----------------------------|------------------------------|-----------------------|
| 1. AI Technology | 11. IQ Systems, Inc. | 21. PruTech Solutions |
| 2. Capstone Strategy Group | 12. Izar Associates | 22. QED National |
| 3. Compulink | 13. Longi Engineering | 23. SOFT |
| 4. Data Industries | 14. Lucille Maud Corp | 24. Spruce Technology |
| 5. Donnelly & Moore | 15. Lynx Technology Partners | 25. Stellar Services |
| 6. Explnfo | 16. MVP Consulting | 26. TCA Consulting |
| 7. Granwood | 17. Neotecra | 27. Unique Computer |
| 8. IIT Inc | 18. Next Generation Inc. | Inc. |
| 9. InfoPeople | 19. Nexus Consortium | 28. US Tech Solutions |
| 10. Infosys International | 20. Protek IT Services | 29. V Group Inc. |

- 6-11. AFT Projects at NYCT Stations** – AFT to provide technical design, fabrication, engineering, crating, storage, delivery and oversight of installation of materials at stations specified below:
Competitively negotiated – 115 proposals – 18 months

Jennifer Saya Woolfalk, Van Siclen Avenue station, (Contract No. 15270-0100 --\$72,000)
Jennifer Saya Woolfalk, Pennsylvania Avenue station, (Contract No. 15271-0100 --\$72,000)

Beatrice S. Lebreton, Junius Street station, (Contract No. 15272-0100 --\$71,500)
Beatrice S. Lebreton, Rockaway Avenue station, (Contract No. 15273-0100 --\$71,700)

Nancy S. Baker, Saratoga Avenue station, (Contract No. 15268-0100 --\$72,000)
Nancy S. Baker, Sutter Avenue station, (Contract No. 15269-0100 --\$72,000)

METROPOLITAN TRANSPORTATION AUTHORITY
COMPETITIVE PROCUREMENTS

G. Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M RFP;
No Staff Summary required if Sealed Bid Procurement)

12. **Exigis, LLC** **\$3,351,660.89** Staff Summary Attached
Insurance Certificate Management System (Not-to-Exceed)
Contract No. 15042-0100

Competitively negotiated – 50 proposals – 61 months

To recommend that the Board approve the award of a competitively negotiated, miscellaneous procurement contract to Exigis, LLC to provide a Certificate of Insurance Management System including hosted web-based application software, implementation, consulting, training, and maintenance services for MTAHQ Risk Management and Insurance Management Department (“RIM”) for a period of five (5) years from October 1, 2015 through September 30, 2020, with two one-year options, exercised at MTA’s sole discretion, at a not-to exceed amount of \$3,351,660.89 including the option years. This new system will increase productivity by allowing simultaneous access by multiple users, remote access by the agencies and other authorized parties and enable new comprehensive, cross-agency business practices for managing and tracking insurance certificates. As a result of negotiations, Exigis’ proposed total cost for the five year period of \$2,682,577.50 was negotiated down to \$2,362,981.15 for a savings of \$319,596.35 or 11.91%. The renewal option for Years 6 and 7 are subject to a maximum escalation of 3% or CPI, whichever is lower. There are no prior contracts for this service with which these rates can be compared. Based on the above, the negotiated amount of \$2,362,981.15 for the five year period plus \$986,679.74 for the option years for a combined total of \$3,351,660.89 is considered fair and reasonable.

13. **Medgate, Inc.** **\$3,000,000** Staff Summary Attached
All-Agency Enterprise Safety System (Not-to-Exceed)
Contract Nos. 15127-0100

Competitively negotiated – 5 proposals – 60 months

To recommend that the Board approve the award of an all-agency, five-year, competitively negotiated, miscellaneous services contract with Medgate to furnish, implement and maintain an MTA-wide Enterprise Safety System (LIRR and MNR in the first implementations, other agencies to follow), that will streamline and automate the tracking of all corporate safety data, including records of all accidents and incidents for employees, contractors, passengers, trespassers and equipment for a period of five (5) years from October 1, 2015 through September 30, 2020 for a not-to-exceed amount of \$3,000,000, including a contingency of \$456,082. This cloud-based Software-as-a-Service solution includes a Disaster Recovery/Continuity of Business plan and provides details on how the system integrates with existing MTA legacy computing systems. As a result of negotiations, the original cost of \$3,716,000 proposed by Medgate was reduced to \$2,543,918, a negotiated savings of \$1,172,082 or 31%. There are no prior contracts for this service with which these rates can be compared. Based on the above, the negotiated not-to-exceed amount of \$3,000,000, including a contingency of \$456,082 is deemed fair and reasonable.

Staff Summary

Schedule E: Miscellaneous Procurement Contracts

Page 1 of 1

Item Number:		Contract Number:		Renewal?	
Vendor Name (& Location): Cello Partnership d/b/a Verizon Wireless; AT&T Mobility National Accounts LLC; Sprint Solutions, Inc.; T-Mobile USA Inc.		14065-0100 thru 0400		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Description: All-Agency Wireless Services		Total Amount:		\$31,394,963	
Contract Term (including Options, if any): September 28, 2015 thru September 27, 2020		Funding Source:			
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:			
Procurement Type:		Requesting Dept/Div & Dept/Div Head Name:			
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		Business Service Center/MTA IT & W. Hibri/S. Gellineau			
Solicitation Type:		Contract Manager:			
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		Damon Chan			

DISCUSSION:

It is recommended that the Board approve the award of four competitively negotiated, all-agency, miscellaneous procurement contracts to Cello Partnership d/b/a Verizon Wireless (Verizon Wireless), AT&T Mobility National Accounts LLC (AT&T Wireless), Sprint Solutions, Inc. (Sprint/Nextel) and T-Mobile USA Inc. (T-Mobile) to provide wireless voice and data services. These contracts are for a period of five (5) years (three-year initial term with two additional one-year options) from September 28, 2015 to September 27, 2020 in an amount not to exceed \$31,394,963 which includes a contingency of \$2.9 million.

MTA Headquarters (including MTA Police) and the Agencies utilize wireless services to conduct routine and critical business operations. These services include voice (cell phone), push-to-talk (2-way radio), machine-to-machine (M2M), personal data devices (Blackberry, Tablets), and wireless data cards for personal computers. In order to improve operational efficiencies and, thus, reduce costs for wireless services by combining the purchasing power of all of the agencies to achieve the best combination of quality, service and price, MTAHQ issued a competitive Request For Proposals (RFP) in July of 2014. The RFP was publicly advertised and letters advising potential proposers of the RFP's availability were mailed to four (4) firms. Five (5) proposals were received. The Selection Committee, consisting of representatives from MTA Headquarters, New York City Transit, Long Island Railroad, Metro-North Railroad, Bridges & Tunnels, and MTA Capital Construction, evaluated the proposals and determined that Verizon Wireless, AT&T Wireless, Sprint/Nextel and T-Mobile were the most technically qualified firms that met the requirements of the RFP, based on their proven services and area coverage, technology and technical support. The fifth vendor Black Renaissance Tech is not certified as a Wireless Telecommunication Carrier by the FCC and therefore did not qualify for this RFP and was eliminated from further consideration. It was also determined that no one vendor would be able to provide the complete variety of services and geographic coverage required by the MTA and the agencies. MTA has conducted a responsibility review and other due diligence on Verizon Wireless, AT&T Wireless, Sprint/Nextel, and T-Mobile and has deemed them to be responsible for award.

The projected All-Agency spend amount for the next 12 months of \$8.93M, which is based on the All-Agency usage under existing contracts, was reduced through negotiations to \$4.72M in the first year of the contract, representing a savings of \$4.21M (47%). Annual savings for each of the next four years are projected to be a minimum of \$2.99M (33%) and will total \$16.17M (36%) during the proposed five-year contract period. An analysis of historical wireless spending along with the projection of future spending and associated savings was performed by Project Management and Procurement, and confirmed by MTA Audit and Treasury. The reduction in price is attributed to (i) negotiating simpler pricing plans that more closely match actual usage and combined it so MTA is treated as one account instead of 25K separate ones, (ii) negotiating lower dollar/unit pricing for bandwidth, (iii) negotiating wireless line acquisition and retention credits, and (iv) maximizing the value of equipment upgrade rights. Based on the negotiated savings, the total cost of \$31,394,963 which includes a contingency of \$2.9 million for the five-year period is considered fair and reasonable. Funding for these contracts will be available in each agency's operating budget.

MTA's Department of Diversity and Civil Rights has established a 10% MBE and 10% WBE goal on this contract. Cello Partnership d/b/a Verizon Wireless (Verizon Wireless), AT&T Mobility National Accounts LLC (AT&T Wireless), Sprint Solutions, Inc. (Sprint/Nextel) and T-Mobile USA Inc. (T-Mobile) have not completed any MTA contracts with MWDBE goals, therefore, no assessment of the firm's MWDBE performance can be determined at this time.

Staff Summary

Schedule F: Personal Service Contracts

Item Number: Dept & Dept Head Name: Chief of Staff/Donna Evans Division & Division Head Name: MTA Market Research/Peter Harris						SUMMARY INFORMATION <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 2px;"> Vendor Name: Various </td> <td style="width: 40%; padding: 2px;"> Contract Number: 14344-0100 thru 0500 </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Description: All Agency As-Needed Qualitative Market Research Services </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Total Amount: \$1,666,763 </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Contract Term (including Options, if any) October 1, 2015 thru September 30, 2019 </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Option(s) Included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Solicitation Type: <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: </td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other: </td> </tr> </table>		Vendor Name: Various	Contract Number: 14344-0100 thru 0500	Description: All Agency As-Needed Qualitative Market Research Services		Total Amount: \$1,666,763		Contract Term (including Options, if any) October 1, 2015 thru September 30, 2019		Option(s) Included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Renewal? <input checked="" type="checkbox"/> Yes <input 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:	
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Board Reviews					
Order	To	Date	Approval	Info	Other
1	Finance	9/21/2015	X		
2	Board	9/24/2015	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Procurement <i>Ced</i>	4	DDCR <i>MAH</i>
2	Market Research <i>PWH</i>	5	Legal <i>MAH</i>
3	Chief of Staff <i>ONE</i>	6	CFO <i>MAH</i>

Narrative

I. PURPOSE/RECOMMENDATION

To recommend that the Board approve the award of the following five (5) competitively negotiated all-agency personal services contracts for Qualitative Market Research Services on an as-needed basis for a period of forty-eight (48) months from October 1, 2015 to September 30, 2019. The combined cost for all market research contracts (including qualitative and quantitative) for the first year will not exceed the total Year 2016 Market Research Budget of \$1,666,763 for the MTA and the operating agencies. Funding for subsequent years will be based on the Board approved budgets for MTA headquarters and the operating agencies for those years and will not exceed limits approved by the Board.

- | | |
|---|---|
| 1. Clarion Research, Inc.
2. Perspectives Resources, Inc.
3. Resource Systems Group, Inc. | 4. The Research Associates, Inc.
5. Widener-Burrows & Associates |
|---|---|

II. DISCUSSION

The current all-agency contracts for qualitative research services have expired. The MTA and its operating agencies require the services of qualitative market research firms to conduct one-on-one interviews, focus groups, and mini-groups on an *ad hoc* basis to support capital investments and improvements, service planning, strategic business initiatives and marketing. In order to continue these services, a Request for Proposals (RFP) was publicly advertised and letters advising potential proposers of the RFP's availability were mailed to thirty (30) vendors, ten (10) of which were D/M/WBE firms. Seven (7) proposals were received. The Selection Committee, consisting of representatives from MTA Market Research, MTA Marketing, MTA New York City Transit, MTA Metro-North Railroad, MTA Long Island Rail Road, MTA Bridges and Tunnels and MTA Bus Company, evaluated the proposals and determined that the five firms listed above were the most technically qualified and best suited to perform the services identified by the RFP. MTA has conducted a responsibility review and other due diligence on these firms and has deemed them to be responsible for award.

The purpose of entering into these retainer contracts is to facilitate the implementation of a comprehensive market research program designed to: 1) to provide actionable information that will assist MTA and its operating agencies; 2) support initiatives and programs that improve service, increase ridership and revenue, and reduce costs; and 3) identify priorities and strategies for decision and policy making. The net impact of the research is to assist the MTA and its operating agencies in becoming more cost-effective and customer-driven organizations.

Examples of projects planned for the next four years include: studies about new technologies including new digital payment systems (e.g. the Smart Card); research on new electronic signage, interactive voice response system, and electronic bridge tolling; usability testing of website re-designs and new transit and ticketing apps; customer communication research such as pre-tests of advertising copy, new commuter rail and transit safety and security initiatives; evaluation of new train cars and station amenities; and targeted customer service projects for specific railroad, subway, and bus lines, etc.

The original rates proposed by the five vendors ranging from \$700 to \$30 were negotiated down to a range of \$500 to \$30. This represents a reduction of \$200 or 28% per focus group. These negotiated rates are the same as negotiated under the current 4-year contract and will remain the same for this 4-year contract.

III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established a 10% MBE and 10% WBE goal on this contract. Clarion Research, Inc., Perspectives Resources, Inc., The Research Associates, Inc. and Resource System Group, Inc., have not completed any MTA contract with MWDBE goals, therefore, no assessment of their MWDBE performance can be determined at this time. Widener-Burrows & Associates has achieved its MWDBE goals on previous MTA contracts.

IV. IMPACT ON FUNDING

The total cost for these qualitative market research all-agency contracts combined with quantitative services for the first year will not exceed the total Year 2016 Market Research Budget of \$1,666,763 for the MTA and the operating agencies. Subsequent years' estimates will be determined by the programs planned for those years and Board approval of MTA's and operating agencies' Market Research budgets for those years. Actual expenditures for Year 2016 are dependent upon approval of projects in development by the MTA and the operating agencies. Any expenditure incurred will be apportioned to the operating agencies in accordance with the cost of projects actually implemented by an agency.

V. ALTERNATIVES

1. Perform all services in-house. This alternative is not feasible since performing these specialized functions in-house would require full- and part-time employees, including associated overhead costs, which would not be cost effective. These projects are managed better by independent outside firms monitored closely by MTA staff.
2. Do not approve award of the contracts. This would severely curtail MTA's ability to implement a comprehensive research program to support capital investments and improve customer service.

Staff Summary

Schedule F: Personal Service Contracts

Item Number: Dept & Dept Head Name: Capital Programs Management/Craig Stewart <i>CS</i> Project Manager Name: Robert Hess <i>Robert Hess</i>						SUMMARY INFORMATION Vendor Name: Emel & Young LLP Contract Number: 14391-0100 Description: MTA Owner Controlled Insurance Program (OCIP) Study Total Amount: \$425,000 Contract Term (including Options, if any): October 1, 2015 thru February 1, 2016 Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive Solicitation Type: <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Funding Source: <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:																					
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Narrative																											

I. PURPOSE/RECOMMENDATION

To recommend that the Board approve the award of a competitively negotiated, personal services contract to Emel & Young LLP to conduct a study that will develop a business case examining MTA use of Owner Controlled Insurance Programs (OCIPs,) with an estimated duration of five (5) months from October 1, 2015 to March 1, 2016, for a fixed fee of \$325,000 with a contingency of \$100,000 for a total not-to-exceed cost of \$425,000.

II. DISCUSSION

This study is a component of an overall strategy to ensure that MTA Capital Program third-party projects are insured in the most cost effective and efficient manner possible. The MTA believes that there may be the potential to produce savings through further optimization of the insurance strategy, in particular by carefully evaluating the use of OCIPs. The business case produced in this project will help the MTA to refine this strategy, particularly with respect to the 2015-2019 Capital Program.

MTA Capital Programs and Risk Management plan to conduct similar studies on a five-yearly basis, to re-evaluate the optimal insurance strategy amidst dynamic insurance market trends. The initial business case produced by this study can serve as a template for future refreshes of the OCIP business case to be conducted by MTA staff or hired consultants.

Most MTA Capital Program projects are competitively awarded to and constructed by general contractors. For insurance coverage, the MTA has historically pursued two strategies: i) Require the general contractor to provide the insurance coverage, based upon insurance requirements and standards developed by the MTA Risk and Insurance Management (RIM) Department, with the cost of insurance included in the general contractor's contract price; and ii) Insure construction through an MTA Owner Controlled Insurance Program (OCIP), with OCIP coverage obtained through competitively awarded broker service contracts and commercial insurance carriers.

Starting in the 1970's, the MTA initially designed and implemented OCIPs for individual projects. Based upon the success of these single project OCIPs, beginning in 1998, the MTA embarked upon using OCIPs to cover multiple projects within particular five-year Capital Plans.

Under an OCIP, the MTA procures insurance coverage for a group of projects, covering the MTA, the participating agencies, general contractors and subcontractors. The cost of this coverage is not borne by the general contractors and is therefore required to be excluded from their bids. Under an OCIP, the general contractors' insurance responsibilities are limited to specific coverage, such as motor vehicle coverage, and coverage for off-site activities. In addition, the OCIP funds safety oversight.

Recent developments in the insurance market are impacting the cost of required coverage, as well as the terms and conditions. For example, the estimated cost of MTA OCIPs has increased from 4% of construction value in the 2000-2004 Capital Program, to 7% for the current 2010-2014 Capital Program. The evolving market is also impacting contractor-provided insurance.

Due to the recent increases in MTA OCIP rates as well as the inherent value in evaluating a complex costly insurance program that the MTA has been using for many years, the MTA is procuring this study to: i) comprehensively compare the competitiveness of MTA's OCIP to general contractor-provided insurance and safety programs, including Contractor Controlled Insurance Programs (CCIPs); and ii) improve the MTA insurance strategy, ensuring that best practices are employed to promote efficiency and safety.

In addition to financial and safety considerations, the business case will address other relevant factors, including:

- Insurance coverage terms, conditions, gaps between general contractors and sub-contractors;
- Avoided costs, such as carrying Owners Protective Liability coverage, evaluating and tracking general contractor-provided insurance, and litigation costs associated with enforcing indemnification agreements;
- Work site safety resources and practices;
- Options for general contractor- and sub-contractor-provided insurance;
- General contractor / labor ability to participate in OCIP-insured projects;
- Impact on construction bid competitiveness (number of bidders, bid costs, MBE & WBE participation);
- Regional and industry best practices.

In order to procure these services, a Request for Proposals (RFP) was publicly advertised. Three proposals were received from Ernst & Young LLP, KPMG LLP, and Hanover Stone Partners LLC. The Selection Committee, consisting of representatives from MTA Headquarters, New York City Transit, the Commuter Railroads, and MTA Capital Construction, evaluated the proposals based on the criteria set forth in the RFP, which were as follows: i) value proposition (quality and technical merit of the proposed solution in relation to the cost, ii) demonstrated experience in organizing and successfully executing comparable projects, iii) demonstrated familiarity with the New York State insurance market for infrastructure construction projects, including knowledge of New York State Insurance Laws regarding the use of OCIPs, an understanding of the recent impacts of Labor Law liability on the availability and cost of insurance, the changes to insurance forms that further restrict coverage, current trends in insurance costs, and how these factors ultimately influence project bidding and delivery, iv) quality and relevant experience of the individuals who will be assigned to the project, and v) expeditious project timeframe. After reviewing the proposals, the Selection Committee recommended that two firms (Ernst & Young and KPMG) be invited to make oral presentations. Upon conclusion of the oral presentations, the Selection Committee determined that Ernst & Young LLP is the most qualified firm to perform the services required and recommended that negotiations be conducted with Ernst & Young LLP, to obtain the best pricing for the services. MTA has conducted a responsibility review and other due diligence on the proposed awardee and as part of its Responsibility Data submission to the MTA Ernest & Young revealed significant adverse information (SAI). In accordance with the MTA All-agency Contractor Responsibility Guidelines, the MTA Chairman has approved the award of the contract with Ernest & Young as a responsible contractor notwithstanding the significant adverse information.

As a result of negotiations, the original cost of \$380,655 proposed by Ernst & Young LLP was reduced to \$325,000, a negotiated savings of \$55,655 or 14.62% which is considered fair and reasonable.

III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 10%WBE and 10% MBE on this contract. Ernst & Young LLP has not completed any MTA contracts; therefore, no assessment of the firm's MWDBE performance can be determined at this time.

IV. IMPACT ON FUNDING

Funds for this project are available in the 2010-2014 MTA Capital Program under MTA Planning project N6120101 (Core Planning Support.)

V. ALTERNATIVES

1. Do not Approve Award of the Contract. The MTA will not be able to assess the business case for Owner Controlled Insurance Programs (OCIP).
2. Perform the Services In-house. MTA does not possess the internal resources to provide these services.

Staff Summary

Schedule F: Personal Service Contracts

MTA Metropolitan Transportation Authority

Page 1 of 2

Item Number: Dept/Dept Head Name: BSC/Wael Hibri Division & Division Head Name: MTA IT/Sidney Gellineau						SUMMARY INFORMATION Vendor Name: Various Description: All-Agency Temporary IT Consulting Services (Discretionary/MWBE) Total Amount: Board approved budgets for MTAHQ and operating agencies Contract Term (including Options, if any): November 1, 2015 through December 31, 2020 Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> 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:																															
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Narrative I. PURPOSE/RECOMMENDATION <p>To recommend that the Board approve the award of the below twenty-nine (29) competitively negotiated, all-agency personal services contracts for Minority/Women Business Enterprises (M/WBE)/Small Business Concerns (SBC) Discretionary Firms for All-Agency Temporary Information Technology Consulting Services on an as-needed basis for a period of sixty-one (61) months from November 1, 2015 through December 31, 2020. Each contract will be awarded on a zero-dollar basis. Individual work assignments will be awarded through a mini-RFP competitive process, among some or all firms, and will not exceed \$200,000 pursuant to Section 2879(3)(b)(i) of the Public Authorities Law (the "Discretionary Procurement Law"). These retainer firms will enhance MTA's ability to increase contract awards to New York State certified M/WBE's and SBC's to meet the State of New York's goal for increasing M/WBE participation from 20% to 30%, as of April 1, 2015.</p> <table border="0"> <tr> <td>1. AI Technology</td> <td>7. Greenwood</td> <td>13. Long Engineering</td> <td>19. Nexus Consortium</td> <td>25. Stellar Services</td> </tr> <tr> <td>2. Capstone Strategy Group</td> <td>8. IIT Inc</td> <td>14. Lucille Maud Corp</td> <td>20. Protek IT Services</td> <td>26. TCA Consulting</td> </tr> <tr> <td>3. Compulink</td> <td>9. InfoPeople</td> <td>15. Lynx Technology Partners</td> <td>21. ProTech Solutions</td> <td>27. Unique Computer Inc.</td> </tr> <tr> <td>4. Data Industries</td> <td>10. Infosys International</td> <td>16. MVP Consulting</td> <td>22. QED National</td> <td>28. US Tech Solutions</td> </tr> <tr> <td>5. Donnelly & Moore</td> <td>11. IQ Systems, Inc.</td> <td>17. Neotoma</td> <td>23. SOFT</td> <td>29. V Group Inc.</td> </tr> <tr> <td>6. Expinfo</td> <td>12. Izzar Associates</td> <td>18. Next Generation Inc.</td> <td>24. Spruce Technology</td> <td></td> </tr> </table>								1. AI Technology	7. Greenwood	13. Long Engineering	19. Nexus Consortium	25. Stellar Services	2. Capstone Strategy Group	8. IIT Inc	14. Lucille Maud Corp	20. Protek IT Services	26. TCA Consulting	3. Compulink	9. InfoPeople	15. Lynx Technology Partners	21. ProTech Solutions	27. Unique Computer Inc.	4. Data Industries	10. Infosys International	16. MVP Consulting	22. QED National	28. US Tech Solutions	5. Donnelly & Moore	11. IQ Systems, Inc.	17. Neotoma	23. SOFT	29. V Group Inc.	6. Expinfo	12. Izzar Associates	18. Next Generation Inc.	24. Spruce Technology	
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II. DISCUSSION <p>MTA is seeking to expand participation by qualified M/WBE firms and/or SBC technology consulting firms. These technology and consulting discretionary contracts are designed to provide professional opportunities for NYS certified M/WBE technology firms who historically have been limited to working as subconsultants to work directly with the MTA as a prime contractor. These contracts will support the consolidated MTA IT Department and will provide the ability to retain M/WBE project consultants, as well as temporarily supplement in-house project staff on critical projects including, but not limited to: (i) PeopleSoft 9.2 Upgrade & PeopleSoft Pension; (ii) NYCT Applications Replacement/Upgrade; New Fare Collection Systems, etc.</p> <p>A Request for Proposal (RFP) was advertised on MTA's website and letters advising potential proposers of the RFP's availability were issued to a 191 MWBE firms. Fifty (50) proposals were received. The Selection Committee, consisting of MTA IT Departments and DDCR evaluated the proposals and determined that out of the 50 firms, 29 are technically qualified to perform the services identified in the RFP. The RFP criteria, which were used to evaluate the proposals, were (i) Overall quality of the</p>																																					

proposal submission, demonstrated understanding of the work scope for categories within the 87 consulting categories; evaluations of provided consultant resumes based on the required technical skills; (ii) Project Management Plan, proposed approach to organize, administer, manage and support MTA's requirements throughout the five-year contract period; (iii) Fairness and reasonableness of the all-inclusive hourly rates with guaranteed ceiling rates over the next five years; and (iv) Demonstrated experience and effectiveness of the consulting firm, as well as its resources in providing services of a similar nature, with emphasis on providing IT-related consulting services.

These services will be performed based on the hourly rates established in the base contract and will be awarded as work assignments after conducting a mini-RFP competitive process among some or all of the firms. Individual work assignments will not exceed \$200,000 in accordance with the Discretionary Procurement Law.

The original rates submitted by the twenty-nine (29) firms (\$40 to \$152 for 87 titles) were within the market range and were deemed fair and reasonable. There are no prior contracts for this service with which these rates can be compared. Based on the above, the negotiated hourly rates are deemed fair and reasonable.

III. D/M/WBE INFORMATION

There are certified MBE/WBE's available to provide prime opportunities for this procurement. The recently amended NYS Finance Law §163 (6) raised the limit for small businesses and MWBEs without formal competitive process from \$100,000 to \$200,000. This procurement will provide prime IT consulting service opportunities for NYS certified MWBEs and will assist in achieving our annual 30% MWBE goals.

IV. IMPACT ON FUNDING

Funding will be based on the Board approved budgets for MTA headquarters and the operating agencies and will not exceed limits approved by the Board.

V. ALTERNATIVES

1. Do not approve award of the contracts. This would severely curtail MTA's ability to meet the State of New York's mandated goal to increase M/WBE participation from 20% to 30% and to meet the requirement for these services.

Staff Summary

Schedule E: Miscellaneous Procurement Contracts

Page 1 of 1

Item Number:		Contract Number:		Renewal?	
Vendor Name (& Location):		15042-0100		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Description:		Total Amount: \$3,351,660.89			
Insurance Certificate Management System		Funding Source:			
Contract Term (including Options, if any):		<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:			
October 1, 2015 through September 30, 2022		Requesting Dept/Div & Dept/Div Head Name:			
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No		BSC/MTA IT & W. Hibri/ S. Gellineau			
Procurement Type:		Contract Manager:			
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		Amedeo Bruno			
Solicitation Type:					
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:					

DISCUSSION:

To recommend that the Board approve the award of a competitively negotiated, miscellaneous procurement contract to Exigis, LLC to provide a Certificate of Insurance Management System including hosted web-based application software, implementation, consulting, training, and maintenance services for MTAHQ Risk Management and Insurance Management Department ("RIM") for a period of five (5) years from October 1, 2015 through September 30, 2020, with two one-year options, exercised at MTA's sole discretion, at a not-to exceed amount of \$3,351,660.89 including the option years.

The MTA Risk and Insurance Management Division (RIM) is responsible for reviewing, managing, and tracking Contractor's compliance with insurance requirements for MTA and its agencies. The current number of active contracts managed by RIM is approximately 8200. Each of these contracts are associated with one to three different insurance certificates. Currently, RIM tracks insurance certificates in an MS Access-based system. Within this system there are separate databases for MTA and its operating agencies and only one user can access each database at a time. Additionally, remote access is not available. While insurance certificates for all agencies are tracked in the system, the underlying data is segregated by agency and it is not possible to manage information for more than one agency at a time. The new system will increase productivity by allowing simultaneous access by multiple users, remote access by the agencies and other authorized parties and enable new comprehensive, cross-agency business practices for managing and tracking insurance certificates. Exigis, LLC will provide a comprehensive Solution including software, training and technical support.

To obtain this service, a competitive Request for Proposal (RFP) using the e-procurement process was publicly advertised and letters advising prospective proposers of the RFP's availability were sent to nineteen (19) firms of which three (3) were D/M/WBE firms. Two proposals were received. The Selection Committee, composed of representatives from MTA RIM and MTA IT, evaluated both proposals and recommended that each firm be invited for oral presentations. Based on the oral presentations, the selection committee determined that Exigis, LLC (MBE) was the most technically qualified firm to provide this service and agreed for Procurement to conduct negotiations.

As a result of negotiations, Exigis' proposed total cost for the five year period of \$2,682,577.50 was negotiated down to \$2,362,981.15 for a savings of \$319,596.35 or 11.91%. The renewal option for Years 6 and 7 are subject to a maximum escalation of 3% or CPI, whichever is lower. There are no prior contracts for this service with which these rates can be compared. Based on the above, the negotiated amount of \$2,362,981.15 for the five year period plus \$986,679.74 for the option years for a combined total of \$3,351,660.89 is considered fair and reasonable. MTA has conducted a responsibility review and other due diligence on Exigis, LLC, and has deemed the firm responsible for award.

The MTA Department of Diversity & Civil Rights established 10% MBE and 10% WBE goals on the contract. Exigis LLC has not completed any MTA contracts; therefore, no assessment of the firm's MWDBE performance can be determined at this time."

Staff Summary

Schedule G: Miscellaneous Service Contracts

Page 1 of 1

Item Number:

Vendor Name (& Location): Medgate, Inc.
Description: All-Agency Enterprise Safety System
Contract Term (including Options, if any):
Option(s) included in Total Amount? <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:

Contract Number: 15127-0100	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Amount: \$3,000,000	
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: BSC/MTA IT/ Wael Hibri/ Sidney Gellineau	
Contract Manager: R. Matela	

DISCUSSION:

To recommend that the Board approve the award of an all-agency, five-year, competitively negotiated, miscellaneous services contract with Medgate to furnish, implement and maintain an MTA-wide Enterprise Safety System (LIRR and MNR in the first implementations, other agencies to follow), that will streamline and automate the tracking of all corporate safety data, including records of all accidents and incidents for employees, contractors, passengers, trespassers and equipment for a period of five (5) years from October 1, 2015 through September 30, 2020 for a not-to-exceed amount of \$3,000,000, including a contingency of \$456,082.

This cloud-based Software-as-a-Service solution includes a Disaster Recovery/Continuity of Business plan and provides details on how the system integrates with existing MTA legacy computing systems. Final acceptance of the delivered product will include installation, configuration and testing of the Enterprise Safety System. This Enterprise Safety System will include but not be limited to the following:

- Introduce an effective method of documenting, cataloging, tracking safety data
- Provide a central repository for storing safety related data
- Generate and fulfill regulatory (FRA, OSHA, NYS, etc.) and compliance reporting requirements
- Efficiently produce required safety data in emergency events
- Track, alert and report on corrective actions needed.

To obtain these services, a Request For Proposal ("RFP") was publicly advertised and letters advising potential proposers of the RFP's availability were issued to a forty (40) firms. Five (5) proposals were received. A Selection Committee, consisting of representatives from the MTA IT, MNR Office of System Safety, Claims & Security, LIRR Safety and Corporate Development, and LIRR Law Department, evaluated the proposals based on the criteria set forth in the RFP. After reviewing the proposals, the Selection Committee recommended that four (4) firms (Medgate, Intalex, Stellar and Industry Safe) be invited to make oral presentations. Upon conclusion of the oral presentations, the Selection Committee determined that Medgate was the most technically qualified to perform these services. MTA has conducted a responsibility review and other due diligence on Medgate, Inc. and has deemed the firm responsible for award.

As a result of negotiations, the original cost of \$3,716,000 proposed by Medgate was reduced to \$2,543,918, a negotiated savings of \$1,172,082 or 31%. There are no prior contracts for this service with which these rates can be compared. Based on the above, the negotiated not-to-exceed amount of \$3,000,000, including a contingency of \$456,082 is deemed fair and reasonable.

The MTA's Department of Diversity and Civil Rights established 15% WBE and 15% MBE goals for this contract.

LIST OF PROCUREMENTS FOR BOARD APPROVAL, SEPTEMBER 2015
PROCUREMENTS FOR RATIFICATION

METROPOLITAN TRANSPORTATION AUTHORITY

Procurements Requiring Two-Thirds Vote:

K. Ratifications of Completed Procurement Actions (Involving Schedules E-J)

(Staff Summaries required for unusually large or complex items which otherwise would require Board approval)

- | | | |
|--------------------------------------|------------------|--------------------------------------|
| 1. CTC, Inc. | \$269,000 | <u>Staff Summary Attached</u> |
| Engineering Assessment of MTA | | |
| Railway-highway Grade | | |
| Contract No. 15128-0100 | | |

Non-competitive

To recommend that the Board ratify the award of a non-competitive, personal services contract to CTC, Inc. to provide an independent multidisciplinary engineering assessment of MTA railway-highway grade crossings for a period of six months from July 10, 2015 through December 31, 2015 for a not-to-exceed amount of \$269,000. To be of value, any such assessments must include all aspects of the roadway approach and the railway-highway interface itself, including those elements owned and maintained by the railroad as well as those elements that are owned and maintained by other entities, as well as related elements such as pedestrian flow and nearby bus stops. Consequently, the consulting firm selected for this work was required to have unique engineering expertise in the fields of both railroad operations and railroad signals, as well as highway traffic engineering. The MTA identified CTC, Inc., a consulting firm headquartered in Ft. Worth, Texas, as uniquely capable of doing this assessment work. In May 2015 CTC, Inc. was engaged to assess five grade crossing in MNR territory (in both New York and Connecticut) for a fixed fee of \$19,998. The subsequent assessment and reports identified engineering and procedures improvements that would enhance safety at MTA railway-highway grade crossings. Due to the need to continue these critical safety assessments in a timely manner, in late July, MTA directed CTC to assess 20 additional crossings. CTC's initial proposal for the additional 20 crossing was \$293,000 which was negotiated down to a not-to-exceed amount of \$269,000, a savings of \$24,000 which is considered fair and reasonable. Concurrently, the MTA will conduct a competitive RFP process for the remainder of the crossings and will present this to the Board for approval.

Staff Summary

Schedule K: Ratification of Completed Procurement Actions (Involving Schedules E-J)

Page 1 of 1

Item Number:

Vendor Name (& Location): CTC, Inc.	Contract Number: 15128-0100	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Description: Engineering Assessment of MTA Railway-highway Grade	Total Amount: \$269,000	
Contract Term (including Options, if any): July 10, 2015 through December 31, 2015	Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Requesting Dept/Div & Dept/Div Head Name: Chief Safety Officer, David Mayer	
Procurement Type: <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	Contract Manager: Scott Mayclim	
Solicitation Type: <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		

DISCUSSION:

To recommend that the Board ratify the award of a non-competitive, personal services contract to CTC, Inc. to provide an independent multidisciplinary engineering assessment of MTA railway-highway grade crossings for a period of six months from July 10, 2015 through December 31, 2015 for a not-to-exceed amount of \$269,000.

On February 3, 2015, a Metro-North train collided with an SUV at the Commerce Street crossing in Valhalla, New York. The accident resulted in six fatalities, demonstrating the importance of safety at grade crossings. The two MTA railroads have a total of 437 crossings, 334 of which are on the Long Island Rail Road (LIRR), and the remaining 103 are on Metro-North Railroad (MNR). Both railroads have very active internal crossing assessment and upgrade programs. These programs result in regular and recurring safety assessments of crossings as well as enhancement projects that are typically coordinated with cognizant roadway authorities. Nonetheless, MTA decided to explore the extent to which a systematic engineering assessment from a safety, signal, and public project perspective of crossings by an expert consulting firm could add value to the railroads' ongoing assessment programs to mitigate or stop these kinds of accidents.

To be of value, any such assessments must include all aspects of the roadway approach and the railway-highway interface itself, including those elements owned and maintained by the railroad as well as those elements that are owned and maintained by other entities, as well as related elements such as pedestrian flow and nearby bus stops. Consequently, the consulting firm selected for this work was required to have unique engineering expertise in the fields of both railroad operations and railroad signals, as well as highway traffic engineering.

The MTA identified CTC, Inc., a consulting firm headquartered in Ft. Worth, Texas, as uniquely capable of doing this assessment work. CTC Inc. has more than 40 years' experience in railroad and traffic signal design, operation, and maintenance. Management and staff are leading signal engineering professionals and provide signal training seminars and presentations on highway-rail grade crossing warning systems throughout the country. CTC's senior management are recognized grade-crossing experts in the U.S., having served on federal committees and working groups that set standards and best practices throughout the country for signalization at grade crossings. Additionally, The firm has conducted extensive network-wide assessments of hundreds of crossings for major railroads. Market research has failed to identify a comparable consulting firm or individual expert(s). Therefore, it was determined that CTC Inc. is the only firm with sufficient in-place resources, experience and specialization to provide the required assessments. MTA has conducted a responsibility review and other due diligence on CTC, Inc. and has deemed the firm responsible for award.

In May 2015 CTC, Inc. was engaged to assess five grade crossing in MNR territory (in both New York and Connecticut) for a fixed fee of \$19,998. The subsequent assessment and reports identified engineering and procedures improvements that would enhance safety at MTA railway-highway grade crossings. Due to the need to continue these critical safety assessments in a timely manner, in late July, MTA directed CTC to assess 20 additional crossings. CTC's initial proposal for the additional 20 crossing was \$293,000 which was negotiated down to a not-to-exceed amount of \$269,000, a savings of \$24,000 which is considered fair and reasonable.

Concurrently, the MTA will conduct a competitive RFP process for the remainder of the crossings and will present this to the Board for approval.

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SEPTEMBER 2015
MTA REAL ESTATE
LIST OF REAL ESTATE ACTION ITEMS FOR BOARD APPROVAL

ACTION ITEMS

MTA NEW YORK CITY TRANSIT

Authorization to proceed with the acquisition of temporary and permanent easements relating to 148th Street Yard, New York

Lease Amendment with Roron Associates, LLC relating to swing room at 2176 Nostrand Avenue, Brooklyn, NY

Lease agreement with the Maple Street School for the Prospect Park Station, Brooklyn, NY

Lease with Mystic Display Co., Inc. for a Automated Fare Collection and Emergency Maintenance Division operations at 33 Williams Street, Brooklyn, NY

MTA METRO-NORTH RAILROAD

License Agreement with RXR HB OWNER LLC for the installation and maintenance of an emergency wireless communication system antenna serving Grand Central train shed and the Park Avenue Tunnel in New York, NY

MTA LONG ISLAND RAIL ROAD

Lease Agreement with Bombardier Transportation, Inc., for the installation of positive train control equipment on Metro-North trains use of LIRR's for Arch Street Shop


Lease agreement with NY Community Financial, LLC for the operation of a check cashing and consumer financial services business at 87-01 / 87-03 Lefferts Boulevard, Richmond Hill, Queens County, N.Y.

METROPOLITAN TRANSPORTATION AUTHORITY

Proposal to approve an additional policy regulating how MTA Real Estate enters into certain agreements

Staff Summary



Subject PROPERTY ACQUISITION
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name ARTURO ESPINOZA

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	09/21/2015	X		
2	Board	09/24/2015	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: MTA New York City Transit ("NYCT")

LOCATION: 700 Esplanade Gardens Plaza (Manhattan block 1744, lot 1) and 2541 Adam C. Cowell Blvd. (Manhattan block 2016 lot 50), collectively referred to as the "Property"

ACTION REQUESTED: Authorization to commence preliminary steps for acquisition of permanent and temporary easements

COMMENTS:

As part of a New York City Transit ("NYCT") flood mitigation project at NYCT's 148th Street Yard (the "Project"), which is part of MTA's overall Sandy Resiliency and Recovery efforts, a new floodwall needs to be constructed on adjacent private property belonging to Esplanade Gardens, Inc. ("Esplanade"), a high rise residential coop complex. Permanent and temporary easements in the Property will be needed to construct and maintain the new wall, which will replace and expand an existing floodwall.

MTA Real Estate will endeavor to acquire the required easements in the Property via negotiation. If a negotiated agreement is not reached, MTA may be compelled to acquire the easements by eminent domain. In that event, we request authorization to begin taking preliminary steps, including holding a public hearing (the findings of which will be subject to Finance Committee and Board approval), to satisfy the requirements of the Eminent Domain Procedure Law in order to preserve MTA's rights and lessen the potential for future delays to the Project. Should a negotiated agreement for the required property rights be reached prior to the filing of condemnation papers with the court, the terms of such agreement will also be presented to the Finance Committee and Board for approval. The property acquisition will be subject to satisfactory completion of any necessary environmental reviews.

Based on the foregoing, MTA Real Estate requests approval to acquire permanent and temporary easements in the Property by negotiated agreement or eminent domain and to adopt the attached Resolution authorizing MTA to commence the proposed acquisition process.

RESOLUTION

WHEREAS, MTA New York City Transit (“NYCT”) is proposing a flood mitigation project at NYCT’s 148th Street Yard in Manhattan that will require construction of a flood wall on adjacent private property (part of Manhattan block 1744 lot 1 and part of Manhattan block 2016 lot 50) (the “Subject Property”);

WHEREAS, NYCT will require temporary easements totaling approximately 11,398 square feet during construction of the flood wall; permanent subsurface easements for the wall foundation and overlapping permanent, non-exclusive access easements for future access to the wall and its foundation for maintenance, repair, and reconstruction, each totaling approximately 10,977 square feet; and permanent easements of approximately 2,944 square feet to accommodate the new floodwall at and above surface level; and

WHEREAS, MTA Real Estate will procure independent appraisals of such temporary and permanent interests in the Subject Property and endeavor to negotiate a voluntary purchase of the easements from the Subject Property’s owner, the terms of which will be subject to approval by the Board, but if negotiations are not successful, Board approval is hereby sought to initiate preliminary actions to acquire the necessary easements by eminent domain.

NOW THEREFORE, BE IT

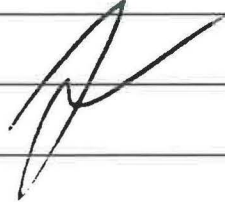
RESOLVED, that pursuant to Section 1267 of the Public Authorities Law, the chief executive officer of the MTA or such staff of the MTA as are designated by the chief executive officer, are authorized to proceed with the acquisition of temporary and permanent easements in the Subject Property, as described above, and to schedule and undertake such preliminary actions as may be required in accordance with the New York Eminent Domain Procedure Law in connection with such acquisition.

Staff Summary



Metropolitan Transportation Authority

Page 1 of 2

Subject LEASE RENEWAL
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name MICHAEL DANIELS

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: New York City Transit Authority ("NYCT")
 LANDLORD: Roron Associates, LLC
 LOCATION: 2176 Nostrand Avenue, Brooklyn, NY
 USE: Swing space for bus operators and dispatchers
 ACTION REQUESTED: Approval of terms
 TERM: 10 years
 SPACE: Approximately 400 square feet – part of second floor
 BASE RENT:

6/7/15 - 6/6/16	\$18,800.00
6/7/16 - 6/6/17	\$19,270.00
6/7/17 - 6/6/18	\$19,751.75
6/7/18 - 6/6/19	\$20,245.54
6/7/19 - 6/6/20	\$20,751.68
6/7/20 - 6/6/21	\$21,270.47
6/7/21 - 6/6/22	\$21,802.23
6/7/22 - 6/6/23	\$22,347.29
6/7/23 - 6/6/24	\$22,905.97
6/7/24 - 6/6/25	\$23,478.62

 TAX ESCALATION: 2014/2015 base year
 ELECTRICITY: Tenant expense via direct meter.
 SERVICES: Tenant responsible for cleaning and rubbish removal. Water and heat included in rent.

Staff Summary

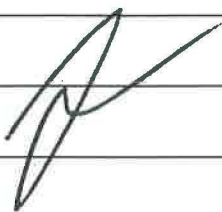
FINANCE COMMITTEE MEETING LEASE RENEWAL (Cont'd)

COMMENTS: NYCT Buses has occupied this space since 2005 and is satisfied with the location. There are no plans to change the bus routes (B11, B41, B44, B103, and Q35) that would impact the location of the swing space. Approximately 125 operators and dispatchers utilize this location 7 days per week. A space search found no suitable alternative spaces available at a lower rent.

Based on the foregoing, MTA Real Estate requests authorization to enter into a lease amendment on the above-described terms and conditions.

Staff Summary



Subject LEASE AGREEMENT
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name LEAH BASSKNIGHT

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: MTA New York City Transit ("NYCT")
 LESSEE: The Maple Street School
 LOCATION: Prospect Park Station, Brighton Line, Brooklyn (19-21 Lincoln Road)
 ACTIVITY: Operation of a preschool
 ACTION REQUESTED: Approval of terms
 TERM: 10 years
 SPACE: Approximately 3,500 square feet on two levels at and below street level located within the Prospect Park Station head house of the Brighton Line.

COMPENSATION:

Year	Annual	Monthly	% Increase	\$PSF
1	\$72,000.00	\$6,000.00	3.00%	\$20.57
2	\$74,160.00	\$6,180.00	3.00%	\$21.19
3	\$76,385.00	\$6,365.42	3.00%	\$21.82
4	\$78,677.00	\$6,556.42	3.00%	\$22.48
5	\$81,037.00	\$6,753.08	3.00%	\$23.15
6	\$83,468.00	\$6,955.67	3.00%	\$23.85
7	\$85,972.00	\$7,164.33	3.00%	\$24.56
8	\$88,551.00	\$7,379.25	3.00%	\$25.30
9	\$91,208.00	\$7,600.67	3.00%	\$26.06
10	\$93,945.00	\$7,828.75	3.00%	\$26.84

COMMENTS:

This space is currently occupied by the Maple Street School, a private preschool licensed by the State of New York, pursuant to a 15-year agreement that expires at the end of 2015. In accordance with MTA Real Estate

Staff Summary

FINANCE COMMITTEE MEETING **The Maple Street School (Cont'd)**

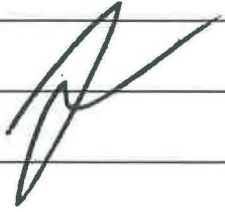
Page 2 of 2

procedure, a request for proposals (“RFP”) was issued for the space for retail, office, or educational uses. The Maple Street School was the sole bidder in response to the RFP, proposing a first year annual rent of \$72,000 with annual increases of 3%, an amount in line with the market value as estimated by MTA Real Estate’s independent consultant.

Under its current agreement, Maple Street School completed a significant renovation of the space, and has honored all of its lease obligations. The school is financially capable of paying the proposed rent and required renovations out of operating expenses and has a significant reserve fund.




Based on the foregoing, MTA Real Estate requests authorization to enter into a lease with the Maple Street School on the terms and conditions described above.

Staff Summary

Subject Lease Agreement
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name Andrew D. Greenberg

Date September 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: New York City Transit ("NYCT")

LANDLORD: Mystic Display Co., Inc. (David and Barry Censi, principals)

LOCATION: 33 Williams Place, Brooklyn, New York, Block/Lots 1577/1,7,56,58

ACTIVITY: New lease for warehouse, parking, shop and offices for NYCT Automated Fare Collection ("AFC") and Electronic Maintenance Division ("EMD")

ACTION REQUESTED: Approval of terms

LEASED PREMISES: Entire building (approximately 32,195 sq. ft.) and approximately 19,203 sq. ft. of paved land

LANDLORD WORK: Landlord to provide a turn-key installation encompassing required "tenant improvements" as well as improvements to base building, based on final construction and engineering drawings to be prepared by Landlord at Landlord's cost and approved by NYCT. Tenant to reimburse Landlord monthly for the paid and documented costs of Landlord's work (which will be competitively bid out).

POSSESSION/RENT COMMENCEMENT: Upon substantial completion of Landlord's work.

INITIAL TERM: Ten years from possession.

RENEWAL TERM: One 5-year Tenant renewal option exercisable by 12 months advance written notice.

ANNUAL BASE RENT:

Year	Building		Land	
	Annual	\$/SF	Annual	\$/SF
1	\$ 643,900.00	\$ 20.00	\$ 124,819.50	\$ 6.50
2	\$ 663,217.00	\$ 20.60	\$ 128,564.09	\$ 6.70
3	\$ 683,113.51	\$ 21.22	\$ 132,421.01	\$ 6.90
4	\$ 703,606.92	\$ 21.85	\$ 136,393.64	\$ 7.10
5	\$ 724,715.12	\$ 22.51	\$ 140,485.45	\$ 7.32
6	\$ 812,778.28	\$ 25.25	\$ 157,556.42	\$ 8.20
7	\$ 837,161.62	\$ 26.00	\$ 162,283.11	\$ 8.45
8	\$ 862,276.47	\$ 26.78	\$ 167,151.60	\$ 8.70
9	\$ 888,144.77	\$ 27.59	\$ 172,133.15	\$ 8.96

Staff Summary

FINANCE COMMITTEE MEETING

Lease agreement (Cont'd)

Page 2 of 3

10 \$ 914,789.11 \$ 28.41 \$ 177,331.14 \$ 9.23

Renewal option

Year	Annual	\$/SF	Annual	\$/SF
1	\$ 1,021,818.82	\$ 31.74	\$ 198,078.76	\$ 10.31
2	\$ 1,052,473.39	\$ 32.69	\$ 204,021.12	\$ 10.62
3	\$ 1,084,047.59	\$ 33.67	\$ 210,141.76	\$ 10.94
4	\$ 1,116,569.02	\$ 34.68	\$ 216,446.01	\$ 11.27
5	\$ 1,150,066.09	\$ 35.72	\$ 222,939.39	\$ 11.61

REAL PROPERTY TAX: Tenant responsible for 100% of any real estate taxes billed to tax lot and will assert its tax exempt status.

OPERATING EXPENSE ESCALATION: None

UTILITIES: Electricity and gas billed directly from public utility.

SERVICES: With exception of cleaning, rubbish removal and graffiti removal, Landlord at Tenant's option must provide all services, but must only charge Tenant actual cost, without markup.

MAINTENANCE & REPAIR: Landlord responsible for all required exterior and structural repairs, including roof repairs.

SECURITY DEPOSIT: None

COMMENTS:

MTA Real Estate has been working with NYCT to identify suitable facilities to satisfy the respective space requirements of EMD and AFC. EMD requires approximately 11,000 square feet to accommodate relocation from 58 2nd Avenue, Brooklyn and additional storage space to support the growth in its Telecommunications Unit due to large volume of major capital project work and related new equipment being introduced into the transit system. AFC requires approximately 33,000 square feet, plus parking for NYCT vehicles for approximately 15 vehicles (including 4 large trucks and 11 vans), to replace and consolidate existing operations that are currently located in leased space at 58 2nd Ave. Brooklyn (which was heavily damaged by Hurricane Sandy, and under the lease for which NYCT has termination options), the mezzanine at the 7th Avenue end of the 8th Avenue Station of the N line in Sunset Park, Brooklyn (which is slated for rehabilitation), the subway station mezzanine at 5th Avenue and 42nd Street (a portion of which is currently utilized for repairs to large, 300 to 500lb revenue safes that currently need to be carried up flights of stairs following their repair or refurbishment, and which will be better utilized as a reporting location for safe inspectors) and 70-10 74th Street, Middle Village, Queens (where AFC has an existing machine shop that is overcrowded, lacks adequate ventilation for machine shop purposes, is distant from public transportation and would be better utilized for storage and fabrication of EMD telecommunications equipment). NYCT stands to realize significant efficiencies by consolidating these operations at a single location.

Due to current real estate market conditions in LIC the Bronx and Brooklyn, MTA Real Estate's brokers at Cushman & Wakefield, Inc. and JRT Realty Group have had difficulty identifying suitable industrial facilities combining sufficient vehicle parking with sufficient proximity to public transportation. However, the brokers did identify two such facilities – the subject property at 33 Williams Place and 4312 2nd Avenue in Sunset Park Brooklyn, a multi-story industrial building with available space comprising 43,300 rentable square feet (this is a multi-story multi tenanted building and landlord has added a loss factor commensurate with market conditions) and sufficient indoor and outdoor parking capacity to meet NYCT's needs. Both are similarly priced per square foot, but due to the unique configuration of 33 Williams Place, (which has no "loss factor", typical of single story single tenant industrial properties) and features unusually high ceilings, existing offices, usable existing electrical infrastructure, outdoor parking and efficiencies of shared resources including locker rooms (which could not be the case at 4312 2nd Avenue due to the space being four separate units on the same floor that must all be leased), it clearly offers superior overall economics. NYCT estimates that the cost for alterations of raw space for this requirement would be approximately \$117 per square foot. Due to existing infrastructure and shared resources,

Staff Summary

FINANCE COMMITTEE MEETING Lease agreement (Cont'd.)

once fully bid out, it is expected that the cost for the alterations and improvements at 33 Williams Place will be significantly lower.




Based on the foregoing, MTA Real Estate requests authorization to enter into a lease with Mystic Display Co., Inc. on the above-described terms and conditions.

Staff Summary

Subject LICENSE AGREEMENT
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name ALICIA BIGGS

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: MTA Metro-North Railroad ("Metro-North")

LICENSOR: RXR HB OWNER LLC

LOCATION: Metro-North's emergency exit door that leads from the platform level of Grand Central Terminal to the Helmsley East passageway and the Helmsley West passageway at 230 Park Avenue.

ACTIVITY: Installation and maintenance of an emergency wireless communication system ("CCN") to serve Grand Central Terminal ("GCT") and the Park Avenue Tunnel.

ACTION REQUESTED: Approval of terms

TERM: To commence upon execution of the agreement and expire on January 1, 2040

COMPENSATION: None

COMMENTS:

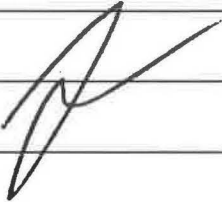
New York City Fire Department ("FDNY") requirements for fire, emergency rescue and emergency medical service ("EMS") operations necessitate enhancements to the on-going Metro-North project for installation of a wireless communications system serving the GCT train shed and the Park Avenue Tunnels, known as the Congruent Communications Network ("CCN"). These enhancements will ensure adequate radio coverage for the fire ground communications and emergency command operations throughout the GCT train shed, the Park Avenue Tunnel and the streets above, including the fire exits leading to the street level. As authorized by the Board on April 26, 2010, Metro-North signed a memorandum of understanding with the FDNY (effective January 20, 2010 to January 1, 2040) that relates to the CCN installation.

Metro-North has identified the emergency exit doors that lead from the station platform to the Helmsley East passageway and the Helmsley West passageway, located at 230 Park Avenue, as essential locations for the installation of the subject antennas. Metro-North does not have pre-existing rights to install such antennas, but RXR HB OWNER LLC has agreed to grant Metro-North a license agreement, at no cost, to install, maintain, inspect and repair the antenna.

FDNY will be responsible for the costs and expenses related to the design and installation, while Metro-North will be responsible for ongoing maintenance.


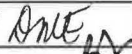

Based on the foregoing, MTA Real Estate requests authorization to enter into a license agreement with RXR HB OWNER LLC on the above-described terms and conditions.

Staff Summary

Subject LICENSE AGREEMENT
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name JOHN COYNE

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: MTA, acting through MTA Long Island Rail Road ("LIRR") and MTA Metro-North Railroad ("Metro-North")

LICENSEE: Bombardier Mass Transit Corporation ("Bombardier")

LOCATION: LIRR Arch Street Maintenance Shop Facility, 21-16 Jackson Ave, Long Island City, Queens, New York (the "Arch Street Shop")

ACTIVITY: Installation of positive train control on-board equipment and other work on M-7 cars owned by MTA Metro-North Railroad ("Metro-North"), pursuant to a contract between Metro-North and Bombardier

ACTION REQUESTED: Approval of terms

TERM: 26 months (October 1, 2015 – December 31, 2017, approximately)

SPACE: Approximately 12 acres (522,720 square feet)

COMPENSATION: \$1 payment waived

COMMENTS:

Metro-North intends to enter into a contract with Bombardier for the installation of positive train control on-board equipment on up to 334 Metro-North M-7 rail cars (the "PTC O-B Work"). The PTC O-B Work is critical to enabling Metro-North to use positive train control on its system and comply with the positive train control mandate imposed by Congress in the Rail Safety Improvement Act of 2008.

The PTC O-B work requires use of a specialized rail facility. Metro-North does not have capacity in its shops for this work. The Arch Street Shop, however, is equipped to accommodate this work. LIRR and Metro-North have worked cooperatively to provide for the licensing of the Arch Street Shop to Bombardier to facilitate the PTC-OB Work, as the shop is not currently required by LIRR for car maintenance.

Execution of this license will be contingent upon Metro-North entering into a contract for the PTC O-B work with Bombardier. Such contract is being brought before the Metro-North Committee and the MTA Board this month for approval. Subject to MTA Board approval, the PTC O-B Work is expected to commence on or about October 1, 2015,

Staff Summary

FINANCE COMMITTEE MEETING

Bombardier Transportation, Inc (Cont'd.)



Metropolitan Transportation Authority

Page 2 of 2

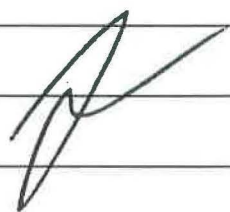
and be completed, by or before December 31, 2017. Bombardier will require the Arch Street Shop for this entire duration, provided that there will be provisions in the license allowing part of the facility to be used for acceptance of M-9 cars, as may be necessary.

The savings to Metro-North associated with providing the Arch Street Shop rent-free will be realized in a lower contract price with Bombardier. Incremental costs of utilities and facility operation and maintenance will be covered by the PTC O-B project.

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




Staff Summary



Subject LEASE AGREEMENT
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name ROBERT GOLDBERG

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: MTA Long Island Rail Road ("LIRR")
 LESSEE: NY Community Financial, LLC ("Community Financial")
 LOCATION: 87-01 / 87-03 Lefferts Boulevard, Richmond Hill, Queens County, N.Y.
 ACTIVITY: Operation of a check cashing and consumer financial services business
 ACTION REQUESTED: Approval of terms
 TERM: 10 Years
 SPACE: Approximately 2,356 square feet
 RENT:

<u>Year</u>	<u>Annual</u>	<u>Monthly</u>	<u>% Increase</u>	<u>Per sq. ft.</u>
1	\$24,000.00	\$2,000.00		\$10.19
2	\$24,720.00	\$2,060.00	3%	\$10.49
3	\$25,461.60	\$2,121.80	3%	\$10.81
4	\$26,215.45	\$2,184.62	3%	\$11.13
5	\$27,001.91	\$2,250.16	3%	\$11.46
6	\$28,000.00	\$2,333.33	3%	\$11.88
7	\$28,840.00	\$2,403.33	3%	\$12.24
8	\$29,705.20	\$2,475.43	3%	\$12.61
9	\$30,596.35	\$2,549.70	3%	\$12.99
10	\$31,614.24	\$2,634.52	3%	\$13.42

COMMENTS:

In response to a recent request for proposals for a 10-year lease of the above-described property, MTA Real Estate received two proposals. Community Financial submitted a proposal with a present value of \$173,428.38 (calculated using a discount rate of 9%). The other proposal was submitted by Shahid Haroon, who offered a proposal with a present value of \$172,926.44 for the operation of a convenience store and food use. Both of the proposals approximate the fair market value of the property, as estimated by MTA Real Estate's

Staff Summary

FINANCE COMMITTEE MEETING Lease Agreement (Cont'd.)

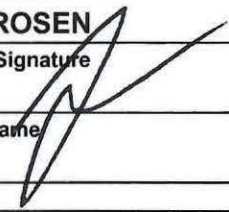
independent consultant. While the financial proposals are similar, Real Estate recommends Community Financial's proposal as the plan review and build-out will be significantly less extensive and time consuming than for the uses proposed by Shahid Haroon. Additionally, Community Financial will be relocating its already established business from a smaller location across the street, and therefore should present minimal business risk.

Community will improve the retail stores and be responsible for the operation and maintenance of the site, at its sole cost and expense. Community has the financial resources to perform the improvement work to the property and pay the rent offered. Performance of lessee's obligations will be personally guaranteed by Thomas Musial, President of Community Financial.

Based on the forgoing, MTA Real Estate requests authorization to enter into a lease agreement with Community Financial on the above-described terms and conditions.

Staff Summary



Subject
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name

Date SEPTEMBER 21, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	9/21/15	X		
2	Board	9/24/15	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 		
2	Chief Financial Officer 		

AGENCY: All-agency

PURPOSE: To obtain Board approval of a new policy to regulate the process MTA Real Estate ("MTARE") follows to enter into certain agreements as set forth below and in the attached resolution

COMMENTS:

In an effort to streamline and expedite the process by which MTA Real Estate ("MTARE") enters into real estate agreements, the MTA Board has approved a number of policies and procedures permitting agreements with third parties without prior Board approval.

MTARE is hereby proposing to add a new policy, as described below. Board approval of this policy will permit MTARE to execute certain transactions under circumstances where the compensation (including reimbursement of cost) to be paid by the MTA is under \$15,000.

More specifically, MTARE requests Board authorization to:

License, lease or acquire property rights, without prior Board approval, in support of MTA capital projects or ongoing operations when it is reasonably estimated that MTA's aggregate obligation to pay compensation or reimbursement to the licensor or grantor will be less than \$15,000 (on a present value basis) over the term.

Prior to the execution of any such agreement, (i) it will be approved by the MTA Legal Department and (ii) MTA will comply with the applicable requirements of the State Environmental Quality Review Act (SEQRA).

The policy also requires MTARE to notify the Board of the terms of the agreement subsequent to the execution of the agreement.

RESOLUTION
BOARD OF THE
METROPOLITAN TRANSPORTATION AUTHORITY


WHEREAS, the Real Estate Department (“RED”) of the Metropolitan Transportation Authority (“MTA”) is tasked with acquiring various real property rights and entering into leases, licenses, permits and other like agreements on behalf of itself and its operating agencies, and

WHEREAS, RED seeks to enter into such agreements as efficiently as possible while keeping the MTA Board apprised of its activities, and has therefore requested that the Board approve a new policy that will permit RED to execute certain transactions quickly under circumstances in which the estimated compensation and reimbursement costs are low:

NOW THEREFORE, BE IT RESOLVED that the Board of MTA hereby authorizes the MTA Director of Real Estate to negotiate and enter into agreements with third parties on behalf of MTA and its agencies for the acquisition of property rights through lease, license or other form of acquisition without prior Board approval, subject to the following conditions :

1. Such acquisition shall be in support of MTA capital projects or ongoing operations.
2. It shall be reasonably estimated that MTA’s aggregate obligation to pay compensation or cost reimbursement to the licensor or grantor shall be less than \$15,000 (on a present value basis) or more over the term.
3. Prior to the execution of any such agreement, (i) it will be approved by the MTA Legal Department and (ii) MTA will comply with the applicable requirements of the State Environmental Quality Review Act (SEQRA).
4. RED will notify the Board of the terms of the agreement subsequent to the execution of the agreement.

Staff Summary

Subject Design and Construction Services for 200 East 63rd Street (Block 1417, Lot 45)
Department Second Avenue Subway Project
Department Head Name Anil Parikh
Department Head Signature 
Program Manager / Project Manager Name Tim Gianfrancesco/Manan Garg

Date September 1, 2015
Vendor Name 202 Company, L.L.C.
Contract Number N/A
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	NYCT Committee	9/21/15			
2	MTA Board	9/24/15			

Internal Approvals			
Order	Approval	Order	Approval
		3	President <i>AD for M-FH</i>
<i>1 for</i>	Sr. Vice President & General Counsel	2	Executive Vice President & Chief Financial Officer <i>AD</i>

BACKGROUND:

Under Second Avenue Subway Contract C-26006, MTACC will construct a new entrance for the 63rd Street/Lexington Avenue Station. A portion of that entrance is located on the ground level of an existing building at 200 East 63rd Street, which is owned by 202 Company. As part of its work at this location, MTA will relocate the building's utilities that are within the planned entrance space, demolish a portion of the building's structure, and install a new foundation to support both the entrance and the building.

Under the Agreement between MTACC and 202 Company, MTACC agreed to reimburse the owner for the consultant fees it incurs in reviewing the entrance designs and inspecting entrance construction. The Agreement capped MTACC's obligation to reimburse the owner's consultant fees at \$250,000. But it also acknowledged that the \$250,000 was an estimate and that there may be additional design and construction phase support services needed for design changes, additional inspections, and other unanticipated contingencies. At the time the Agreement was executed, the anticipated completion date of entrance construction was May, 2014. The revised completion date is December 2015.

PURPOSE:

To seek MTA Board authorization to increase the cap from \$250,000 to \$465,000 for reimbursing 202 Company's consultant fees, which is necessary to accommodate the construction of entrance for the 63rd Street/Lexington Avenue Station of the SAS Project.

DISCUSSION:

As part of the project, SAS will be building an entrance at 200 East 63rd Street (Block 1417, Lot 45). There are utilities, equipment and other building services servicing the Building within the areas covered by the easements that may unreasonably interfere with the MTA's use of the easements. MTACC has agreed to perform work relocating utilities, equipment and other building services servicing the building and associated surveys and investigations necessary to develop the Approved Plans at the building and the property as is necessary to enable the MTA to use the easement areas.

The \$250,000 estimate for consultant expenses in the Agreement was based on MTACC estimates for consultant time needed to review entrance design and construction documents, perform construction support services on behalf of the owner, and perform weekly site inspections for the duration of construction – which was estimated to be 35 weeks. Due to design changes, delays in obtaining building access, and unforeseen complications in building utility relocation work, utility shut downs for gas, water etc. and structural/foundation work, the entrance's completion date extended from May 2014 to December 2015.

ALTERNATIVES:

There is no alternative. Cooperation from the owner is required to progress the entrance construction.

FUNDING IMPACT:


The work will be funded from the MTA's 2005-2009 Capital Plan.

RECOMMENDATIONS:

MTACC requires owner's continued cooperation in closing out DOB permits related to entrance construction, obtaining access throughout the building, and reviewing construction documents for the intercom/security system, among other things. The owner has designated its consultant to provide many of these services on its behalf. If the owner is not assured that its additional consultant fees will be paid, it will not provide the cooperation MTACC needs. At this time, the parties have reached the \$250,000 cap. If the cap is not increased soon, entrance construction will be delayed.





MTACC recommends that the Board authorizes additional funds for 202 Company L.L.C, owner of the building located at 200 East 63rd Street; to proceed with design and construction for alterations needed to accommodate the entrance at 63rd Street/Lexington Avenue Station of the Second Avenue Subway for a not-to-exceed amount of \$215,000.

Staff Summary

Subject Extension of On The Go Travel Station Kiosk License Agreements
Department Corporate Communications
Department Head Name Paul Fleuranges
Department Head Signature 
Project Manager Name Tom Morgan

Date September 16, 2015
Vendor Name OutFront Media Company & Control Group, Inc.
Contract Number N/A
Contract Manager Name N/A
Table of Contents Ref # N/A

Board Action					
Order	To	Date	Approval	Info	Other
1	NYC Transit Committee	7/20/2015	X		
2	MTA Finance Committee	7/20/2015	X		
3	MTA Board	7/22/2015	X		

Internal Approvals			
Order	Approval	Order	Approval
4	President 	1	Law 
3	Executive VP 		
2	Subway 		

MTA NYC Transit is seeking MTA Board approval to extend the current On The Go Travel Station Kiosk licensing agreements for a period of 12 months, from December 31, 2015 to December 31, 2016, and to expand the total number of kiosks permitted to be installed as part of the pilot to 325 units from the current 145 units.

In 2013, the MTA Board approved of a pilot program to install On The Go Travel Station kiosks and authorized MTA NYC Transit to enter into license agreements with each of CBS Outdoor ("CBS") and Control Group, Inc. ("Control Group"), under which those firms would purchase and install On The Go Travel Station kiosks (the "Kiosks") in specified locations in designated subway stations. The licensees are responsible for the cost of Kiosks, including the development of the customer interface and the customization of the transit applications. Until a licensee's capital investment has been fully recouped from gross receipts, the licensee retains 90% of gross receipts and pays 10% of gross receipts to MTA NYC Transit. Once the cumulative gross receipts retained by a licensee is equal to the licensee's capital investment, plus an interest factor representing the cost of capital, the licensee thereafter retains 35% of gross receipts and pays 65% to MTA NYC Transit. The licensees take the risk that the advertising gross revenues will be sufficient to pay them back their capital investments related to the Kiosks during the term of the pilot licenses (In connection with the new Kiosks, the licensees assume the investment recapture risk provided that MTA NYC Transit installs the new Kiosks in accordance with an agreed upon schedule). Title to the Kiosks transfers to MTA NYC Transit upon installation and acceptance. The current CBS and Control Group license agreements expire on December 31, 2015.

To date, CBS (now OutFront Media) has installed 52 Kiosks in 15 stations and Control Group has installed 93 Kiosks in 15 stations. Combined, these Kiosks reach more than 1.5 million average weekday riders in Brooklyn, The Bronx and Manhattan, providing bus and subway arrival information, elevator and escalator status, subway maps, service alerts and status information. Customer feedback has been favorable and the platform has won numerous awards for its innovative approach to incorporating wayfinding and other transit information in an interactive, digital signage format. MTA NYC Transit installs and maintains the network of kiosks, working with each partner to correct any software or hardware issue in addition to assisting with platform upgrades.

Control Group and OutFront have each requested that its agreement be modified to expand the number of Kiosks permitted by 90 units (to a total of 183 units for Control Group and 142 units for OutFront), and to extend each license termination date to December 31, 2016. The other terms and conditions of the pilot license agreements will remain in full force and effect.

As part of the pilot extension and expansion, Control Group, OutFront Media and NYC Transit would work together to identify installation sites that would ultimately maintain current Kiosk fleet distribution ratios; prioritize installation sites where Transit Wireless has completed its installation work and wireless connectivity is available, and; refine the customer interface platform, add new features and explore the use of new interactive technologies.

The Board is hereby requested to approve the extension and expansion of the OutFront Media and Control Group license agreements as described in this Staff Summary.

Approval: _____








Jim Ferrara
Interim President

Report

PROCUREMENTS

The Procurement Agenda this month includes 21 actions for a proposed expenditure of \$987.7M.

Subject	Request for Authorization to Award Various Procurements				
Department	Materiel Division – NYCT				
Department Head Name	Stephen M. Plochochi				
Department Head Signature					
Project Manager Name	Rose Davis				
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	9/21/15			
2	Board	9/24/15			

September 14, 2015			
Department Law and Procurement – MTACC			
Department Head Name Evan Eisland			
Department Head Signature 			
Internal Approvals			
	Approval		Approval
	President NYCT		President MTACC
	Executive VP		President MTA Bus
X	Capital Prog. Management	X	Subways
	Law	X	Diversity/Civil Rights

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

PURPOSE:

To obtain approval of the Board to award various contracts and purchase orders, and to inform the NYC Transit Committee of these procurement actions.

DISCUSSION:

NYC Transit proposes to award Non-Competitive procurements in the following categories: None

MTA Capital Construction proposes to award Non-Competitive procurements in the following categories: None

MTA Bus Company proposes to award Non-Competitive procurements in the following categories: None

NYC Transit proposes to award Competitive procurements in the following categories:

<u>Procurements Requiring Two-Thirds Vote:</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule C:	Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	1	\$ 728.5 M
<u>Schedules Requiring Majority Vote:</u>			
Schedule E:	Miscellaneous Procurement Contracts	2	\$ 107.2 M
Schedule F:	Personal Service Contracts	11	\$ 130.0 M
Schedule G:	Miscellaneous Service Contracts	1	\$ 0.1 M
Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	1	\$ 2.2 M
Schedule J:	Modifications Miscellaneous Procurement Contracts	1	\$ 9.0 M
SUBTOTAL		17	\$ 977.0 M

MTA Capital Construction proposes to award Competitive procurements in the following categories: None

MTA Bus Company proposes to award Competitive procurements in the following categories: None

MTA Bus Company proposes to award Ratifications in the following categories: None

NYC Transit proposes to award Ratifications in the following categories:

Schedules Requiring Two-Thirds Vote:

Schedule D:	Ratification of Completed Procurement Actions	1	\$ 6.9 M
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Schedules Requiring Majority Vote:

Schedule K:	Ratification of Completed Procurement Actions	2	\$ 2.2 M
SUBTOTAL		3	\$ 9.1 M

MTA Capital Construction proposes to award Ratifications in the following categories:

Schedules Requiring Majority Vote:

Schedule K:	Ratification of Completed Procurement Actions	1	\$ 1.6 M
SUBTOTAL		1	\$ 1.6 M
TOTAL		21	\$ 987.7 M

COMPETITIVE BIDDING REQUIREMENTS: The procurement actions in Schedules A, B, C and D are subject to the competitive bidding requirements of PAL 1209 or 1265-a relating to contracts for the purchase of goods or public work. Procurement actions in the remaining Schedules are not subject to these requirements.

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

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

BOARD RESOLUTION

WHEREAS, in accordance with Section 1265-a and 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 service and miscellaneous procurement contracts, certain change orders to purchase, public work, and miscellaneous service and miscellaneous procurement contracts, and certain budget adjustments to estimated quantity 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 annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.

2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals, and authorizes the solicitation of such proposals.

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

4. As to each action set forth in Schedule D, the Board declares competitive bidding impractical or inappropriate for the reasons specified therein, and ratifies each action for which ratification is requested.

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

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

7. The Board authorizes the budget adjustments to estimated contracts set forth in Schedule L.

SEPTEMBER 2015

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

C. Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)
(Staff Summaries required for items requiring Board approval.)

- | | | |
|--|-----------------------------|--------------------------------------|
| 1. Express Scripts, Inc.
Six Proposals/Low Proposer – Three years, with a one-year option
RFQ# 72803
Pharmacy Benefits Manager services. | \$728,490,000 (Est.) | <u>Staff Summary Attached</u> |
|--|-----------------------------|--------------------------------------|

Procurements Requiring Majority Vote:

E. Miscellaneous Procurement Contracts
(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M Competitive.)

- | | | |
|--|-----------------------------|---|
| 2. FleetCor Technologies Operating Company, LLC | \$107,244,044 (Est.) | <u>Staff Summary Attached</u>
↓ |
| 3. WEX Bank
Four Bids/Low Bidder – Five-year contracts
RFP# 89099
Fuel card program. | | ↓ |

F. Personal Service Contracts
(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M Competitive.)

- | | | |
|---|---------------------------------------|---|
| 4. Battelle Memorial Institute | \$30 Million (Est. Aggregate) | <u>Staff Summary Attached</u>
↓ |
| 5. Rail Safety Consulting | | ↓ |
| 6. Systra Engineering
Seven Proposals – Five-year contracts
Contract #s CM-1541 - CM-1543
Indefinite Quantity consultant service contracts to provide Independent Safety Assessor services for new technology as well as relay-based (conventional) signal and train control systems. | | ↓ |
| 7. AECOM USA, Inc. | \$100 Million (Est. Aggregate) | <u>Staff Summary Attached</u>
↓ |
| 8. Fay, Spofford Thorndike of New York, Inc. | | ↓ |
| 9. Henningson Durham & Richardson
Architecture and Engineering, P.C. | | ↓ |
| 10. HNTB New York Engineering and Architecture PC | | ↓ |
| 11. Jacobs Civil Consultants, Inc. | | ↓ |
| 12. Parsons Brinckerhoff, Inc. | | ↓ |
| 13. Parsons Transportation Group of New York, Inc. | | ↓ |
| 14. Urbahn Architects PLLC
Fourteen Proposals – Five-year contracts
Contract #s CM-1544 - CM-1551
Indefinite Quantity consultant service contracts to provide architectural/engineering design services for miscellaneous MTA-funded construction projects. | | ↓ |

SEPTEMBER 2015

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote Cont'd:

G. Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M RFP; No Staff Summary required if sealed bid procurement.)

15. Service Connection, Inc. \$140,150 (Est.)

Two Bids/Low Bidder - Five-year contract

RFQ# 102417

Remedial maintenance of a Shinohara 5-color printing press.

H. Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services

(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.)

16. Xerox State & Local Solutions, Inc. \$2,155,991 (Est.)
Contract# 08H9963.2

Staff Summary Attached

Modification to the contract to administer the EasyPay MetroCard Program, in order to exercise the option to extend the contract by 21 months.

J. Modification to Miscellaneous Procurement Contracts

(Staff Summaries required for individual change orders greater than \$250K. Approval without Staff Summary required for change orders greater than 15% of the adjusted contract amount which are also at least \$50K.)




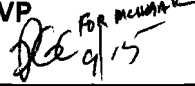
17. The Goodyear Tire & Rubber Company \$9,000,000 (Est.)
Contract# 07E9693.7

Staff Summary Attached

Modification to the contract for the furnishing, leasing and servicing of radial tires and wheels, in order to extend the contract term by six months.

Staff Summary

Page 1 of 3

Item Number 1			
Division & Division Head Name: VP Materiel, Stephen M. Plochochi			
			
Internal Approvals			
Order	Approval	Date	Approval
1	Materiel 	6	President 
2 X	Law	7	
3 X	Human Resources	8	
4 X	Operating Budget	9	
5	EVP  FOR MEMORANDUM 9/15	10	

SUMMARY INFORMATION	
Vendor Name	Contract No.
Express Scripts, Inc.	RFQ 72803
Description Pharmacy Benefits Manager (PBM)	
Total Amount \$728,490,000 (Estimated)	
Contract Term (including Options, if any) Three years, with a one-year option	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input checked="" type="checkbox"/> Yes <input 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:	

PURPOSE:

To obtain approval from the Board to award a three year competitively negotiated contract to Express Scripts, Inc. to provide pharmacy benefits management services in the estimated amount of \$728,490,000. The contract includes an option to extend for one additional year; exercise of the option is subject to separate Board approval.

DISCUSSION:

Pursuant to Section 1209.9(f) of the Public Authorities Law, an Authorizing Resolution to utilize the Request for Proposal (RFP) process to provide pharmacy benefits management services was approved by the Board in January 2014.

As part of their collective bargaining agreements, the Transport Workers Union (TWU), Local 100 and Local 106, Amalgamated Transit Union (ATU), Local 726 and Local 1056, Subway Surface Supervisors Association, and MTA Bus Company and Staten Island Railway represented employees are entitled to receive pharmacy benefits. In addition NYC Transit non-represented operating employees receive the same pharmacy benefits.

Pharmacy Benefits Managers are third party administrators of prescription drug programs and are primarily responsible for processing and paying prescription drug claims. The Pharmacy Benefits Manager is also responsible for developing and maintaining the formulary (list of prescription medications that a drug plan will pay for), contracting with pharmacies, and negotiating discounts and rebates with drug manufacturers. Due to their large purchasing pool for prescription drugs, Pharmacy Benefits Managers are well positioned to negotiate rebates and discounts on behalf of their clients. Approximately 149,000 plan members (employees, retirees and their dependents) are covered under this prescription drug program.

The contract consists of two plans. The Commercial plan serves primarily members who are not eligible for Medicare. The Employer Group Waiver Plan (EGWP) serves exclusively Medicare eligible members and takes advantage of financial incentives for employers related to the Affordable Care Act.

The Request for Proposal was advertised in November 2014. NYC Transit was assisted by Aon Hewitt Consulting (Aon) and Segal Consulting (Segal). These firms were selected as consultants through a competitive procurement approved by the Board based on their expertise in health benefits, cost modeling and understanding of union relationships. Aon prepared certain RFP

documents, assisted with negotiations, provided financial modeling and provided other support services. Outreach to the PBM community was performed in conjunction with Aon. Segal, in coordination with Aon, performed an analysis of disruption to plan members under each proposal due to: (1) changes in co-pays associated with differences in formularies; and (2) members' geographic proximity to network pharmacies.

The RFP requested proposers to provide separate pricing for the Commercial plan, the EGWP plan and for the Commercial and EGWP combined plans. On February 6, 2015, six proposals were received from Aetna, Catamaran, Inc. (Catamaran), CVS Health (formerly known as CVS Caremark), Express Scripts, Inc. (ESI), OptumRx, Inc. (OptumRx), the incumbent, and WellDyneRx. Proposals were evaluated by the Selection Committee in accordance with the evaluation criteria in the RFP which included such technical criteria as: experience and stability of the proposer's organization; experience and expertise in maintaining a large network of retail pharmacies, mail order program and specialty pharmacy program; ability to match the currently utilized pharmacies; ability to replicate and enhance the existing plan design; administrative reporting capabilities; ability to provide credible geographical network access; ability to match the current formulary utilization; strength of implementation plan; customer service capabilities; and clinical programs. The evaluation criteria also included price and other relevant matters.

The Selection Committee recommended that Aetna, Catamaran, CVS Health, ESI and OptumRx be invited for oral presentations based on their technical proposals. WellDyneRx was eliminated, in part based on its lack of experience with large clients, inability to provide credible geographical network access and limited capacity to service mail order prescriptions.

Following oral presentations, the Selection Committee, in accordance with the evaluation criteria in the RFP, voted to invite Catamaran, CVS Health, ESI, and OptumRx for negotiations. The Selection Committee evaluated Aetna's proposal and recommended that it be eliminated from further consideration because Aetna's proposal was not considered to be in the competitive range from both technical and pricing perspectives.

Negotiations with the remaining proposers focused on pricing and contractual terms and conditions. During the course of the RFP, NYC Transit became aware that OptumRx planned to acquire Catamaran. It was believed at that time that the final selection would be completed prior to finalization of the acquisition. However, prior to receipt of BAFOs, OptumRx completed its acquisition of Catamaran. The three remaining proposers submitted their BAFOs on August 24, 2015. BAFOs contained detailed pricing including guaranteed discounts, guaranteed rebates, administration fees and dispensing fees. OptumRx included an alternate EGWP proposal in its BAFO. Aon utilized its proprietary financial model to evaluate the detailed pricing contained in the three BAFOs and projected NYC Transit's net plan costs for four years. Aon's financial model is well known, accepted in the industry and has been used in the solicitation of pharmacy benefits managers by many large public and private employers. Each proposer was advised in advance that NYC Transit would use this model to evaluate pricing.

Aon, using its proprietary financial model, evaluated the BAFO pricing for the Commercial and EGWP plans. For the Commercial and EGWP plans combined, the estimated four year net costs, including the option year, as evaluated by Aon, were: ESI - \$1,019,410,000; CVS Health - \$1,031,220,000; and OptumRx - \$1,073,510,000. ESI's BAFO yielded the lowest cost for the Commercial and EGWP plans combined. The CVS Health combined BAFO was \$11.8 million higher than ESI. The OptumRx combined BAFO was \$54.1 million higher than ESI. While potential selections consisting of one proposer's Commercial BAFO with another proposer's EGWP BAFO were considered, none yielded a lower price or better value than ESI's combined Commercial and EGWP BAFO.

The Selection Committee reviewed the BAFOs in accordance with the evaluation criteria, and unanimously recommended ESI for award of both Commercial and EGWP plans. While ESI and CVS Health received generally similar technical ratings, ESI was slightly technically preferred, based on the strength of ESI's implementation plan, superior customer service capabilities, and superior clinical programs. ESI has experience performing pharmacy benefits management services for many major companies, unions and health plans and is the largest pharmacy benefits manager in the U.S. Given ESI's technical superiority and significant industry experience, coupled with its lower price for the Commercial and EGWP plans combined, ESI was unanimously selected.

Aon's analysis projects that NYC Transit's net plan cost for four years, including the option year, under the ESI contract, will be \$144.8 million (12%) less than it otherwise would have been for the same time period under the current contract. This will help mitigate projected future increases in the cost of pharmacy benefits. The estimated three-year price for the base contract term is \$728,490,000. The final price has been found to be fair and reasonable based on adequate price competition and comparison to the current guaranteed discounts and rebates. Human Resources concurs and recommends award. Over 90% of NYC Transit's costs under this contract represent the cost of the drugs themselves. The remainder are fees and other costs for the administration and dispensing of prescription drugs.

A background search and review of the documents submitted by ESI has disclosed no significant adverse information within the meaning of the All-Agency Responsibility Guidelines. Having evaluated all of the available facts, Procurement finds ESI fully responsible for award.

ESI will implement the services in conjunction with NYC Transit's Human Resources Division and the MTA Business Service Center (BSC). It is estimated that up to six months may be required to complete the cutover of both the Commercial and EGWP plans to ESI, which takes into consideration the upcoming PeopleSoft upgrade at the BSC.

The exercise of a previously negotiated option to extend the pharmacy benefits management services with the incumbent, OptumRx, until cut-over is completed will be submitted to the October Board in order to allow for a seamless transition from the current contract to the new contract.

M/W/DBE:

The MTA Department of Diversity and Civil Rights has established goals of 0% MBE and 0% WBE on this contract due to the lack of M/WBE firms in the marketplace capable of providing the required services and lack of appropriate subcontractable elements.

IMPACT ON FUNDING:

Approved funding is available in NYC Transit's non-departmental Operating Budget under Account No. 701741, Responsibility Center No. 7551 and Function No. 991.

ALTERNATIVES:

None recommended. NYC Transit will realize significant savings/cost avoidance from the new competitively negotiated contract.

RECOMMENDATION:

It is recommended that the Board approve the award as described in the "Purpose" section.

Schedule E: Miscellaneous Procurement Contracts

Item Number: 2-3

Vendor Name (& Location) FleetCor Technologies Operating Company, LLC (Norcross, GA) WEX Bank (Midvale, UT)	<table border="1"> <tr> <td data-bbox="841 191 1279 346"> Contract Number RFP 89099 </td> <td data-bbox="1279 191 1520 346"> Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> </table>	Contract Number RFP 89099	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Contract Number RFP 89099	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Description Fuel Card Program	Total Amount: Class A: FleetCor: \$88,159,396 Class B: WEX: \$19,084,648 <div style="text-align: right;">\$107,244,044 (Est.)</div>		
Contract Term (including Options, if any) Five years	Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	Requesting Dept./Div. & Dept./Div. Head Name: Department of Buses/ MTA Bus Company, Department of Subways, MTA Police Department, MTA Capital Construction and Staten Island Railway		
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:			

Discussion:

These competitively solicited estimated quantity miscellaneous procurement contracts are for the provision of a fuel card service program for the multi-agency purchase of fuel. These contracts permit 12 of the 14 Paratransit Carriers without onsite fuel tanks and the non-revenue Support Fleet divisions to buy fuel from retail gas stations during operation. (The program does not affect the revenue bus fleet, which uses a specifically formulated fuel dispensed at bus depots.) A card is assigned to each vehicle and a personal identification number is assigned to each authorized user. The solicitation was divided into two classes with Class A representing the Paratransit Division of the Department of Buses (Paratransit); and Class B representing the non-revenue fleet of the Department of Buses and MTA Bus Company, the Department of Subways, the MTA Police Department, MTA Capital Construction and Staten Island Railway, collectively (Support Fleet). The Selection Committee recommended contract awards for the five year period from December 1, 2015 to November 30, 2020 to FleetCor Technologies Operating Company LLC (FleetCor) for Class A in the estimated amount of \$88,159,396 and WEX Bank (WEX) for Class B in the estimated amount of \$19,084,648.

NYC Transit took the lead representing the participating agencies for these renewal contracts utilizing the Request for Proposal (RFP) process. Through this process NYC Transit used various factors in its evaluation including the ability of the Proposers to satisfy contract requirements and price. The evaluation criteria, listed in order of importance are: quality control of the fuel card program, (i.e., the ability to consistently maintain a sufficient number of stations, provide customer support, manage system security requirements, provide comprehensive online functionality and satisfy invoice and reporting requirements); Proposer's experience; proposal price and other relevant factors.

NYC Transit developed two work scopes: one for Paratransit and one for Support Fleet. There are three differences between the work scopes: (i) different service areas (Paratransit must fuel at stations at all five boroughs and Support Fleet requires a larger geographical range of fueling stations throughout the Tri-state region including Long Island, CT and NJ); (ii) System Security Requirements (Paratransit requires real-time exception alerts. Support Fleet requires a monthly exception report.); and (iii) Customer Support (Paratransit requires a dedicated account representative due to the volume and utilization of the program by 12 primary carriers and Support Fleet does not).

NYC Transit requested price proposals based on two methods: Category 1, Published Index Price plus a differential, and Category 2, Retail Pump Price minus a discount. Proposers could propose on one or both work scopes, and one or both pricing methods. The solicitation was structured to allow one or two awards depending on which proposed approaches were the most advantageous.

Procurement performed extensive market outreach including a request for information in 2013 to promote interest and seek competition. Procurement solicited RFP#89099 in December 2014. Five companies attended the pre-proposal conference and four companies submitted proposals. The number of companies proposing doubled from the previous procurement as a result of the outreach efforts. Following the Selection Committee's review, one Proposer was eliminated as it did not adhere to the RFP submission requirements by failing to demonstrate its ability to perform the work. Procurement invited FleetCor, WEX and Sprague Operating Resources LLC, for oral presentations, and were invited for negotiations as the Selection Committee deemed all three Proposers technically qualified having demonstrated relevant experience with a fuel card program.

Negotiations centered on contractual terms and conditions and pricing. During the course of negotiations, Procurement received and evaluated interim pricing to facilitate price reductions and to establish the best pricing method for each Class. Procurement received Best and Final Offers (BAFO) on July 31, 2015. In order for the Selection Committee to properly evaluate BAFO pricing, NYC Transit Procurement, using fuel price projections obtained from the MTA's forecasting consultant, established a method to analyze pricing for the numerous variations on proposals received from each of the Proposers. Examples of the variations were: discount based on a percentage of the price per gallon, discount based on a monetary amount per gallon, combinations of index pricing and pump price, and varying discounts based on the use of designated service stations.

Based on the results of the analysis, the selection committee unanimously determined that because of the lower evaluated pricing of Category 2 (Retail Pump price minus a discount) for both Class A (Paratransit) and Class B (Support Fleet) and other evaluation factors, awards would be recommended under this category as it represented the best value. Evaluated pricing for Category 2 was approximately \$1.7M lower for Paratransit and \$2M lower for Support Fleet than evaluated pricing received for Category 1 (Published Index Price plus a differential).

Class A Paratransit, Evaluated Category 2 Retail Pump Price minus a discount (5 years):

WEX Alternate 2	(tiered % discount of the price per gallon)	\$88,149,632
FleetCor Alternate 2	(fixed % discount of the price per gallon)	\$88,159,396
FleetCor Base	(fixed \$ discount per gallon)	\$88,391,619
WEX Base*	(fixed \$ discount per gallon)	\$88,498,125
Sprague Base**	(fixed \$ discount per gallon)	\$89,338,181

Class B Support Fleet, Evaluated Category 2 Retail Pump Price minus a discount (5 years):

WEX Alternate 2	(tiered % discount of the price per gallon)	\$19,084,648
WEX Base*	(fixed \$ discount per gallon)	\$19,136,326
Sprague Base**	(fixed \$ discount per gallon)	\$19,290,701

*WEX provided an alternate proposal offering a tiered monetary discount per gallon based on the estimated volume thresholds in the solicitation, which resulted in the same extended total as the Base contract. Paratransit's volume already represents the highest discount and Support Fleet would have to increase its volume by approximately 50% in order to reach the next discount threshold.

**Sprague provided an alternate proposal for both Class A and Class B utilizing a combination of Category 1 (Published Index plus a differential) and Category 2 (Retail Pump Price minus a discount) pricing. This alternate was not lower than any of the Category 2 pricing cited above.



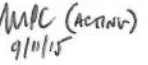

After extensive review of BAFO proposals and evaluated pricing in accordance with the evaluation criteria, the Selection Committee unanimously recommended the following:

1. Awarding Class A, Paratransit, in the estimated amount of \$88,159,396 to FleetCor. The Selection Committee unanimously determined that notwithstanding the insignificant difference in price of \$9,764 between FleetCor and WEX, and based on evaluation of FleetCor's technical qualifications which were unanimously found to be superior to WEX's, FleetCor's proposal was deemed to offer the best value. FleetCor's technical superiority is attributable to its system security capabilities. FleetCor is a leading global provider of fleet cards with a key part of its North American business serving the needs of state and local governments, Fortune 500 fleets and small local businesses.
2. Awarding Class B, Support Fleet, in the estimated amount of \$19,084,648 to the incumbent, WEX. The Selection Committee unanimously considered WEX to be technically superior in the class. WEX also offered the lowest price in comparison to the other proposer in the class. WEX is a worldwide leader in business payment processing and technologies offering fleet card services as part of its business.

Both Sprague and WEX each offered reduced pricing for a "winner take all" award of both Paratransit and Support Fleet. Sprague's proposal was not lower than the combination of the discrete lowest proposed amount per Class as cited above. While WEX's "winner take all" proposal was slightly lower than the combination of the discrete lowest proposed amount per Class as cited above, it was not enough to change the Selection Committee's recommendation to award Class A, Paratransit, to FleetCor as FleetCor was deemed technically superior. The lowest evaluated "winner take all" proposal was from WEX for \$107,176,301 which is \$67,743 or six hundredths of a percent lower than the combined awards being made to FleetCor and WEX of \$107,244,044.

It is estimated that under these new contracts, approximately \$791,274 in savings will be achieved when compared to the existing contract. While the current contract provides a discount of \$0.025 per gallon, the composite discount on these two new contracts will increase by approximately 80% or the composite equivalent of \$0.045 per gallon. Pricing has been determined to be fair and reasonable based on the competitive pricing received and a favorable comparison to the existing competitively awarded contract.

Staff Summary

Item Number 4-6			
Division & Division Head Name: VP Materiel, Stephen M. Plochochi			
			
Internal Approvals			
Order	Approval	Date	Approval
1 	Materiel	6 X	Subways
2 X	Law	7	EVP  (active) 9/10/15
3 X	Budget	8	President 
4 X	DDCR	9	
5 X	CPM	10	

SUMMARY INFORMATION	
Vendor Name: Battelle Memorial Institute; RSC/TUV Rheinland; and SYSTRA Engineering	Contract Nos. CM-1541 CM-1542 CM-1543
Description Indefinite Quantity ISA Services for New Technology, Relay-Based Train Control and Signaling Projects	
Total Amount \$30 Million (Aggregate)	
Contract Term (including Options, if any) Five Years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

PURPOSE:

To obtain Board approval to award these three competitively solicited Indefinite Quantity (IQ) Independent Safety Assessor (ISA) Service contracts for New Technology, Relay-Based Train Control, and Signaling Projects: CM-1541 to Battelle Memorial Institute; CM-1542 to Rail Safety Consulting/TUV Rheinland; and CM-1543 to SYSTRA Engineering, Inc. These contracts will be issued for five-year terms during which time the consultants will compete for awards of task orders drawing from a total aggregate budget of \$30,000,000. Task orders will generally average \$1.5 Million and each contract will be "zero-dollar" based with no minimum guarantee of any assignments.

DISCUSSION:

Capital Program Management (CPM) requires consultants to provide ISA Services for the safety assessment and safety certification of signaling systems, including Communications-Based Train Control (CBTC), Solid State Interlocking (SSI), Solid State Block Signaling Control (SSBSC) devices and other high technology signaling systems, as well as relay-based (conventional) signal and train control systems. The work will be defined in specific task orders, and may include tasks performed during the design, test, deployment and maintenance phases of a CBTC, SSI, SSBSC or conventional signal and train control projects. Rather than issue an RFP each time requirements arise, having a panel of qualified firms available to compete for assignments will permit faster deployment when needed.

A One-Step RFP was publicly advertised. The number of consultants providing ISA services in the U.S. and overseas is very limited due to the highly technical level of expertise required. Extensive outreach efforts were made to the industry to encourage competition which resulted in three additional firms being identified as potential proposers. Twelve firms purchased the RFP, and seven submitted proposals: Battelle Memorial Institute (Battelle); Bureau Veritas North America (BVNA); Gannett Fleming Engineers and Architects, PC (GF); Hatch Mott MacDonald NY (HMM); Pennoni Engineering and Surveying of NY, PC (Pennoni); Rail Safety Consulting/TUV Rheinland (RSC); and SYSTRA Engineering (SYSTRA). NYC Transit's Selection Committee (SC) reviewed and evaluated the written technical proposals in accordance with the established evaluation criteria, which included: plan of approach, experience in relevant areas, experience of project team and key personnel, current workload, past performance on similar projects, management and quality assurance plans. The SC also participated in oral presentations with all seven and recommended the following firms for negotiations: Battelle, GF, RSC and SYSTRA. These four firms were considered the most qualified teams to perform the work, as they were found technically superior based primarily on their current and past ISA project experience in the transit industry. The RFP provided proposers with hours for each specific title and a fixed total cost for out of pocket expenses to facilitate equal price comparison and evaluation. The initial cost proposals, based on 66,000 hours per contract were as

Staff Summary

follows: Battelle \$11,947,853; GF \$11,953,276; RSC \$10,832,274; and SYSTRA \$11,077,021. The in-house estimate valued the work at \$9,995,750.

Negotiations with the four consultants focused on the ISA requirements in the Scope of Work, reduction of proposed direct labor rates, and fixed-fee rates. In addition, the overhead rates were negotiated in accordance with MTA Audit recommendations.

Upon initial receipt of BAFOs, and prior to their presentation to the SC, it was apparent that some proposers did not conform their pricing to all approved labor and overhead rates. In addition, a subsequent internal review of the RFP's labor hour distribution resulted in a redistribution of the labor hours and the issuance of a Post Proposal Addendum (PPA), which requested proposers to submit interim proposals. The four firms submitted interim proposals as follows: Battelle \$10,870,585; GF \$11,295,687; RSC \$9,379,028; and SYSTRA \$10,746,130. The in-house estimate remained unchanged. A second round of negotiations was conducted which focused on direct labor rates, fixed fees and overhead rates. BAFOs were received as follows: Battelle \$10,393,864; GF \$11,295,687; RSC \$9,374,426; and SYSTRA \$9,999,823. Based upon the Evaluation Criteria, the SC voted and unanimously selected Battelle, RSC and SYSTRA for awards. They were deemed to be technically qualified with strong teams and expertise to perform the work, thus offering the best overall value to NYC Transit. Furthermore, Battelle has performed satisfactorily on contracts for ISA Services on the Canarsie Line, the Flushing Line and Culver Test Track; and SYSTRA on the Dyre Avenue Solid State Interlocking Project. As part of a separate contract, the Joint Venture of SYSTRA and RSC has just begun work on the contract for ISA Services for Signal System Modernization for the West 4th Street and 34th Street Solid State Interlocking Project.

Battelle's BAFO of \$10,393,864 and SYSTRA's BAFO of \$9,999,823 were \$398,114 (3.8%) and \$4,073 (.04%), respectively, higher than CPM's estimate of \$9,995,750, but within the established competitive range of \$9,374,426 to \$10,393,864. RSC's BAFO of \$9,374,426 was \$621,324 (6.23%) below the estimate. Negotiated savings from the initial proposals ranged from \$1,553,989 for Battelle, to \$1,457,874 for RSC and to \$1,077,198 for SYSTRA. Therefore, both Procurement and CPM concurred that these three consultants' BAFOs were "fair and reasonable". The Cost/Price Unit determined that GF's BAFO was not "fair and reasonable."

A review of the proposers' submittals and the Division of Materiel's background checks disclosed, "no significant adverse information" within the meaning of the All-Agency Responsibility Guidelines was found. Procurement finds that Battelle, RSC and SYSTRA are "fully responsible" to receive awards.

M/W/DBE:

Based upon the specialized tasks and critical-safety related issues required on this contract, the Department of Diversity and Civil Rights (DDCR) determined that there are limited subcontracting opportunities and established goals of 5% for MBE and 0% for WBE participation. DDCR has approved the Utilization Plans for Battelle, RSC and SYSTRA. Battelle and SYSTRA have achieved their M/W/DBE goals on previous MTA contracts. RSC has not completed any MTA contracts; therefore, no assessment of this firm's M/W/DBE performance can be determined at this time.

IMPACT ON FUNDING:

These contracts will be issued for zero-dollar totals and are structured to permit the issuance of task orders. The three consultants will compete for the award of task orders under these contracts. These task orders will be 100% MTA funded and will not be issued until receipt of individual WAR certificates.

ALTERNATIVES:

Perform the work using in-house personnel. At this time, CPM lacks sufficient available staff with the expertise necessary to perform the specific tasks required under the scope of work for these projects.



CAPITAL PROGRAM REPORTING:

These contracts have been reviewed for compliance with the requirements of the 1986 legislation applicable to Capital Contract Awards and the necessary inputs have been secured from the responsible functional departments.

RECOMMENDATION:

That the Board approve the award of three competitively-negotiated contracts for Indefinite Quantity (IQ) services for New Technology, Relay-Based Train Control, and Signaling Projects as follows: Contract CM-1541 to Battelle Memorial Institute; CM-1542 to Rail Safety Consulting/TUV Rheinland; and CM-1543 to SYSTRA Engineering, Inc., each with a term of five years.

Staff Summary

Item Number 7-14			
Division & Division Head: VP Materiel, Stephen M. Plochochi			
			
Internal Approvals			
Order	Approval	Date	Approval
1	Materiel	6	EVP (ACTING) MPC 9/11/15
2 X	Law	7	President 
3 X	Budget		
4 X	DDCR		
5 X	CPM		

SUMMARY INFORMATION	
Vendor Name Various (see list below)	Contract Nos. CM-1544 to CM-1551
Description IQ Architectural/Engineering Design Services for Miscellaneous MTA-Funded Construction Projects	
Total Amount \$100,000,000 (Estimated Aggregate)	
Contract Term (including Options, if any) Five Years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

PURPOSE

To obtain Board approval to award eight competitively solicited consultant contracts for Indefinite Quantity (IQ) Architectural/Engineering (A/E) Design Services for miscellaneous MTA-funded construction projects within a total estimated aggregate budget of \$100 Million over a five-year contract term. The recommended awardees are as follows:

Consultant Firms

1. AECOM USA, Inc.
2. Fay, Spofford Thorndike of New York, Inc.
3. Henningson, Durham & Richardson Architecture and Engineering, P.C.
4. HNTB New York Engineering and Architecture, PC
5. Jacobs Civil Consultants, Inc.
6. Parsons Brinckerhoff, Inc.
7. Parsons Transportation Group of New York, Inc.
8. Urbahn Architects, PLLC

Contract No.

- CM-1544
- CM-1545
- CM-1546
- CM-1547
- CM-1548
- CM-1549
- CM-1550
- CM-1551

DISCUSSION

The IQ A/E consultants will provide design services on an as-needed task order basis for NYCT Capital Program Management (CPM). The major disciplines required include architectural, electrical, communications engineering, specification development, cost estimating and scheduling for various projects. They will be required to have CADD capability for preparing contract documents and also provide assistance during construction contract award and shop drawing review. Task orders will be competed and generally will not exceed \$2,000,000 without prior authorization from the NYCT Division of Materiel and will be utilized up to the total estimated aggregate cost of \$100 Million. These contracts are 'zero-dollar' based with no minimum guarantee of any assignments and will replace the eight contracts currently in place for IQ A/E design services which expire in December 2015.

This RFP was solicited using a 2-Step process. In response to NYCT's advertisements, 27 consultant firms submitted Step 1 Qualification Packages. The Selection Committee (SC) reviewed the Step 1 Qualification submittals which consisted of a Letter of Interest, SF-330 Forms, Schedule J (Responsibility Questionnaire), and Qualification Statement. The SC voted to recommend 14 consultant firms to move on to Step 2 and receive the RFP. These firms were considered the most qualified based on the Step 1 criteria which included relevant experience and available resources. In response to the RFP, technical and cost proposals were submitted by all 14 firms. The SC reviewed and evaluated the written technical proposals and participated in the oral presentations with all 14 firms. Subsequently, the SC recommended the following 10 firms for contract negotiations: AECOM USA, Inc. (AECOM); Ove Arup & Partners P.C. (Arup); Fay, Spofford Thorndike of New York, Inc. (FST); Henningson, Durham & Richardson, Architecture and Engineering, P.C. (HDR); HNTB New York Engineering and Architecture, PC (HNTB); Jacobs Civil Consultants, Inc. (Jacobs) Parsons Brinckerhoff, Inc. (PB); Parsons Transportation Group of New York, Inc. (PTG); STV Incorporated (STV); and Urbahn Architects, PLLC (Urbahn).

Staff Summary

Four firms (Dattner Architects, Hardesty & Hanover LLC, IBI Group, and TranSystems Corporation) were not selected for negotiations. Their proposals indicated a lack of, or limited, relevant NYCT architectural/engineering design experience. Their technical proposals and oral presentations did not adequately demonstrate their knowledge, experience and capability to perform the diverse range of work required.

The in-house estimate was \$12,497,000, including an allowance of \$1,400,000 for Out-of-Pocket (OOP) expenses. The cost proposals were based on pre-determined labor titles, hours and the OOP allowance. Price negotiations were held with discussions focusing on the consultant's hourly rates, fixed fee and overhead rates for primes and subs adjusted per MTA Audit recommendations.

Following is a comparison of the ten firms' initial cost proposals and their Best and Final Offers (BAFOs):

	AECOM	ARUP*	FST	HDR	HNTB	Jacobs	PB	PTG	STV*	Urbahn
Initial Proposal	\$12,862,609	\$12,901,591	\$11,981,000	\$13,001,932	\$11,998,978	\$11,694,348	\$11,975,251	\$11,337,105	\$12,370,592	\$12,240,966
BAFO	\$11,772,068	\$12,396,607	\$11,327,412	\$11,984,977	\$11,225,699	\$10,866,576	\$11,481,701	\$11,049,539	\$11,860,323	\$11,409,298

*Not Selected

After receipt of BAFOs, the SC was reconvened and selected AECOM, FST, HDR, HNTB, Jacobs, PB, PTG, and Urbahn for award. CPM and Procurement have determined all ten firms' BAFOs to be within the "Fair and Reasonable" range based on an analysis of the initial and revised cost proposals and the competitive nature of this RFP. AECOM, FST, HDR, Jacobs, PB, and Urbahn are incumbents on the current contracts and were selected due to their technical qualifications and solid track record of relevant NYCT experience performing IQ A/E design services. HNTB and PTG were selected due to their technical qualifications and relevant design services experience on the federally-funded series for the Security and A/E IQ contracts. Their BAFOs were also among the lowest in price. STV was not selected for award. Although technically qualified, STV was among the highest in price, and was not evaluated highly enough technically to overcome this difference. Arup was not selected as they had the least IQ A/E design experience with NYCT and the highest BAFO.

Reference checks were made on these firms and revealed that their performance is satisfactory. Background investigations and materials submitted by these firms disclosed no "significant adverse information" within the meaning of the All Agency Responsibility Guidelines.

M/W/DBE

The MTA Department of Diversity and Civil Rights (DDCR) has established 12.5% MBE and 12.5% WBE goals for this project. DDCR has approved the M/WBE Utilization Plans for these consultants. HDR, HNTB, Jacobs, PTG and Urbahn have achieved their M/W/DBE goals on previous completed MTA contracts. FST has not completed any MTA contract; therefore, no assessment of the firm's M/W/DBE performance can be determined at this time. AECOM and PB have a shortfall in achieving M/W/DBE goals on several MTA contracts, but have provided DDCR satisfactory plans of action to achieve the M/W/DBE goals on these contracts.

ALTERNATIVES

Perform the work using in-house personnel. At this time, CPM lacks sufficient available staff with the expertise necessary to perform the specific tasks required under the scope of work for these projects.

CAPITAL PROGRAM REPORTING

This Contract has been reviewed for compliance with the requirements of the 1986 legislation application to Capital Contract Awards and the necessary inputs have been secured from the responsible functional departments.

IMPACT ON FUNDING

The cost of this contract will be funded with 100% MTA funds. A WAR Certificate will be issued for each Task Order prior to award.

RECOMMENDATION

That the Board approve the award of eight competitively solicited consultant contracts for Indefinite Quantity (IQ) Architectural/Engineering (A/E) Design Services for miscellaneous MTA-Funded Construction Projects to AECOM (CM-1544), FST (CM-1545), HDR (CM-1546), HNTB (CM-1547), Jacobs (CM-1548), PB (CM-1549), PTG (CM-1550), and Urbahn (CM-1551) within a total estimated aggregate budget of \$100 Million over a five-year contract term.

Item Number: 15

Vendor Name (& Location) Service Connection, Inc. (Stony Brook, NY)
Description Remedial maintenance of a Shinohara 5-color printing press
Contract Term (including Options, if any) Five Years
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:

Contract Number RFQ 102417	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount: \$140,150 (Est.)	
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: Department of Corporate Communications, Paul Fleuranges	

Discussion:

This contract is for remedial maintenance of NYC Transit's Shinohara 5-color printing press.

The Shinohara printing press produces materials such as posters, schedules, brochures, newsletters and service notices for NYC Transit, Metro-North Railroad and MTA Bridges & Tunnels.

Two bids were received. Jack L. Popkin & Co. (Popkin) was the apparent low bidder. Popkin failed to total the required \$30,000 allowance for parts in its gross sumbid. A review determined that this failure was administrative in nature and could be cured. However, when the \$30,000 parts allowance is added to Popkin's gross sumbid, it increases that bid from \$118,050 to \$148,050 so that it is no longer the low bid. Service Connection was determined to be the low bidder. Service Connection's bid of \$140,750 is \$7,300 (4.9%) below Popkin's bid when the \$30,000 allowance is included in Popkin's bid.

When unit prices are compared using the quantities in the existing contract, the final price is 2.96% per year higher than the price for the existing contract. When questioned about the price increase, Service Connection, which is the incumbent, stated that its actual cost for travel time far exceeded the \$16.66 per round trip that it bid for the existing contract. Therefore, having honored the travel time price for the five years of the existing contract, it now adjusted that amount from \$16.66 to \$100. Since the round trip price had increased significantly, Procurement requested a price concession. As a result, Service Connection reduced the round trip price from \$100 to \$95 which reduced the overall price from \$140,750 to \$140,150. The final price was found to be fair and reasonable.

Item Number: 16

Vendor Name (& Location) Xerox State & Local Solutions, Inc. (Germantown, MD)	
Description Administer the EasyPay MetroCard Program	
Contract Term (including Options, if any) July 1, 2010 – September 30, 2015	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a	
Procurement Type	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type	<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
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: Department of Corporate Communications, Paul Fleuranges	

Contract Number 08H9963	AWO/Mod. # 2
Original Amount:	\$ 4,503,340
Prior Modifications:	\$ 0
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 4,503,340
This Request:	\$ 2,155,991 (Est.)
% of This Request to Current Amount:	47.9%
% of Modifications (including This Request) to Original Amount:	47.9%

Discussion:

This modification is to exercise a contractual option that will extend the contract term by an additional 21 months from October 1, 2015 through June 30, 2017, and will continue the administration of the EasyPay MetroCard Program for an estimated amount of \$2,155,991.

This contract is for administration and maintenance of the EasyPay MetroCard Program which includes customer service, account set-up, payment processing, mailing of statements and notices, operation of a website, and operation of an interactive voice response system. The EasyPay MetroCard Program, formerly the Reduced Fare MetroCard Mail & Ride Program, was originally designed to offer senior citizens over 65 years of age and people with qualified disabilities a convenient way to add value to their reduced fare MetroCards. The Program has been well received by customers, and since the award of the base contract, the program has grown significantly and the range of services provided has expanded to include full-fare customers.

In December 2009, the Board approved award of this contract, which included the option to extend, to ACS State & Local Solutions. Subsequently, Xerox acquired ACS State & Local Solutions which was renamed Xerox State & Local Solutions, Inc. (Xerox). The base contract was awarded for a five year term.

Prices for the base contract and option period were competitively negotiated at the same time and were both considered in the selection and recommendation for award that was approved by the Board. This 21-month extension will allow NYC Transit to conduct a competitive Request for Proposal for a renewal contract and will take advantage of extremely favorable pricing since, when the base contract was negotiated, Xerox's best and final offer price was 49.8% less than the other proposer. In accordance with the contract terms, the unit prices for the option period are 5% above the unit prices for year 5 of the base contract. The price has been found to be fair and reasonable.

Item Number: 17

Vendor Name (& Location) The Goodyear Tire & Rubber Company (Akron, OH)	
Description Tire leasing and wheel servicing	
Contract Term (including Options, if any) September 30, 2008 – September 29, 2015	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type	<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
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: Department of Buses/ MTA Bus Company, Darryl C. Irick	

Contract Number	AWO/Mod. #
07E9693	7
Original Amount:	\$ 79,076,895
Prior Modifications:	\$ 501,602
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 79,578,497
This Request:	\$ 9,000,000 (Est.)
% of This Request to Current Amount:	11.3%
% of Modifications (including This Request) to Original Amount:	12.0%

Discussion:

This modification will extend the contract term by six months from September 30, 2015 to March 31, 2016 and will add funding in the amount of \$9,000,000.

The tire requirements for approximately 5,800 buses operated by both NYC Transit's Department of Buses (DOB) and MTA Bus Company (MTABC) were solicited under a competitive Request for Proposal, approved by the Board in September 2008 and awarded to The Goodyear Tire & Rubber Company (Goodyear). The contractor is required to furnish radial tires on a lease basis with prices per mile for high floor bus and low floor bus tires, and provide depot-based labor and material to service these tires based on a monthly price per person and to paint wheels at a fixed price through the term of the contract. The tire lease rates are subject to a formula tied to raw material price indices for rubber and tire manufacturing labor as published by the U.S. Bureau of Labor Statistics.

Due to the increased number of snow events in recent winters, Modification No. 5 initiated and Modification No. 6 expanded upon a test program to evaluate the concept of using rear traction tires as an alternative to snow chains. Snow chains are purchased by NYC Transit and MTABC and installed on the tires on rear axles of the bus along with center axles on articulated buses by in-house labor prior to an anticipated snow event. In an effort to reduce overall costs associated with installing snow chains, DOB decided to test the use of traction tires on rear axles along with center axles on articulated buses. Traction tires are composed of a softer rubber compound than a standard transit tire and are produced with a tread pattern designed to have a larger contact patch with the road in snow conditions, thus providing more traction than a standard transit tire in such conditions. A tradeoff exists with the use of traction tires because they have a shorter useful life than a transit tire, and using them during all seasons accelerates their wear. Therefore, the cost per tire mile of a traction tire is greater than a standard transit tire.

While the use of the tire chains on standard transit tires provides increased traction when installed, their use can potentially damage the tires, the wheel well, or panels if they come loose from the tire. In addition the use of snow chains is an operational challenge due to the time and coordination involved in the installation and removal of snow chains prior to and after each snow event. The overall concept was to test whether traction tires could be used continuously through all seasons, eliminating the need for snow chain installations and removals associated with snow events, and whether the concept was operationally viable. The test of concept proved operationally viable; therefore, DOB has requested that the various traction tires currently in use continue to be used and evaluated through the upcoming winter season. In addition, Goodyear has engineered a new traction tire developed specifically for use on transit buses that will be introduced in early 2016 that DOB intends to test once it becomes available.

This modification will extend the contract term by six months from September 30, 2015 to March 31, 2016 for expanded testing and continued evaluation of traction tires over the upcoming winter season. Traction tires were not contemplated in the original contract therefore actual expenditures against the contract were higher than originally anticipated. Prior to the introduction of traction tires, monthly billing for the entire fleet was approximately \$950K. Through previous contract modifications approximately 35% of the fleet is presently equipped with traction tires for which monthly billings were approximately \$1.2M.

Goodyear Cont'd

It is anticipated that by the end of this modification period, approximately 50% of the fleet will be equipped with traction tires for which monthly billing is anticipated to be approximately \$1.35M.

With respect to the cost and performance of the tires that were added under Modification No. 6, the per mile tire rates proposed by Goodyear were conditionally accepted by NYC Transit and also for this Modification No. 7. MTA Audit will perform an audit at Goodyear's headquarters that will include a review of Goodyear's per tire costs and the actual operational performance of the tires in the NYC duty cycle. Based on the results of the audit the rates for the tires will be adjusted. A fair and reasonable determination will then be made.

Concurrently, Procurement and DOB are working with additional tire companies in an effort to award test and evaluation agreements to develop additional competition and determine what traction tire offerings will best satisfy NYC Transit's requirements. As a result of an extensive outreach two additional tire companies have expressed interest in participating in a competitive RFP for the next tire leasing contract. However, the tire companies have all indicated the need for a period of at least two years to test traction tires in the NYC duty cycle in order to conduct their due diligence to be able to participate in a competitive solicitation. These anticipated test and evaluation contracts will be the subject of a future Board action. It is estimated that a three-year period of time is necessary for the test and evaluation to first, equip the depots with tire servicing equipment and swap out the Goodyear tires with the tires to be tested and subsequently, to adequately test the tires and accumulate enough data to reasonably draw conclusions from the evaluation culminating in a separate competitive solicitation and award of the long term tire leasing replacement contract. Not only will the test result in enhancing competition on the upcoming solicitation, but it will also allow for DOB to perform comparative analyses between competitors and traction tire types prior to the solicitation taking place.

Therefore, a future modification to this contract will be brought before the Board to extend the contract term by an additional three years from March 31, 2016 to March 31, 2019 to continue service with Goodyear while the test and evaluations are ongoing, to solicit, negotiate and award the aforementioned long term tire leasing replacement contract, and to allow time to potentially transition from the incumbent to a new contractor.

SEPTEMBER 2015**LIST OF RATIFICATIONS FOR BOARD APPROVAL****Procurements Requiring Two-Thirds Vote:****D. Ratification of Completed Procurement Actions**

(Staff Summaries required for items requiring Board approval.) Note – in the following solicitations, NYC Transit attempted to secure a price reduction. No other substantive negotiations were held except as indicated for individual solicitations.

- | | | |
|--|-------------|-------------------------------|
| 1. Construction Polymers Company
RFQ# 105510
Immediate Operating Need
Purchase of 44,340 RF Plates. | \$6,893,820 | <u>Staff Summary Attached</u> |
|--|-------------|-------------------------------|

Procurements Requiring Majority Vote:**K. Ratification of Completed Procurement Actions (Involving Schedule E-J)**

(Staff Summaries required for items requiring Board approval.)

- | | | |
|---|-------------|-------------------------------|
| 2. Prevost Car (US) Inc.
Contract# B-40657.1
Modification to the contract for the purchase of 300 Over-the-Road Clean Diesel Express Buses, in order to make a series of technical changes. | \$881,851 | <u>Staff Summary Attached</u> |
| 3. JTJ Contracting, Inc.
Contract# P-36435.60
Modification to the contract for the rehabilitation of the Montague Tube, in order to furnish and inject an estimated 1,216 injectable steel grout bolts into the cast iron flanges of the Montague Tube. | \$1,293,500 | <u>Staff Summary Attached</u> |

Item Number: 1

Vendor Name (& Location) Construction Polymers Co. (Chagrin Falls, OH)
Description Purchase of 44,340 RF Plates
Contract Term (including Options, if any) Immediate Use
Option(s) included in Total <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
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: Immediate Operating Need

Contract Number RFQ 105510	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
This request:	\$6,893,820
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: Department of Subways, Joseph Leader	

Discussion:

It is requested that the Board formally ratify the declaration of an immediate operating need (ION) made by the Vice President, Materiel, waiving competitive bidding pursuant to Public Authorities Law Section 1209, subsection 9(a) and ratify the awards made to Construction Polymers Company (Construction Polymers) for the purchase of 44,340 RF Plates (21,600 100lb. RF-A Plates, 420 100lb. RF-B Plates and 22,320 115lb. RF-A Plates).

RF Plates are used as one of the integral elements of track construction, particularly for high stress areas such as curves where noise and vibration are a concern. The RF Plates consist of a steel rail plate resting on an elastomeric pad supported by a steel base plate with studs, springs and bushings. They are specially designed plates whose purpose is to mitigate noise and vibrations caused by passing subway cars, as well as decrease the frequency of ongoing maintenance due to a longer anticipated lifespan than standard steel plates. RF Plates are on the Qualified Products List (QPL), which is a list of NYC Transit inventory items requiring the purchase of pre-qualified products for reasons of safety, compatibility and maintenance reliability. Presently, two suppliers (Construction Polymers and Amsted RPS) have their products on the QPL for the RF Plates, although NYC Transit is currently working with another manufacturer to develop and qualify its version of RF Plates. In November 2014, Construction Polymers was issued competitively solicited contract awards for 28,000 100lb. RF-A Plates, 1,200 100lb. RF-B Plates and 30,000 115lb. RF-A Plates.

In February 2015, after several deliveries of approximately 17,000 RF Plates of various sizes in accordance with the delivery schedule, Construction Polymers advised NYC Transit that there would be delays in delivery of the RF Plates due to a shortage of specially designed bushings, a critical part of the RF Plates. There is only one manufacturer of this specially designed bushing that meets NYC Transit's technical specifications, which was experiencing delays due to unavailability of raw material. By March 2015, Construction Polymers confirmed that a 14-16 week delay in the delivery of RF Plates would occur due to the anticipated shortage of bushings, and offered to provide an alternative bushing that was already being considered by Track Engineering as an upgraded bushing for enhancement of the current RF Plate design. At that point, NYC Transit was unable to turn to Amsted RPS, the other QPL supplier, because it was experiencing substantial delays and quality issues on another type of plate which at the time had not yet been rectified.

The Division of Track (Track) was approaching a point where the available supply of RF Plates would have been exhausted and most subway reconstruction work would have been halted. This would have had a severe impact by causing the Track Construction Program to fall short of its 2015 goals and maintain the system in a state of good repair. Most of the track work scheduled for the balance of 2015 required the use of the RF Plates because the work involved high stress areas and the shorter life of the steel plates would require replacement of the plates within too soon a time frame to make using the steel plates a cost-effective solution. These factors caused Track to almost exhaust its then available supply of RF Plates; therefore, an ION was declared.

In follow-up conversations with Construction Polymers, it agreed to provide RF Plates using the alternative bushing at no additional cost to NYC Transit, since the Department of Subways determined the alternative bushings were equal to or better than the current bushings and fully acceptable for use in RF Plates. Although NYC Transit could not modify the existing contracts because of the QPL status, this ION procurement was determined to be a viable method of obtaining RF Plates using the alternative bushing.

The prices quoted for the RF Plates being purchased under this ION are the same as the competitively awarded contract prices for the QPL version of the RF Plates. On April 17, 2015, after receiving the Vice President, Materiel's verbal declaration of an ION, PO #6030164688 was issued to Construction Polymers for the purchase of 21,600 100lb. RF-A Plates, 420 100lb. RF-B Plates and 22,320 115lb. RF-A Plates in the total amount of \$6,893,820.00 with a mutually agreed upon delivery schedule that would support NYC Transit's needs. Deliveries began on April 23, 2015, are ongoing as of the date of this document and are expected to be completed in late October 2015. Once complete, Construction Polymers will fulfill the existing orders of QPL RF Plates beginning in November 2015, with completion of all orders expected by May 2016.

Item Number: 2

Vendor Name (& Location) Prevost Car (US) Inc. (Sainte-Claire, Quebec)	
Description Furnish and deliver 300 Over-the-Road Clean Diesel Express Buses	
Contract Term (including Options, if any) November 14, 2013 – December 31, 2021	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Department of Buses, Darryl C. Irick	

Contract Number B-40657	AWO/Modification 1
Original Amount:	\$ 164,838,002
Prior Modifications:	\$ 0
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 164,838,002
This Request:	\$ 881,851 (Est.)
% of This Request to Current Amount:	0.5%
% of Modifications (including This Request) to Original Amount:	0.5%

Discussion:

This modification is to ratify the incorporation of technical changes into the fleet of 300 Prevost Over-the-Road diesel express buses being manufactured in Plattsburgh, NY. The base contract was a competitively negotiated contract awarded to Prevost Car (US), Inc. on November 14, 2013. Delivery of these buses is ongoing and on schedule with 125 buses delivered as of August 25, 2015, and the remainder to be delivered by April 2016.

NYC Transit Department of Buses requested changes to the bus to optimize performance, enhance safety and reduce operating costs as well as to improve bus reliability and maintainability. Over 80% of the costs of these Technical Changes can be attributed to the following: 1) addition of a fuel filter system which provides the ability to visually monitor its remaining life; 2) replacement of halogen lights with LED lights in the wheelchair deployment area to provide a flush-mounted profile and a longer operating life; 3) redesign and relocation of the surge tank pressure relief valve for ease of operation and greater reliability; 4) upgrade the manually programmable incandescent run number box with a remotely programmable LED run number box; and 5) addition of a more robust fender skirt securement system.

Prevost's initial proposal was \$937,576 (\$3,125 per bus) which includes pricing for incorporating the technical changes both on the production line and as retrofits on buses already delivered. Prevost submitted a proposal which included cost data to substantiate its pricing. Negotiations focused around the proposed mark-ups, credits and scope of work clarifications for the Technical Specifications. As a result, Procurement negotiated a reduction of Prevost's proposal from \$937,576 to \$881,851 (\$2,940 per bus), which reflects a total savings of 5.9% (\$55,725) from the initial proposal. Based on these changes, the unit price per bus increased from \$547,492 to \$550,432.

The final pricing for this modification has been found to be fair and reasonable.

Item Number: 3

Vendor Name (& Location) JTJ Contracting, Inc. (College Point, NY)	
Description Rehabilitation of the Montague Tube	
Contract Term (including Options, if any) July 31, 2013 – March 30, 2015	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type	<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Capital Program Management, John O'Grady	

Contract Number P-36435	AWO/Mod. #: 60
Original Amount:	\$ 102,443,000
Prior Modifications:	\$ 7,445,654
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 109,888,654
This Request:	\$ 1,293,500
% of This Request to Current Amount:	1.2%
% of Modifications (including This Request) to Original Amount:	8.5%

Discussion:

This retroactive modification is for furnishing and installing an additional 1,216 injectable steel grout bolts into the cast iron flanges of the Montague Tube in the boroughs of Manhattan and Brooklyn in the amount of \$1,293,500.

The contract is for the rehabilitation of the Montague Tube which was damaged by Superstorm Sandy. The scope of this contract requires the construction of new duct banks; circuit breaker houses; rehabilitation of track work; tunnel lighting; pump room; fan plant; and replacement of damaged parts and components at the Montague Furman and Broadway Park substations. The work also includes demolition of existing duct banks; removal and disposal of existing lighting conduits, wiring, fixtures; ballast; receptacles; power and communication cables including lead sheath cables, and installation of power and communications cables in the new duct banks.

An injectable bolt is a stainless steel bolt with grout port, which replaces existing standard bolts in the cast iron flanges of the tunnel liner. The grout port facilitates injection of grout into the cast iron flange joint, thereby mitigating water intrusion. The base contract calls for an estimated quantity of 2,000 injectable bolts and a unit price of \$1,000 per bolt. The contract calls for the unit price to be equitably adjusted, upward or downward, in the event the actual quantity differs from the estimated quantity by more than ten percent. The actual quantity of injectable bolts installed is 3,216. This modification compensates the contractor for the additional 1,216 injectable bolts.

The contractor's revised proposal was in the lump sum amount of \$1,866,857 (approximately \$1,535 per bolt); NYC Transit's revised estimate was in the lump sum amount of \$1,202,000 (approximately \$988 per bolt). The work is principally chopping the existing concrete walls to uncover the existing bolts and replacing the existing bolts with new injectable bolts. The nature of the work did not lend itself to economies of scale. After negotiations, the lump sum amount of \$1,293,500 (or about \$1,064 per bolt) was agreed upon and found to be fair and reasonable. Savings of \$573,357 were achieved.

The rehabilitation of the Montague Tube was a high priority project that ran twenty four hours a day and seven days a week to meet NYC Transit's commitment to restore service between the boroughs as soon as possible. It was critical that the project schedule be maintained and all delays mitigated promptly. Therefore when the contractually estimated quantity was reached, the contractor was directed to continue until all leaking bolts were replaced and the VP, Materiel authorized a partial payment of \$1,000,000.

The contract was declared Substantially Complete on March 27, 2015.

SEPTEMBER 2015

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

K. Ratification of Completed Procurement Actions (Involving Schedule E-J)
(Staff Summaries required for items requiring Board approval.)

1. Judlau Contracting

Staff Summary Attached

Contract# C-26011.19

\$1,625,000

Modification to the contract for the construction of the Second Avenue Subway – 72nd Street Station Finishes; in order to construct the Alternative Entrance 1 Structural Shell.

Item Number: 1

Vendor Name (& Location) Judlau Contracting, Inc. (College Point, NY)	
Description Second Avenue Subway – 72 nd Street Station Finishes, Mechanical, Electrical and Plumbing Systems, Ancillary Buildings and Entrances	
Contract Term (including Options, if any) February 14, 2013 – November 13, 2015	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: MTA Capital Construction, Dr. Michael Horodniceanu	

Contract Number C-26011	AWO/Mod. #: 19
Original Amount:	\$ 247,048,405
Option 1:	\$ 3,934,595
Option 2:	\$ 1,270,000
Option 3:	\$ 6,100,000
Total Amount:	\$ 258,353,000
Prior Modifications:	\$ 25,060,529
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 283,413,529
This Request:	\$ 1,625,000
% of This Request to Current Amount:	0.6%
% of Modifications (including This Request) to Total Amount:	10.3%

Discussion:

This retroactive modification is for the construction of the Alternative Entrance 1 structural shell.

The contract work includes the installation of mechanical systems including HVAC in the station and ancillary facilities; tunnel ventilation systems in the adjacent tunnels; electrical medium voltage and 120V systems; plumbing for track, sanitary, and storm drainage, hot and cold water supply, pump systems, and fire suppression; escalators and elevators in the station entrances; construction of the station platform and mezzanine levels, ancillary facilities, and entrances; construction of interior walls and rooms; architectural finishes including floors, ceilings, wall treatments, signage, stairs, handrails, guardrails, and station elements including the Station Service Center and Concession Booth; building exteriors including walls, roofing, glass storefronts, and canopies at station entrances and ancillary facilities; and restoration of Second Avenue and adjacent streets impacted by construction.

Entrance 1 of the 72nd Street Station will occupy part of a large, mixed-use high-rise building. The excavation and structural shell work for this entrance was originally included in Contract C-26007, 72nd Street Cavern Mining. To avoid risks involved in relocating utilities in and around the high-rise building, mitigate delays to the completion of C-26007, and to facilitate the necessary construction and maintenance agreements with the owners of the building; Entrance 1 work was transferred to Contract C-26011 via three contract bid options which have all been exercised. Subsequent to the award of Contract C-26011 and as a result of the continuing effort to mitigate risk, the configuration of Entrance 1 was revised from a building entrance to a sidewalk entrance that included a street bump-out structure. Several modifications were initiated to implement the Alternative Entrance 1 construction according to the phasing of the work in an effort to mitigate schedule impact as much as possible. Prior modifications addressed street utility relocation, excavation and temporary underpinning of the high-rise building.

This modification addresses the construction of the Alternative Entrance 1 structural shell, including demolition of the exterior west wall of the high-rise building, installation of three new footings and columns along the west wall, a concrete encased steel transfer girder spanning the new columns and construction of reinforced concrete ground slab, walls and roof slab. This modification also addresses the credit for the deletion of the structural shell work for the original Entrance 1 design.

In an effort to maintain the progress of the work for the Alternative Entrance 1 configuration and to mitigate delays, it was necessary to proceed with the work immediately. The contractor proceeded with this work in June 2015 and approval to process this modification on a retroactive basis was subsequently obtained from the MTACC President on July 21, 2015. The contractor's initial proposal was \$2,844,064. MTACC's revised estimate is \$1,560,272. Negotiations resulted in a lump sum price of \$1,625,000 which is considered fair and reasonable. Savings of \$1,219,064 were achieved. The schedule impact of this modification will be reviewed in aggregate with other Entrance 1 delays and addressed in a subsequent modification.



Metro-North Railroad

Action Item September 2015

Staff Summary



Metro-North Railroad

Page 1 of 1

Subject NYSDOT Grant for Connecting Services	
Department Operations Planning and Analysis	
Department Head Name Delana Glenn	
Department Head Signature 	
Project Manager Name Edilma Jarvis	Program Manager Name

Date July 21, 2015
Vendor Name N/A
Contract Number N/A
Contract Manager Name N/A
Table of Contents Ref#

Board Action					
Order	To	Date	Approval	Info	Other
1	M-N Comm. Mto.	9/21	X		
2	MTA Finance Mto	9/24	X		
3	MTA Board Mto	9/24	X		

Internal Approvals			
Order	Approval	Order	Approval
4	President		
3	VP Financial Admin		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	VP Planning					2	General Counsel
	Press						

Narrative

PURPOSE:

To obtain MTA Board approval to enter into a contract to accept \$300,000 in a Congestion Mitigation/Air Quality (CMAQ) grant from the New York State Department of Transportation (NYSDOT) to support connecting services, covering the period from October 1, 2015 through September 30, 2016.

DISCUSSION:

Metro-North has worked with NYSDOT to implement various projects to improve access to Metro-North stations. These projects, which include connecting buses (e.g. Transport of Rockland, Newburgh-Beacon Shuttle, Dutchess LOOP, HART, etc.), the Haverstraw-Ossining Ferry, the Newburgh-Beacon Ferry and Guaranteed Ride Home programs, create station access/egress and increase ridership and revenue for the Railroad, as well as reduce the number of single occupancy vehicles on the roads.

Over the past fifteen years, Metro-North has received over \$3.5 million from similar NYSDOT(CMAQ) grants. These funds have been used for a variety of operational and marketing activities: providing customer information (e.g. signage, kiosks, pocket timetables, etc.); marketing/advertising to launch and support these services; supporting Metro-North's Guaranteed Ride Home programs; and for miscellaneous operational improvements. Metro-North plans to use the \$300,000 from the new CMAQ grant in a similar fashion, working with our regional partners to maintain service quality and improve station access.

BUDGET IMPACT:

No budget impact. These monies allow for projects that would not otherwise be implemented.

RECOMMENDATION:

That the MTA Board grant approval to enter into a contract to accept \$300,000 in a Congestion Mitigation/Air Quality (CMAQ) grant from the New York State Department of Transportation (NYSDOT) to support connecting services, covering the period from October 1, 2015 through September 30, 2016.

The legal name of MTA Metro-North Railroad is Metro-North Commuter Railroad Company



Metro-North Railroad

Procurements September 2015



Subject	Request for Authorization to Award Various Procurements
Department	Procurement and Material Management
Department Head Name	Alfred Muir, Sr. Director
Department Head Signature	
Project Manager Name	

Date	September 9, 2015
Vendor Name	Various
Contract Number	Various
Contract Manager Name	Various
Table of Contents Ref #	

Board Action					
Order	To	Date	Approval	Info	Other
1	MNR Comm. Mtg.	9-21-15	X		
2	MTA Board Mtg.	9-24-15	X		

Internal Approvals			
	Approval		Approval
X	President		V.P. Planning
X	Executive V.P.		V.P. Capital Programs
X	Sr. V.P. Operations	X	Acting General Counsel
X	VP Finance & IT	X	V.P. Engineering

Internal Approvals (cont.)							
Order	Approval	Order	Approval	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>		<u>NONE</u>	
<u>Schedules Requiring Majority Vote</u>			
Schedule E:	Miscellaneous Procurement Contracts	1	\$450,000
	• Loram Maintenance of Way, Inc.		\$450,000
Schedule G:	Miscellaneous Service Contracts	2	\$6,984,130
	• Bombardier Transportation, Inc.		\$6,752,140
	• Simmons Machine Tool, Inc.		\$231,990
Schedule J:	Modifications to Miscellaneous Procurement Contracts	1	\$2,500,000
	• Transtechnik Corporation, USA		\$2,500,000
SUB TOTAL:		4	\$9,934,130



MNR proposes to award competitive procurements in the following categories:

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule B:	Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)	1	TBD
	• Request to use RFP Process		TBD
<u>Schedules Requiring Majority Vote</u>			
Schedule F:	Personal Service Contracts	1	\$120,000
	• CareWorks Absence Management		\$120,000
Schedule G:	Miscellaneous Service Contracts	4	\$11,672,773
	• Abalon Exterminating Company, Inc.		\$1,620,360
	• Waste Technology Services, Inc.		\$6,000,000
	• WRS Environmental Services, Inc.		\$4,000,000
	• Dependable Hydraulics, Inc.		\$52,413
Schedule J:	Modifications to Miscellaneous Procurement Contracts	1	\$750,000
	• Various Heavy Equip/Vehicle Rental Suppliers		\$750,000
SUB TOTAL:		7	\$12,542,773

MNR presents the following procurement actions for Ratification:

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>			
Schedule D:	Ratification of Completed Procurement Actions		NONE
<u>Schedules Requiring Majority Vote</u>			
Schedule K:	Ratification of Completed Procurement Actions	1	\$115,000
	• Kato Engineering, Inc. \$115,000		
SUB TOTAL:		1	\$115,000
TOTAL:		12	\$22,591,903

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.

SEPTEMBER 2015

METRO-NORTH RAILROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Majority Vote:

E. Miscellaneous Procurement Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive)

**1. Loram Maintenance of Way, Inc. \$450,000 (not-to-exceed) Staff Summary Attached
OEM Replacement Parts for MNR Tie Inserters/Removers and Railvac Units**

Approval is requested to award a non-competitive two-year miscellaneous purchase contract to Loram Maintenance of Way, Inc. (Loram) for OEM replacement parts for MNR tie inserter/removers and railvac units. Loram is the Original Equipment Manufacturer (OEM) of three Metro-North Railroad (MNR) owned tie inserters/removers and one railvac unit. The Loram tie inserter/removers were manufactured specifically for MNR's Maintenance of Way and are used to remove worn and insert new ties when conducting track repairs along the MNR right-of-way. The railvac unit is a unique excavation machine that conveys rail bed material through a vehicle mounted vacuum.

The parts and components to be purchased consist of but are not limited to the following: engine parts, hydraulic components, operator controls and fuel tanks; and will be purchased on an as-needed basis. The agreement with Loram eliminates the need and expense of individually advertising prospective procurements and will expedite material delivery.

In requesting this Board authorization, MNR has complied with PAL§ 1265-a (3) regarding the posting of advertisements in order to identify potential alternate suppliers and with MTA All-Agency Procurement Guidelines for the purchase of sole source material. No other firms expressed any interest in participating in this procurement. This agreement will apply to inventory items identified as obtained only from the OEM vendor for the following reasons a) sole pre-qualified items on the MNR Qualified Products list, and not available from any distributor or other source; b) is proprietary to the OEM vendors.

Based on the most frequently ordered sample items included in the price inquiry, the prices quoted reflect an average annual increase of 3% per year and is considered fair and reasonable. The pricing will remain firm throughout the entire contract period. The total award for this agreement is not-to-exceed \$450,000 and is to be funded by the MNR Operating Budget.

G. Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M RFP; No Staff Summary required if Sealed Bid Procurement.)

**2. Bombardier Transportation Inc. \$6,752,140 (not-to-exceed) Staff Summary Attached
Installation of M7 PTC Kits at MTA's Arch Street Facility**

Approval is requested to award a non-competitive, negotiated miscellaneous service contract with the firm, Bombardier Transportation Inc., for the installation of Positive Train Control (PTC) Kits on the 334 Railcars in the MNR M-7 Fleet. This work will be conducted at the MTA's Arch Street

facility, and will execute a license with Bombardier to use the facility for the purposes of these installations, subject to Board approval. Bombardier, the Original Equipment Manufacturer (OEM) of the M-7 Railcar fleet, shall furnish all labor and engineering resources necessary to install the PTC kits as provided by Metro-North and as delivered by the System Integrator. In addition to the installation of the delivered PTC kits, Bombardier will be refining the installation instructions and providing as-built documentation.

The 2008 Rail Safety Improvement Act (RSIA) requires PTC installation on commuter rail lines by December 2015, as reported at the Capital Program Oversight Committee (CPOC) in June; both MNR and Long Island Rail Road currently project that full implementation on their respective systems will not occur until December 2018. MNR does not have the labor or on-site resources to accomplish PTC installations on multiple fleets concurrently, and accordingly requires the use of a third party contractor to install PTC Kits on its 334 car M-7 fleet.

Bombardier, the M-7 OEM, has unparalleled knowledge of the M-7 equipment that will allow MNR to increase its installation rates to meet its targeted full implementation date. Any other vendor would require a learning curve to become acquainted with the M-7 equipment, which would put the current full implementation date, which is already three years later than the statutorily mandated date, in jeopardy.

In requesting this Board authorization, MNR has complied with PAL§ 1265-a (3) regarding the posting of advertisements in order to identify potential alternate suppliers, and with MTA All-Agency Procurement Guidelines for the purchase of sole source material. Advertisements were placed in the New York State Contract Reporter, the New York Post, El Diario and the Daily Challenge and were also posted on the MNR website, which did not yield interest from any other sources.

Bombardier submitted a total cost proposal of \$5,871,425 for the installation of 334 Kits. A contingency has been added to the requested amount based upon the uncertainty of the final design and installation requirements. The unit cost for the installation of these kits is 35% less than the engineer's estimate. In addition to the cost savings associated with using the OEM for these installations, there is a 12 month savings in duration of this project. The prices submitted were deemed fair and reasonable. The direct costs associated with maintaining and operating the Arch Street facility and shop equipment will be billed by Bombardier to MNR and reimbursed at actual cost. These costs are not reflected in the \$5,871,425.

The total cost of this procurement is not-to-exceed \$6,752,140 and is to be funded by the MNR Capital Program.

3. Simmons Machine Tool, Inc. \$231,990 (not-to-exceed) Staff Summary Attached
Upgrades to the Underfloor Wheel Lathe

Approval is requested to award a non-competitive, miscellaneous service contract to Simmons Machine Tool, Inc. to perform various upgrades to the Tandem Railcar Underfloor Wheel Lathe located at Metro-North Railroad's (MNR) Croton Harmon facility. Simmons Machine Tool is the Original Equipment Manufacturer (OEM).

These upgrades require technological and hardware improvements that are specific to the Simmons machine. The upgrades will not only increase operator safety during the wheel truing process; but will also increase reliability and similar functionality to the newly acquired tandem underfloor

wheel lathe at MNR's New Haven facility. The proposed engineering hours and materials for this upgrade were reviewed and deemed reasonable. This procurement is to be funded by the MNR Operating Budget.

J. Modifications to Miscellaneous Procurement Contracts

(Approvals/Staff Summaries required for individual change orders greater than \$250K. Approvals without Staff Summaries required for change orders greater than 15% of previously approved amount which are also at least \$50K)

**4. Transtechnik Corporation, USA \$2,500,000 (not-to-exceed) Staff Summary Attached
Additional funding for the Purchase and Repair of OEM Parts for MNR's M-8 Railcar Fleet**

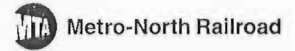
Approval is requested for additional funding in the not-to-exceed amount of \$2,500,000 for a previously Board approved three-year miscellaneous purchase contract (2014-2017) to Transtechnik Corporation USA (Transtechnik). Transtechnik is the Original Equipment Manufacturer (OEM) for MNR's M-8 railcar fleet replacement parts as well as for a number of critical main and auxiliary power systems parts and assemblies.

Metro-North has identified additional standard stock items not previously known at the time of the original award and MTA Board approval. Additionally, the Railroad has identified certain components and major assemblies that need to be maintained through a repair and return process. Thus, additional funding is required by MNR to cover these additional parts and services through the remaining contract term.

All previously Board-approved pricing and terms from 2014 remain fixed for the remaining contract term. The newly agreed upon pricing for parts and services shall remain fixed for the contract duration. This is an as-needed purchase agreement and MNR is not obligated to generate any minimum amount of purchase orders. The purchase agreement with Transtechnik will eliminate the need and expense of individually advertising prospective procurements, reduce administrative costs and will expedite material delivery.

The additional funds required by MNR are not-to-exceed \$2,500,000 and is to be funded by the MNR Operating Budget.

Schedule E: Miscellaneous Procurement Contracts



Item Number: E

Vendor Name (& Location) Loram Maintenance of Way, Inc.
Description Purchase Agreement for OEM Replacement Parts for MNR Tie Inserters/Removers and Railvac units
Contract Term (including Options, if any) Three Years
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: Sole Source/OEM

Contract Number TBD	AWO/Modification #
Renewal?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount:	\$450,000 (not-to-exceed)
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: Procurement & Material Management, Alfred Muir, Sr. Director	

Discussion:

Approval is requested to award a two-year miscellaneous purchase contract to Loram Maintenance of Way, Inc. (Loram) for OEM replacement parts for MNR Tie Inserters/Removers and Railvac Units. Loram is the Original Equipment Manufacturer (OEM) of three Metro-North Railroad (MNR) owned tie inserters/removers and one Railvac unit. The Loram tie inserter/removers were manufactured specifically for MNR's Maintenance of Way and are used to remove worn ties and insert new ties when conducting track repairs along the MNR right-of-way. The Railvac unit is a unique excavation machine that conveys rail bed material through a vehicle mounted vacuum.

The parts and components to be purchased consist of but are not limited to engine parts, hydraulic components, operator controls and fuel tanks; and will be purchased on an as needed basis. This agreement with Loram will eliminate the need and expense of individually advertising prospective procurements and will expedite material delivery.

In requesting this Board authorization, MNR has complied with PAL§ 1265-a (3) regarding the posting of advertisements in order to identify potential alternate suppliers and with MTA All-Agency Procurement Guidelines for the purchase of sole source material. No other firms expressed any interest in participating in this procurement. This agreement will apply to inventory items identified as obtained only from the OEM vendor for the following reasons a) sole pre-qualified items on the MNR Qualified Products list, and not available from any distributor or other source; b) is proprietary to the OEM vendors.

Based on the most frequently ordered sample items included in the price inquiry, the prices quoted reflect an average annual increase of 3% per year and is considered fair and reasonable. The pricing will remain firm throughout the entire contract period. The total award for this agreement is not-to-exceed \$450,000 and is to be funded by MNR's Operating Budget.

Staff Summary

Item Number G					
Dept. & Dept. Head Name:					
Procurement & Material Management, Alfred Muir, Sr. Director					
Division & Division Head Name:					
Executive Vice President, Catherine Rinaldi					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	MNR Comm. Mtg.	9-21-15	X		
2	MTA Board Mtg.	9-24-15	X		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	Sr. V.P. Operations		
X	V.P. Engineering	X	V.P. Finance & IT		
X	Acting General Counsel		Capital Programs		

SUMMARY INFORMATION	
Vendor Name	Contract Number
Bombardier Transportation Inc.	
Description	
Installation of Positive Train Control (PTC) Kits for the MNR M7 Fleet.	
Total Amount	
\$6,752,140 (not-to-exceed)	
Contract Term (including Options, if any)	
2 years	
Option(s) included in Total Amount?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type	
<input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	
Solicitation Type	
<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: NYS Preferred Source	
Funding Source	
<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION:

Approval is requested to award a two year non-competitive, negotiated, miscellaneous service agreement in the total not-to-exceed amount of \$6,752,140 to the firm, Bombardier Transportation Inc. (Bombardier), for the installation of Positive Train Control (PTC) Kits on the 334 Railcars in the MNR M-7Fleet.

II. DISCUSSION:

The 2008 Rail Safety Improvement Act (RSIA) requires PTC installation on commuter rail lines by December of 2015. As reported at the Capital Program Oversight Committee (CPOC) in June, both Metro-North Railroad and Long Island Rail Road currently project that full implementation on their respective systems will not occur until December 2018. MNR does not have the labor or on-site resources to accomplish PTC installations on multiple fleets concurrently, and accordingly requires the use of a third party contractor to install PTC Kits on its 334 car M-7 fleet.

Bombardier, the M-7 Original Equipment Manufacturer (OEM), has unparalleled knowledge of the M-7 equipment that will allow MNR to increase its installation rates to meet its targeted full implementation date. Any other vendor would require a learning curve to become acquainted with the M-7 equipment, which would put the current full implementation date, which is already three years later than the statutorily mandated date, in jeopardy. Bombardier shall furnish all labor and engineering resources necessary to install the PTC kits. In addition to the installation of the delivered PTC kits, Bombardier will be refining the installation instructions and providing as-built documentation.

In an effort to further expedite the installation of the PTC Kits, LIRR is making its Arch Street Facility (owned by MTA) available for the performance of the MNR work. MTA, on behalf of Long Island Rail Road and MNR, will execute a

Staff Summary

license with Bombardier to use the Arch Street Facility. This license of the Arch Street Facility to Bombardier is outlined in a separate staff summary and will be presented to the Finance Committee by MTA Real Estate.

III. COST/PRICE ANALYSIS

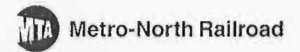
Bombardier submitted a total cost proposal of \$5,871,425 for the installation of 334 Kits. A contingency has been added to the requested amount based upon the uncertainty of the final design and installation requirements. The unit cost for the installation of these kits is 35% less than the engineer's estimate. In addition to the cost savings associated with using the OEM for these installations, there is a 12 month savings in duration of this project. The prices submitted were deemed fair and reasonable. The direct costs associated with maintaining and operating the Arch Street facility and shop equipment will be billed by Bombardier to MNR and reimbursed at actual cost. These costs are not reflected in the \$5,871,425.

III. IMPACT ON FUNDING:

The total award amount for this agreement shall not exceed \$6,752,140 over the two year period and is to be funded by the MNR Capital Program.

IV. ALTERNATIVES:

There are no recommended alternatives. MNR does not have the resources to perform these services in-house.

Schedule G: Miscellaneous Service Contracts

Item Number: G

Vendor Name (& Location) Simmons Machine Tool, Inc., Albany, NY
Description Upgrades to the Croton Harmon Tandem Railcar Underfloor Wheel Lathe (UFWL)
Contract Term (including Options, if any) Immediate
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: Sole Source

Contract Number 9644-A	AWO/Modification #
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Amount:	\$231,990
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: Procurement & Material Management, Alfred Munn, Sr. Director	

Discussion:

Approval is requested to award a non-competitive, miscellaneous service contract to Simmons Machine Tool, Inc. to perform various upgrades to the Tandem Railcar Underfloor Wheel Lathe located at Metro-North Railroad's (MNR) Croton Harmon facility. Simmons Machine Tool is the Original Equipment Manufacturer (OEM). These upgrades require technological and hardware improvements that are specific to the Simmons machine. Further, the installation of the upgrades will increase operator safety during the wheel truing process but will additionally increase reliability and similar functionality to the newly acquired tandem underfloor wheel lathe at MNR's New Haven Facility. The proposed engineering hours and materials for this upgrade were reviewed and deemed reasonable.

This procurement is to be funded by the MNR Operating Budget.

Schedule J: Modifications to Miscellaneous Procurement Contracts

Item Number: J

Vendor Name (& Location) Transtech Corporation, USA	Contract Number	AWO/Modification #
Description Purchase Agreement for OEM Replacement Parts and Components	Original Amount:	\$2,000,000
Contract Term (including Options, if any) Three Years	Prior Modifications:	\$0.00
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Prior Budgetary Increases:	\$0.00
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	Current Amount:	\$2,000,000
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	This Request:	\$2,500,000
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amount:	%125
Requesting Dept/Div & Dept/Div Head Name: Procurement & Material Management, Alfred Muir, Sr. Director	% of Modifications (including This Request) to Original Amount:	%125

Discussion:

Approval is requested for additional funding in the amount of \$2,500,000 for a previously Board approved three-year miscellaneous purchase contract (2014-2017) to Transtechnik Corporation USA (Transtechnik) for various Original Equipment Manufacturer (OEM) replacement parts for MNR's M-8 railcar fleet. Transtechnik is the OEM supplier for various safety-critical parts, components, assemblies and repairs for the fleet's Main and Auxiliary Electrical systems.

Additional funding is required to cover the cost of additional standard stock items and recent new items for the Repair and Return Pool. The established pool is used as material float to maintain current fleet operations and scheduled maintenance in the event of unexpected component failure. Repairs to failed parts and components are performed because they are too expensive to purchase new and have shorter lead times. Depending on the nature of the failure, the repairs authorized are performed by the OEM at a much lower cost as opposed to new and then returned to MNR inventory. Approximately 42 new repair and return components were identified for the new M-8 Fleet. Pricing for the additional repair and return items exceeded MNR's original Board approved estimated amount of \$2,000,000 for the three year period. The replacement parts will be purchased on an as-needed basis. These orders will be processed and delivered accordingly to ensure the availability of material on-hand to meet current maintenance practices and inadvertent failures.

This is an as-needed purchase agreement and MNR is not obligated to generate any minimum amount of purchase orders. The purchase agreement with Transtechnik will eliminate the need and expense of individually advertising prospective procurements, will reduce administrative costs and possible procurement lead times for separate purchase orders and will expedite material delivery.

All pricing and terms per the approved agreement will remain fixed for the entire contract term. The additional funds required are not-to-exceed \$2,500,000 and is to be funded by the MNR Operating Budget.

SEPTEMBER 2015

METRO-NORTH RAILROAD

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Two-Thirds Vote:

B. Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)
(Staff Summaries only required for items estimated to be greater than \$1 million)

- 1. Request to use RFP Process** **\$TBD** **Staff Summary Attached**
Request for MTA Board approval to use the Request for Proposal (RFP) process to solicit and evaluate proposals from prospective railcar remanufacturers to overhaul 12 MNR BL-20 locomotives and four Staten Island Railway locomotives.

The scope of services for this project includes the overhaul of 12 BL-20 MNR locomotives that have been maintained by the Maintenance of Equipment (M of E) Department for Metro-North's (MNR) East of Hudson Service. The Staten Island Railway (SIR) acquired four BL-20 locomotives at the same time and also require third party overhaul. The locomotives are at midlife and this will be their first overhaul since being delivered to MNR and SIR. The BL-20 fleet is used for both switcher and shuttle service. They are used for work trains, yard movements and service protection as well as operating in revenue service. The overhaul of these locomotives is per the recommendation of Brookville Locomotive the Original Equipment Manufacturer (OEM).

This project will include, but not be limited to electrical system re-wiring, overhaul or replacement of the main and HEP diesel engine and alternator packages, engine control systems, and all rotating components. This overhaul shall maintain the service life of these locomotives an additional 15 years.

In order to assure the selection of the remanufacturer with the necessary experience and expertise, it is in the public interest to use the RFP process to properly evaluate the technical and remanufacturing capabilities of prospective proposers. The Contractor will be selected based on an evaluation of technical capability, past performance, organization resources, experience of team members, and cost. This procurement is to be funded by MNR and SIR's Operating Budget.

Schedules Requiring Majority Vote:

F. Personal Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M Competitive)

**2. CareWorks Absence Management \$120,000 (not-to-exceed)
Family and Medical Leave Act (FMLA) Administration Pilot Program**

Approval is requested to award a competitively solicited and negotiated (RFP process, three proposals received) 12 month personal service contract to the firm, CareWorks Absence Management (CareWorks) to administer, on a pilot program basis, MNR's Family and Medical Leave Act (FMLA) Program.

This FMLA Administration pilot is intended to determine if the services that can be provided by a third party can, due to the selected vendor's expertise in the field, better manage employee absences. This management oversight must be done in a manner that is consistent with the protections afforded under the statute and relevant regulations. The pilot program shall consist of an initial evaluation of the Maintenance of Equipment Department which includes up to 1700 employees, based upon industry best practices. This pilot program will enable the Railroad to evaluate the effectiveness of this type of program and possible application on a larger scale. If deemed successful by MNR, this program may be extended to cover all MNR employees.

In accordance with MTA procurement guidelines, an advertisement for the required services was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was also posted on the MNR website. RFP documents were sent to eight firms.

Three firms' submitted proposals and two firms were short-listed, and technical evaluations and oral presentations were conducted. Vendor evaluations were based on established selection criteria contained within the RFP documents and included: understanding of work scope requirements, detailed description of how the Services will be performed, commitment of relevant resources to the project, including the qualifications of key personnel and reliability to perform the services, demonstrated past experience and overall cost.

CareWorks' technical and cost proposal conveyed a comprehensive understanding of MNR requirements. As a result, the Selection Committee unanimously selected CareWorks as the best qualified and cost-effective firm for these services. CareWorks demonstrated extensive expertise in the administration of FMLA programs as well as overall absence management. The pilot will last for a period of twelve months, with an option to extend for an additional twelve months. A budgetary amount not-to-exceed \$120,000 (inclusive of option period costs) is being proposed for this pilot program. The pilot will cover approximately 1700 employees. During the option period, MNR may choose to expand the number of employees covered in the pilot program. MNR will work cooperatively with the approved vendor to determine the best methods, procedures and protocols to be followed during the implementation of the pilot. MNR has established unit pricing that will remain fixed throughout this program. This procurement is to be funded by the MNR Operating Budget.

G. Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M RFP; No Staff Summary required if Sealed Bid Procurement.)

**3. Abalon Exterminating Company, Inc. \$1,620,360 (not-to-exceed) Staff Summary Attached
Pest Control Services for Grand Central Terminal (GCT)**

Approval is requested to award a five year miscellaneous service contract (RFP Process, Non-Brooks Method; nine proposals received) to Abalon Exterminating Company, Inc., (Abalon) to provide Integrated Pest Management (IPM) services and regular pest control treatments to all MNR Grand Central Terminal (GCT) facilities and retail spaces. IPM is a sustainable approach to pest management that emphasizes non-chemical control of pests.

In accordance with MTA procurement guidelines, an advertisement for the subject service was placed in the New York State Contract Reporter, New York Post, El Diario, Daily Challenge, and was also posted on the MNR website. The Selection Committee evaluated nine proposals and short-listed two firms. The Committee unanimously determined that Abalon was the best qualified to perform the subject services. Abalon's cost proposal was 66% below the other shortlisted firms.

It is recommended that the MTA Board approve the selection of Abalon Exterminating Company Inc., to provide pest control management services for Grand Central Terminal in the not-to-exceed amount of \$1,620,360. An estimated 66% of the charges (\$1,069,438) are directly reimbursed by Jones-Lang LaSalle (GCT managing agent for the tenants) to MTA / MNR and the remaining 34% (\$550,942) is to be funded by the MNR Operating Budget.

**4. Waste Technology Services, Inc. \$10,000,000 (not-to-exceed) Staff Summary Attached
WRS Environmental Services, Inc.
Transportation and Disposal of Regulated Waste**

Approval is requested to award two competitively solicited, five year miscellaneous service contracts (RFP process, four proposals received) to Waste Technology Services, Inc. ("WTS") in the not-to-exceed amount of \$6,000,000 and WRS Environmental Services, Inc. ("WRS") in the not-to-exceed amount of \$4,000,000. Both contracts are for the transportation and disposal of regulated waste from various MNR locations, throughout out New York and Connecticut, to approved disposal/recycling facilities.

In accordance with MTA procurement guidelines, an advertisement for the required services was placed in the New York State Contract Reporter, the New York Post, El Diario, and the Daily Challenge and was also posted on the MNR website. Seventeen vendors were provided the solicitation and four proposals were received. WTS' and WRS' prices were lower than rates on a currently approved contract by 4% and 8% respectively.

It is recommended that the MTA Board approve the selections of Waste Technology Services, Inc. and WRS Environmental Services, Inc. to provide MNR's transportation and disposal of regulated wastes in the combined not-to-exceed amount of \$10,000,000. This procurement is to be funded by the MNR Operating Budget and by the State of Connecticut.

5. Dependable Hydraulics, Inc. \$52,413 (not-to-exceed)

Repair/Upgrade of Trackmobile Remote Control System

Approval is requested for a competitively solicited miscellaneous service contract (2 bids received) with the firm Dependable Hydraulics Inc. This contract provides for repair and upgrade services on MNR's Trackmobile Remote Control System, which facilitates the safe connection and disconnection of the Trackmobile and the rolling stock that is moved within the maintenance yard. The current remote control system is obsolete and not in a state-of-good-repair.

In accordance with Original Equipment Manufacturer (OEM) specifications, Dependable Hydraulics shall perform all necessary repairs and upgrades to restore its original functionality. Dependable Hydraulics' was 9.96% lower than the other bidder. This procurement is to be funded by the MNR Operating Budget.

J. Modification to Miscellaneous Procurement Contracts

(Approvals/Staff Summaries required for individual change orders greater than \$250K. Approval without Staff Summaries required for change orders greater than 15% of previously approved amount which are also at least \$50K)

**6. Various Heavy Equip/ Vehicle Rental Suppliers \$750,000 (not-to-exceed) Staff Summary Attached
Heavy Equipment and Vehicle Rental Contract**

Approval is requested for additional funding in the total not-to-exceed amount of \$750,000 to an existing competitively awarded miscellaneous purchase agreement through April 2017 for multiple heavy equipment and vehicle rental suppliers. Through a joint procurement led by Long Island Rail Road (LIRR), MNR awarded a competitively solicited miscellaneous procurement contract to eight heavy equipment and vehicle rental suppliers for various MNR departments in support of the Maintenance of Way.

In recent years, the use of these heavy maintenance vehicles has increased proportionately with the amount of track work being accomplished by MNR. The increased use of these vehicles was not originally anticipated. The Operations Department foresees the higher level of usage to continue through 2017. The additional funds required by MNR are not-to-exceed \$750,000 and is to be funded by the MNR Operating Budget.

Staff Summary

Item Number B					
Dept. & Dept. Head Name:					
Procurement & Material Management, Alfred Muir, Sr. Director					
Division & Division Head Name:					
Executive Vice President, Catherine Rinaldi					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	M-N Comm. Mtg.	9-21-15	X		
2	MTA Board Mtg.	9-24-15	X		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	Acting General Counsel		
X	Sr. V.P. Operations		V.P. Planning		
X	V.P. Finance & IT				
	V.P. Capital Programs				

SUMMARY INFORMATION	
Vendor Name	Contract Number
TBD	TBD
Description	
Request to use the RFP process for the Overhaul 12 MNR BL-20 Locomotives and 4 Staten Island Railroad Locomotives.	
Total Amount	
TBD	
Contract Term (including Options, if any)	
4 years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> 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:	

I. PURPOSE/RECOMMENDATION:

Request for MTA Board approval to use the Request for Proposal (RFP) process to solicit and evaluate proposals from prospective railcar remanufacturers to overhaul 12 MNR BL-20 Locomotives and four Staten Island Railway locomotives.

II. DISCUSSION:

The scope of services of this project includes the overhaul of 12 BL-20 MNR locomotives that have been maintained by the Maintenance of Equipment (MofE) Department for Metro-North's (MNR) East of Hudson Service. The Staten Island Railway (SIR) acquired four BL-20 locomotives at the same time that also require third party overhaul. The locomotives are at midlife and this will be their first overhaul since being delivered to MNR and SIR. The BL-20 fleet is used for both switcher and shuttle service. They are used for work trains, yard movements and service protection as well as operating in revenue service. The overhaul of these locomotives is per the recommendation of Brookville Locomotive, the Original Equipment Manufacturer (OEM).

This project will include, but not be limited to, electrical system re-wiring, overhaul or replacement of the main and HEP diesel engine and alternator packages, engine control systems, and all rotating components. This overhaul shall maintain the service life of these locomotives an additional 15 years.

In order to assure the selection of the remanufacturer with the necessary experience and expertise, it is in the public interest to use the RFP process to properly evaluate the technical and remanufacturing capabilities of prospective proposers. The Contractor will be selected based on an evaluation of technical capability, past performance, organization resources, experience of team members, and cost. The contract is to be funded by MNR's and SIR's Operating Budget(s).

Staff Summary

II. D/M/WBE INFORMATION:
TBD

IV. IMPACT ON FUNDING:

This procurement will be funded by MNR's and SIR's Operating Budget(s).

V. ALTERNATIVES:

MNR does not have the available in-house design or overhaul capacity to complete the scope of the specified work.

Staff Summary

Item Number G					
Dept & Dept Head Name: Procurement & Material Management, Alfred Muir, Sr. Director					
Division & Division Head Name: Executive Vice President, Catherine Rinaldi					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	MNR/LIRR Comm. Mtg.	9-21-15	X		
2	MTA Board Meeting	9-24-15	X		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	Acting General Counsel		
X	Sr. V.P. Operations		V.P. Planning		
X	V.P. Finance & IT				
	V.P. Capital Programs				

SUMMARY INFORMATION	
Vendor Name Abalon Exterminating Company Inc.	Contract Number 49152
Description Grand Central Terminal – Pest Control Services	
Total Amount \$1,620,360	
Contract Term (including Options, if any) Five years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> 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 checked="" type="checkbox"/> Other:	

I. PURPOSE/RECOMMENDATION: To obtain MTA Board approval to award a five year miscellaneous service contract to the firm, Abalon Exterminating Company, Inc. (Abalon), to provide Integrated Pest Management (IPM) services and regular pest control treatments to all MNR Grand Central Terminal (GCT) facilities and retail spaces. Through the IPM process, the firm will identify the source(s) of pest problems and work to eliminate them rather than reacting to the symptoms of the problem. IPM is preventative in nature and reduces or eliminates the use of toxic pesticides and provides for a safer environment for employees and customers.

MNR has selected an experienced pest management company that is capable of developing and employing a Pest Management program for a mixed-use facility such as GCT. This contract offers additional resources for more proactive service including 24/7 coverage as well as an on-staff Entomologist. The locations to be serviced include, but are not limited to: office towers, crew facilities, loading docks, GCT North, the Station Master's office, track areas, 98 retail operations located within GCT including balcony restaurants, the Grand Central Market and the various non-food retail shops.

II. DISCUSSION: In March 2015, the MTA Board approved the use of the RFP process for this procurement. A Request for Proposal (RFP) was issued for the required pest control services, and a proposal review team/selection committee was assembled comprising of individuals representing the following areas: Director Grand Central Terminal Development, MTA Real Estate Department – MNR Manager Environmental Compliance; MTA Strategic Initiatives;– Manager of Administration, GCT Operations and MNR Procurement & Material Management Department.

On April 2, 2015, a Request For Proposal (RFP) was publicly advertised in the following publications: The New York Post, the Daily Challenge, the New York State Contract Reporter, and was also posted on the MNR website. Thirty firms obtained the RFP documents.

Nine proposals were received on April 30, 2015. The selection criteria as stated in the RFP were listed as follows:

- A. Demonstrated understanding of the Work scope requirements, and ability to handle a contract of this magnitude.
- B. Project plan/Integrated Pest Management Program (IPM); Accessibility in emergencies; reporting systems monthly reports.
- C. Staff/Technicians qualifications
- D. Cost

Staff Summary

E. Past Commercial Experience on similar projects

The Selection Committee evaluated the nine proposals in accordance with the selection criteria and Metro-North's Procurement procedures and short-listed two firms: Abalon Exterminating, and Assured Environments. The two short-listed firms were invited to provide oral presentations on June 18th, 2015.

Following the oral presentations the two firms were requested to submit a Best and Final Offer (BAFO). The BAFO submitted by Abalon for \$1,620,360 was 66% lower than Assured Environments' proposed amount of \$2,696,265. The Selection Committee unanimously determined that Abalon Exterminating Company, Inc. was highly qualified and offered the best value in light of their cost, relevant experience with large client base mixed-use facilities and their proactive approach. Abalon is currently the incumbent for these services in GCT and has performed excellent work to date.

Pricing for these types of services is a factor of the different types of spaces: (1) Retail/Food and (2) GCT and Public Spaces. Retail/Food pricing is based on service frequency & square footage for which Abalon has provided all-inclusive monthly rates fixed for the term of the agreement. The rate for GCT is \$8,326 and Retail Spaces is \$18,880 totaling \$27,006 (an all-inclusive monthly rate for the term of agreement). The existing contract's hourly rate is \$87.50 compared to the newly proposed hourly rate of \$68.20, reflecting a reduction of 22 %. It is recommended that the MTA Board approve the selection of Abalon Exterminating Company, Inc., to provide pest control management services in GCT for a five year period in the not-to-exceed amount of \$1,620,360.

III. D/M/WBE INFORMATION: The MTA Department of Diversity and Civil Rights (DDCR) established a 10% MBE and a 10% WBE goal for this project. DDCR has determined that Abalon Exterminating has responded satisfactorily to the MBE/WBE submission requirements established for this contract.

IV. IMPACT ON FUNDING: The total cost of this contract for the five year period is \$1,620,360. An estimated 66% of the charges (\$1,069,438) are directly reimbursed by Jones-Lang LaSalle (the GCT managing agent for the tenants) to MTA/MNR and the remaining 34% (\$550,922) is to be funded by the MNR Operating Budget.

V. ALTERNATIVES: None at this time. Metro North does not have the available in-house staff with the experience, equipment or certifications to furnish the required pest control services for GCT.

Schedule G: Miscellaneous Service Contracts

Item Number: G

Vendor Name (& Location) Waste Technology Services, Inc. WRS Environmental Services, Inc.
Description Transportation and Disposal of Regulated Waste
Contract Term (including Options, if any) Five years
Option(s) included in Total Amount? <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:

Contract Number 47054 (WTS) 55150 (WRS)	AWO/Modification #
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Amount:	\$10,000,000 (not-to-exceed)
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: Procurement & Material Management, Alfred Muir, Sr. Director	

Discussion:

Approval is requested to award two competitively solicited, five year miscellaneous service contracts (RFP process, four proposals received) to Waste Technology Services, Inc. ("WTS") in the not-to-exceed amount of \$6,000,000 and WRS Environmental Services, Inc. ("WRS") in the not-to-exceed amount of \$4,000,000. Both contracts are for the transportation and disposal of regulated waste from various MNR locations throughout out New York and Connecticut to approved disposal/recycling facilities. These wastes are generated daily and include polychlorinated biphenyls, asbestos, lead paint waste, petroleum-contaminated materials (including soil), solvents, medical waste, transformers, batteries, and waste oils. The purpose of contracting with two service providers is to allow MNR the option to utilize the contractor that is most available to meet specific schedule and project requirements as well as to have qualified resources available to respond to emergency service requests. MNR's principal goal is to ensure environmentally regulated waste is handled in a manner that protects health, safety, and the environment while providing MNR with the fullest possible protection from liability.

In accordance with MTA procurement guidelines, an advertisement for the required services was placed in the New York State Contract Reporter, the New York Post, El Diario, and the Daily Challenge and was also posted on the MNR website. Seventeen vendors were provided the solicitation and four proposals were received. The award amounts, as estimated and as bid, are based upon estimated quantities that are projected to be expended over a five year period. Proposed unit prices by each contractor were compared to the current unit prices approved under an existing agreement. A comparative analysis of these rates was performed for the most heavily utilized services as a sample of work that represents typical and representational waste disposal expenditures. Based on this analysis, WTS' and WRS' prices were lower than current approved rates by 4% and 8% respectively.

These five year contracts for the transportation and disposal of regulated waste equal the not-to-exceed amounts of \$6,000,000 to WTS and WRS for \$4,000,000. This procurement is to be funded by the MNR Operating Budget and by the State of Connecticut.

Schedule J: Modifications to Miscellaneous Procurement Contracts

Item Number: J

Vendor Name (& Location) Various Heavy Equipment and Vehicle Rental Suppliers	Contract Number IT04360-MW04	AWO/Modification # 1
Description Heavy Equipment and Vehicle Rental Contract	Original Amount: \$ 2,046,000	
Contract Term (including Options, if any) Three Years	Prior Modifications: \$ 0.00	
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: \$ 2,046,000	
Solicitation Type <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:	This Request: \$750,000	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amount: % 63.35	
Requesting Dept/Div & Dept/Div Head Name: Procurement & Material Management, Alfred Muir, Sr. Director	% of Modifications (including This Request) to Original Amount: % 63.35	

Discussion:

Approval is requested for additional funding in the total not-to-exceed amount of \$750,000 to an existing competitively-awarded miscellaneous purchase agreement through April 2017 with various Heavy Equipment and Vehicle Rental suppliers. Through a joint procurement lead by Long Island Rail Road (LIRR), MNR awarded a competitively solicited miscellaneous procurement contract to eight heavy equipment and vehicle rental suppliers to support various MNR departments in support of the Maintenance of Way. The current agreement will expire in April 2017.

The use of these heavy maintenance vehicles has proportionately increased with the amount of track work being accomplished by MNR over the previous two years. The increased use of these vehicles was not originally anticipated or budget. The Operations Department foresees the higher level of usage through 2017. Additional funds required by MNR is not-to-exceed \$750,000 and is to be funded by the MNR Operating Budget.

SEPTEMBER 2015

METRO-NORTH RAILROAD

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Schedules Requiring Majority Vote:

K. Ratification of Completed Procurement Actions

(Staff Summaries required for unusually large or complex items which otherwise would require Board approval)

1. Kato Engineering Inc. \$115,000 (not-to-exceed)

Repair and Return of Two Main Traction Alternators for BL20 Locomotives

Approval is requested for a non-competitive procurement to repair of two main traction alternators for Metro North Railroad's (MNR) Brookville manufactured BL20 Locomotives. The referenced Locomotives (Units No. 128 and 129) have currently been placed out-of-service due to broken shafts within the alternators. The absence of these Locomotives significantly detracts from MNR's Track Department's ability to efficiently and effectively maintain its maintenance schedules. Kato Engineering is the Original Equipment Manufacturer (OEM) and the only supplier qualified to perform the repair of the traction alternators. The quoted prices are comparable to what was previously paid in 2013 and 2014 and is deemed fair and reasonable. This procurement is to be funded by the MNR Operating Budget.

LONG ISLAND RAIL ROAD

PROCUREMENTS

FOR

BOARD ACTION

September 24, 2015

Staff Summary



Subject : Request for Authorization to Award Various Procurements						Date <div style="text-align: center;">September 24, 2015</div>			
Department Procurement & Logistics									
Department Head Name Dennis L. Mahon, Chief Procurement & Logistics Officer									
Department Head Signature 									
Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LI Committee	9.21.15				X	President		
2	MTA Board	9.24.15				X	Exec VP		

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:

	<u># of Actions</u>	<u>\$ Amount</u>
LIRR proposes to award Non-Competitive Procurements in the following categories:		
<u>Schedules Requiring Two-Thirds Vote</u>		
Schedule A: Non-Competitive Purchases and Public Works Contracts	1	\$19,000,000
SUBTOTAL:	1	\$19,000,000
	<u># of Actions</u>	<u>\$ Amount</u>
LIRR proposes to award Competitive Procurements in the following categories:		
<u>Schedules Requiring Majority Vote</u>		
Schedule G: Miscellaneous Service Contracts	2	\$206,064
SUBTOTAL:	2	\$206,004
Schedule H: Modifications to Purchase Contracts and Public Works Contracts	1	\$10,000,000
SUBTOTAL:	1	\$10,000,000
	<u># of Actions</u>	<u>\$ Amount</u>
LIRR proposes to award Ratifications in the following categories:		
	None	
<u>TOTAL:</u>	<u>4</u>	<u>\$29,206,064</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.

SEPTEMBER 2015

MTA LONG ISLAND RAIL ROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote

Schedule A: Non-Competitive Purchase and Public Works Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source: \$250K Other Non-Competitive)

- | | | | |
|-----------|---|---|--------------------------------------|
| 1. | Telephonics Corporation
Sole Source
Contract No. TBD | \$19,000,000
Not-to-Exceed | <i><u>Staff Summary Attached</u></i> |
|-----------|---|---|--------------------------------------|

LIRR requests MTA Board approval to award a Sole Source Contract to Telephonics Corporation (Telephonics) in the Not to Exceed amount of \$19,000,000 (\$10M for the Base Order plus four Options totaling \$9M). LIRR's commuter diesel fleet consists of 45 DE/DM Locomotives and 134 C-3 bi-level coaches (23 cab cars and 111 Trailer Cars). Under the Base Contract, LIRR will Purchase 88 replacement Communications Control Units (CCUs) for its 45 Locomotives and 23 cab cars, and 20 Spares required to keep the remaining fleet in operation. The options include the purchase of an additional 111 CCUs for all C-3 Trailer Cars and several other technology based needs. The 45 Diesel Locomotives are about 16 years old and are due to be retired in 2025; while the C3, which are also about 16 years old, are to be retired in 2034-2035. The new CCUs will be designed to restore full operation of the existing Automatic Station Identification (ASI) systems as originally designed, which provides "next station" information over the PA system and on both the interior and exterior destination signs. Telephonics is the Original Equipment Manufacturer (OEM) of LIRR's diesel fleet Communications System and the only company capable of performing the work under the Contract due to the proprietary nature of the CCU design.

Schedule A: Non-Competitive Purchases and Public Works

Staff Summary



Long Island Rail Road

Item Number: 1

Vendor Name (& Location) Telephonics Corporation 815 Broad Hollow Road Farmingdale, NY	Contact Number TBD	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description Purchase of Communications Control Units (CCU's) – Includes restoration of Automatic Station Identification (ASI) and Repair & Return efforts for Radio & Public Address System components	Total Amount: \$19,000,000 NTE (\$10,000,000 - Base \$9,000,000 – 4 Options)	
Contract Term (including Options, if any) September 1, 2015 – August 31, 2020	Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Requesting Dept/Div & Dept/Div Head Name: Maintenance of Equipment – Craig Daly (Acting)	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-Competitive	Contract Manager : Carl Cipriano	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other:		

Discussion:

LIRR requests MTA Board approval to award a Sole Source Contract to Telephonics Corporation (Telephonics) in the Not-to-Exceed amount of \$19,000,000 (\$10M for the Base Order plus four Options totaling approximately \$9M). LIRR's commuter diesel fleet consists of 45 DE/DM Locomotives and 134 C-3 bi-level coaches (23 cab cars and 111 Trailer Cars). This procurement is required to address obsolescence of the Diesel Fleet's Communications Control Units (CCU's); restore functionality of the Automatic Station Identification (ASI); and provide onboard system compatibility during and after installation.

The CCU is an integral component of the LIRR diesel fleet communication system, providing all of the audio processing and switching for Public Address, Intercom, Passenger Emergency Intercom, Train Radio and ASI. Due to obsolescence, some of the CCU components are no longer commercially available. LIRR was notified by Telephonics that it will be unable to fully support the repairs of CCU's beyond the immediate future. Thus, the prompt purchase of replacement CCU's under this contract, which will require redesign and software upgrades to current technology, is essential to provide a permanent solution.

The LIRR recommended approach to replace the CCU component, as opposed to system level replacement, will best satisfy the objectives of this procurement with minimal risk, complexity and cost. The advantages of replacing the obsolete component CCU with equipment from the OEM provides the following benefits: ease of integration; significantly reduced installation cost and complexity; reduced cost by reusing all existing wiring and connectors and all other related system components including the Passenger Emergency Intercom, interior and exterior Message Signs, Voice radios, and Speakers. In addition, we will be able to maximize reuse of existing system software files and maintain existing environmental qualifications. Most importantly from an operational perspective we will avoid the necessity of operating segregated diesel train consists during installation due to incompatibility of communication networks.

Schedule A: Non-Competitive Purchases and Public Works

Staff Summary



Long Island Rail Road

The CCU component upgrade approach will optimize cost efficiencies by reducing design and installation time, as well as providing “plug and play” compatibility with the existing units currently on LIRR’s diesel fleet. This compatibility allows LIRR to mix diesel equipment with current CCU’s with equipment with upgraded CCU’s in the same consist while providing all required capabilities including Public Address, FRA-required Radio Access, Crew Intercom, Passenger Emergency Intercom, and ASI including visual sign messages and automated voice announcements.

The existing ASI system, as originally designed, provides customers with “next station” information over the PA system, and on both the interior and exterior destination signs. However, the system has been inoperable for several years and requires upgrades to the CCU’s to be returned to functionality.

Under the Base Contract, LIRR will purchase 88 replacement CCU’s for its 45 locomotives and 23 cab cars, and 20 spares. This would allow the LIRR to restore a functioning ASI system to all cars (including trailer cars) in the diesel fleet. The contract options, including the purchase of an additional 111 CCU’s for all C-3 Trailer Cars and the addition of GPS technology, would make the system more robust and allow for remote updating of ASI information. The base order is valued at \$10.0M and covers the purchase of the 88 CCU’s (as described above) and non-recurring costs for engineering and prototyping.

Also included in the contract are the following four options estimated at a total of \$9.0M:

- Option 1 - Dedicated antenna system for GPS (up to \$400K), will be required only if GPS is not provided over the car network by the PTC contractor.
- Option 2 - Wi-Fi network/remote access capability (up to \$2.1M), to provide route and message file updates for service changes by remote download to the vehicles over a Wi-Fi limited access point network.
- Option 3 – Replacement of 60 trailer car CCU’s – (\$3.3M)
- Option 4 – Replacement of 51 trailer car CCU’s – (\$3.2M)

Labor, material rates and associated mark-ups proposed under the contract were reviewed by MTA Audit and their subsequent recommendations were utilized in negotiating the NTE amount of the base as well as the options. As a result, the price is considered fair and reasonable. All work will be funded in the LIRR’s Operating Budget.

No M/WBE goals were assigned to this procurement as Sole Source OEM Parts Agreements are included on the approved Exempt/Excluded list.

Telephonics is the Original Equipment Manufacturer (OEM) of LIRR’s diesel fleet Communications System and the only company capable of performing the work under the contract due to the proprietary nature of the CCU design.

SEPTEMBER 2015

MTA LONG ISLAND RAIL ROAD

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote

Schedule G: Miscellaneous Service Contracts

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M RFP;
No Staff Summary required if Sealed Bid Procurement)

- 2. Malvese Equipment Co., Inc. \$45,000**
Competitive IFB Not-to-Exceed
Contract No. 04-1101

Long Island Rail Road requests MTA Board approval to award a competitively bid 3-year Miscellaneous Service Contract to Malvese Equipment Co., Inc. (Malvese), in the total, not-to-exceed amount of \$45,000. Services under this contract will include the repair of skid steer loaders and other similar equipment manufactured by New Holland, Bradco, Case, and others as necessary. The Price Schedule was based on estimated quantities, a discount from a manufacturer's price list of parts, and hourly labor rates. MTA Department of Diversity and Civil Rights has established a 0%/0% M/WBE goal for this procurement, as these services are on the current Exemption/Exclusion List. The IFB was advertised in the New York State Contract Reporter on April 30, 2015, in the New York Post on May 14, 2015 and on the MTA website on May 5, 2015. In addition, notices were mailed to seven firms. LIRR received one bid. The last time the LIRR received labor rates for this particular service was in 2012, and the hourly rate was \$95.00. Malvese's proposed labor rate for this service is \$100.00 per hour, representing a 5% increase over prior contract rates in effect since 2012. When compared to the Producer Price Index (PPI) for Commercial Machinery Repair and Maintenance, which shows an increase of 5.6% from 2012 to 2015, Malvese's price is considered fair and reasonable. The LIRR's Operating Budget will fund this contract.

- 3. Mayday Communications, Inc. \$161,064**
Competitive Fixed Amount
Contract No. TBD

Long Island Rail Road requests MTA Board approval to award a three-year contract to Mayday Communications, Inc. ("Mayday") in a fixed amount of \$161,064, to perform maintenance and repair of various voice recording equipment imbedded in seven digital voice recording systems which are located at Penn Station, Jamaica Station and LIRR's Hillside Maintenance facility. The

Voice Recording Systems are used to archive all radio and voice communications affecting train movement, manpower call outs and safety related issues. The scope of the contract covers all parts and labor necessary to maintain and service the voice logging and recording equipment, as well as on-site service at the LIRR on a 24/7 basis. Service to be performed includes testing, furnishing replacement parts and troubleshooting. Mayday also is required to maintain an inventory of spare parts to meet any single repair requirement to limit any downtime on any given recorder. LIRR advertised this procurement in the New York Post, NYS Contract Reporter and on LIRR Procurement Web Site. No MBE/WBE goals were assigned to this procurement, as these services are listed on the exempt/excluded list. In addition to publicly advertising, solicitations were sent to five known qualified firms; one bid was received from Mayday, the incumbent provider for these services. Mayday's aggregate proposed price for the three year term of this contract is approximately 1.11% higher than its previous contract (2012-2015) on an annualized basis. As a result, Mayday's price has been determined to be fair and reasonable. The LIRR's Operating Budget will fund this contract.

Procurements Requiring Majority Vote

Schedule H: Mods. To Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services.

(Approvals/Staff Summaries required for substantial change orders and change orders that cause original contract to equal or exceed monetary or durational threshold required for Board approval.)

- | | | | |
|----|--|---------------------------------------|-------------------------------|
| 4. | Automotive Rentals, Inc.
Competitive
Contract No. 04000...494 | \$10,000,000
Not-to-Exceed | <u>Staff Summary Attached</u> |
|----|--|---------------------------------------|-------------------------------|

Long Island Rail Road requests MTA Board Approval to issue a Contract Modification in the not-to-exceed amount of \$10 million to Automotive Rentals, Inc. (ARI), for the period from September 30, 2015 through the July 31, 2017 contract expiration date to fund additional costs associated with vehicle maintenance and fleet management services during this period. The contract, is a multi-agency, competitively negotiated, contract, in the total not-to-exceed amount of \$34,080,000 for fleet maintenance and management services that was awarded to ARI by Metro-North Railroad. The Contract, which includes New York City Transit's Paratransit and LIRR, was approved by the MTA Board in April 2012. The LIRR's Operating Budget will fund this contract modification.

Staff Summary



Item Number: 4

Vendor Name (& Location) Automotive Rentals, Inc. – Mt. Laurel N.J.
Description Fleet Maintenance and Management Services
Contract Term (including Options, if any) August 1, 2012 - July 31, 2017
Option(s) included in Total Amount? <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 Other: <input type="checkbox"/> Ride
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: Robert Murphy - Chief of Security System & Service, Security

Contact Number 04000...494	AWO/Modificaiton # Modification #1
Original Amount:	\$18,080,000
Prior Modifications:	\$0
Prior Budgetary Increases:	\$0
Current Amount:	\$18,080,000
This Request:	\$10,000,000
% of This Request to Current Amount:	TBD%
% of Modifications (including This Request) to Original Amount:	TBD%

I. Discussion:

Long Island Rail Road (“LIRR”) requests MTA Board Approval to issue a Contract Modification in the not-to-exceed amount of \$10 million to Automotive Rentals, Inc. (ARI), for the period from September 30, 2015 through the July 31, 2017 contract expiration date to fund additional costs associated with vehicle maintenance and fleet management services during this period. The contract, is a multi-agency, competitively negotiated, contract, in the total not-to-exceed amount of \$34,080,000 for fleet maintenance and management services that was awarded to ARI by Metro-North Railroad (“MNR”). The Contract, which includes New York City Transit’s (“NYCT”) Paratransit and LIRR, was approved by the MTA Board in April 2012.

In response to financial pressures during the 2010-2012 timeframe, the MTA implemented various cost savings initiatives, including one to reduce the cost of its non-revenue fleet (including trucks and highway vehicles). The analysis behind that initiative demonstrated that there would be savings from the deferral of vehicle replacements which would be partially offset by higher maintenance costs associated with an older fleet. While the initiative resulted in net cost savings, maintenance costs have exceeded initial expectations. The April 2012 Board-approved contract did not factor in the impact of the increase in average fleet age and as a result, it underestimated maintenance requirements. The resulting increased spending has been captured within LIRR operating budgets and the MTA Financial Plan; this modification will align the contract with the Financial Plan. The contract also reflects the projection that maintenance costs will come down as new vehicles arrive and replace the over-aged vehicles.

LIRR has been actively working to return to a normal vehicle replacement cycle. In this regard, LIRR’s vehicle replacement program is sufficiently funded to accomplish this goal, notwithstanding the challenges associated with addressing the backlog vehicles in addition to the normal annual vehicle procurements. Currently, all vehicles which are beyond the replacement guidelines are in the procurement process for replacement. With current build/delivery lead time between 8-18 months for some of the more critical vehicles, such as the trucks, LIRR anticipates that the entire fleet will be returned to normal lifecycle by the 4th quarter of 2016, which will also result in maintenance costs returning to normal levels. Included in the contract modification amount of \$10M is a \$500,000 contingency which will be used if new vehicle replacement delivery dates slip beyond the planned 2016 date.

Staff Summary



Long Island Rail Road

Funding:

Funding for this contract modification is included in LIRR's Operating Budget.

Recommendation:

Board approval is requested to authorize a contract modification to add funds through the contract term, where follow-on services will be coordinated with MNR under a multi-agency procurement. All other pricing, terms and conditions will remain firm.

Staff Summary



Subject	Request for Authorization to Award Procurements				
Department	Law and Procurement				
Department Head Name	Evan M. Eisland				
Department Head Signature					
Board Action					
Order	To	Date	Approval	Info	Other
1	Metro-North & Long Island Rail Road Joint Committee	9/21/15	X		
2	Board	9/24/15	X		

Date: September 16, 2015			
Vendor Name Various			
Contract Number Various			
Contract Manager Name Various			
Internal Approvals			
	Approval		Approval
4	President 	3	Executive Vice President and CFO
2	Vice President, Program Controls 	1	Chief Procurement Officer

PURPOSE

To obtain the approval of the Board to award contract modifications and to inform the Metro North and Long Island Railroad Joint Committee of this procurement action.

DISCUSSION

MTA Capital Construction proposes to award a Competitive procurement in the following category:

Schedules Requiring Majority Vote:

Schedule I Modifications to Purchase and Public Work Contracts

	<u># of Actions</u>	<u>\$ Amount</u>
	1	\$ 3,500,000
TOTAL	1	\$ 3,500,000

Budget Impact:

The approval of this modifications will obligate funds in the amount listed. Funds are available in the current capital budget for this purpose.

Recommendation:

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

SEPTEMBER 2015

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

Schedule I. Modifications To Purchase and Public Work Contracts

(Staff Summaries required for individual change orders greater than \$750K. Approval without Staff Summary required for change orders greater than 15% of the adjusted contract amount which are also at least \$250K)

- | | | | |
|----|---|--------------|-------------------------------|
| 1. | Harold Structures Joint Venture
Contract No. CH057A
Modification No. 11 | \$ 3,500,000 | <u>Staff Summary Attached</u> |
|----|---|--------------|-------------------------------|

In accordance with Article IX of the MTA All-Agency Procurement Guidelines, MTACC seeks Board approval of a modification to the Contract to compensate the Contractor for additional direct costs associated with railroad interferences.

Item Number 1

Vendor Name (& Location) Harold Structures Joint Venture (Secaucus, NJ)	Contract Number CH057A	AWO/Modification # 11
Description Harold Structures Part 3A for the ESA Project		
Contract Term (including Options, if any) 26 Months	Original Amount:	\$ 104,300,000
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Prior Modifications:	\$ 4,942,137
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	Prior Budgetary Increases:	\$ 0
Solicitation Type <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	Current Amount:	\$ 109,242,137
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	This Request	\$ 3,500,000
Requesting Dept./Div. & Dept./Div. Head Name: East Side Access, W. Goodrich, P.E.	% of This Request to Current Amount:	3.2%
	% of Modifications (including This Request) to Original Amount:	8.1%

Discussion:

This Contract is for the construction of a jacked shield tunnel, approach structures, direct fixation track and electrical systems for the Westbound Bypass Structure for the East Side Access ("ESA") Project. Contract work also includes the installation of catenary and signal bridges along the Westbound Bypass alignment. In accordance with Article IX of the All-Agency Procurement Guidelines, MTACC seeks Board approval of a modification to the Contract to compensate the Contractor for additional direct costs associated with railroad interferences.

The Contract provides for Contractor reimbursement of certain direct costs associated with the railroads' unanticipated interference with Contractor's planned work shifts. Examples of such unanticipated interferences are: i) a railroad withdraws a planned track or power outage; or ii) a railroad is unable to provide required railroad protection for a planned outage; and iii) the Contractor cannot reallocate its labor and equipment for the planned outage to other work. The Contract includes the first 5,000 man-hours of interferences in the base contract price. The Contract provides for interferences beyond the first 5,000 hours to be paid out of a \$1M allowance in Bid Item No. 7. Based on the current trend, the allowance will be depleted by October, 2015, with approximately 70% of the Contract work remaining to be completed.

The ESA Project Team has performed an analysis of the interferences experienced to date and the work that remains to be performed on this Contract and estimates the additional direct costs from future potential railroad interferences at \$3.5M. By this Modification MTACC seeks approval to increase Bid Item No. 7 by that amount.



Bridges and Tunnels

Procurements September 2015



Staff Summary

Subject:	Request for Authorization to Award Various Procurements
Department:	Procurement
Department Head Name	M. Margaret Terry <i>mmt</i>
Department Head Signature	
Project Manager Name	Various

Date	September 4, 2015
Vendor Name	
Contract Number	
Contract Manager Name	
Table of Contents Ref #	

Board Action					
Order	To	Date	Approval	Info	Other
1	President	9/4/15			
2	MTA B&T Committee	9/21/15			
3	MTA Board	9/24/15			

Internal Approvals			
Order	Approval	Order	Approval
<i>DS</i>	President		VP Operations
	Executive Vice President		VP & Chief Engineer
<i>mmt</i>	SVP & General Counsel	<i>gm</i>	VP & Chief Procurement Officer
	VP Administration		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
	Chief Financial Officer <i>Alber</i>		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:

Schedules Requiring Majority Vote		# of Actions	\$ Amount
Schedule C	Competitive Requests for Proposals	1	\$ 21.237M
Schedule F	Personal Service Contracts	2	\$ 13.849M
Schedule H	Modifications to Personal/Miscellaneous Service Contracts	4	\$ 3.349M
SUBTOTAL		7	\$ 38.435M

MTA B&T presents the following procurement actions for Ratification:

Schedules Requiring Majority Vote			
Schedule D	Ratification of Completed Procurement Actions (Involving Schedule A-C)	1	\$ 0.062M
SUBTOTAL		1	\$ 0.062M
TOTAL		8	\$ 38.497M

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; 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.
7. The Board authorizes the budget adjustments to estimated contracts set forth in Schedule L.

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
SEPTEMBER 2015

MTA BRIDGES & TUNNELS

Procurements Requiring Majority Vote:

C: Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)
(Staff Summaries required for items requiring Board approval)

- | | | | |
|----|---|------------------------|--------------------------------------|
| 1. | John P. Picone, Inc.
Contract No. CB-99S/MP-03S
2 yr. 3 mo. contract – Competitive RFP – 3 Proposals
Provide Design/Build Services for Projects CB-99S and MP-03S, Replacement and Relocation of Electrical and Mechanical Equipment at the Marine Parkway-Gil Hodges Memorial Bridge (MPB) and Cross Bay Bridge (CBB) facilities. | \$21,237,000.00 | <u>Staff Summary Attached</u> |
|----|---|------------------------|--------------------------------------|

F: Personal Service Contracts

(Staff Summaries required for items greater than: \$100K Sole Source; \$250K Other Non-Competitive; \$1M Competitive)

- | | | | |
|----|--|-----------------------|--------------------------------------|
| 2. | LiRo Engineers, Inc.
Contract No. PSC-15-2965
3 yr. contract - Competitive RFP - 3 Proposals
Provide Construction Administration and Inspection Services for Projects MP-03/MP-16, Electrical and Mechanical Rehabilitation, Friction Mitigation, Miscellaneous Steel Repairs, Painting and Fire Standpipe Installation at the Marine Parkway-Gil Hodges Memorial Bridge. | \$7,438,401.37 | <u>Staff Summary Attached</u> |
| 3. | Greenman-Pedersen, Inc.
Contract No. PSC-15-2966
3 yr. 8 mo. contract - Competitive RFP - 4 Proposals
Provide Construction Administration and Inspection Services for Projects BW-14/BW-84C, Various Structural Repairs and Removal of Tuned Mass Damper and Inspection of Select Main Cable Panels at the Bronx-Whitestone Bridge. | \$6,410,168.14 | <u>Staff Summary Attached</u> |

H: Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services

(Approvals/Staff Summaries required for substantial change orders and change orders that cause original contract to equal or exceed monetary or durational threshold required for Board approval)

- | | | | |
|----|---|-----------------------|--------------------------------------|
| 4. | Weidlinger Associates, Inc.
Contract No. PSC-13-2925
Amend contract for funding to provide construction support services (CSS) during the construction phase of Project BW-14/BW-84 at the Bronx-Whitestone Bridge. | \$1,793,922.47 | <u>Staff Summary Attached</u> |
|----|---|-----------------------|--------------------------------------|

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
SEPTEMBER 2015

- | | | | |
|----|--|---------------------|--------------------------------------|
| 5. | Dewberry Engineers Inc.
Contract No. PSC-12-2911 | \$683,503.56 | <u>Staff Summary Attached</u> |
| | Amend contract for funding to provide construction support services (CSS) during the construction phase of Project MP-16 at the Marine Parkway – Gil Hodges Memorial Bridge. | | |
| | | | |
| 6. | Ammann & Whitney Consulting Engineers, PC
Contract No. PSC-13-2924 | \$516,890.01 | <u>Staff Summary Attached</u> |
| | Amend contract to provide additional funding for ongoing construction administration and inspection (CA&I) services in connection with Project MP-06 at the Marine Parkway – Gil Hodges Memorial Bridge. | | |
| | | | |
| 7. | Permadr Industries, Inc. dba SISSCO
Material Handling
Contract No. VNM-366 | \$354,512.48 | <u>Staff Summary Attached</u> |
| | Amend contract for funding to upgrade the control system for the four (4) travelers at the Bronx-Whitestone Bridge. | | |

Staff Summary

Page 1 of 2

Item Number 1 (Final)					
Dept & Dept Head Name: <i>Joe Keane</i> Engineering & Construction, Joe Keane, P.E.					
Division & Division Head Name: <i>Romolo DeSantis</i> Engineering & Construction, Romolo DeSantis, P.E.					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	9/04/15			
2	MTA B&T Committee	9/21/15			
3	MTA Board	9/24/15			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Executive Vice President		
2	General Counsel <i>[Signature]</i>	5	President <i>[Signature]</i>		
3	Chief Procurement Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
Vendor Name John P. Picone, Inc.	Contract Number CB-99S/MP-03S
Description Design/Build Services for Project CB-99S/MP-03S, Replacement of Electrical and Mechanical Equipment at the Marine Parkway-Gil Hodges Memorial Bridge and Cross Bay - Veterans Memorial Bridge Facilities	
Total Amount \$21,237,000	
Contract Term (including Options, if any) 27 Months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: Sandy	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval in accordance with the All-Agency Procurement Guidelines to award a competitively negotiated public work contract for Design/Build Services for the Replacement of Electrical and Mechanical Equipment at the Marine Parkway-Gil Hodges Memorial Bridge (MPB) and Cross Bay-Veterans Memorial Bridge (CBB) Facilities to John P. Picone, Inc. (Picone) for a period of 27 months at a price of \$21,237,000.

II. DISCUSSION

In September 2013, the Board authorized B&T to enter into a competitive Request for Proposal (RFP) process for design/build services for Projects CB-99S and MP-03S Replacement and Relocation of Electrical Equipment at the Marine Parkway-Gil Hodges Memorial Bridge (MPB) and Cross Bay-Veterans Memorial Bridge (CBB) Facilities which sustained damage during Superstorm Sandy. The design/build scope includes but is not limited to the following: new pre-engineered substation enclosures, new electrical equipment consisting of new switchgear and transformers, a new emergency generator, and new heating equipment.

The service requirements were publicly advertised; seven firms submitted qualification information. Four firms were chosen to receive the RFP based on a review of those qualifications and three firms submitted proposals: Picone; Mass. Electrical Construction Co. and T. Moriarty & Son, Inc. The proposals were evaluated against established criteria set forth in the RFP, including cost, proposed schedule, project design and understanding and constructability, record of performance for proposed contractor and designer, qualifications of the firm and proposed personnel. Based on the selection criteria and oral presentations, the committee unanimously recommended Picone.

(rev. 1/22/14)

Staff Summary

The committee's basis for the selection of Picone included: (i) the highest technical rating; (ii) the lowest proposed price; (iii) Picone's understanding of the work and project risks; (iv) a clear and detailed design approach.

Picone submitted a proposal in the amount \$22,662,000. The Engineer's estimate is \$21,384,829. After negotiations the parties agreed to a price in the amount of \$21,237,000. The negotiated price is 0.7% below the estimate and is fair and reasonable. Overall Picone's proposal was most advantageous to the Authority. Picone is considered a responsible contractor.

III. D/M/WBE INFORMATION

The MTA DDCR has established goals of 10% MBE and 10% WBE for the Contract. John P. Picone, Inc. has achieved its previous MWBE goals on prior MTA contracts.

IV. IMPACT ON FUNDING

Funding for the Project totals \$21,237,000 with allocations from the Sandy Capital Program CB-99S (\$10,624,000) and MP-03S (\$6,150,000); as well as the 2010-2014 Core Capital Program MP-03 (\$4,463,000). Funding reallocations are required as follows: \$3,500,000 from ED040243 to ED040210; \$2,500,000 from ED040243 to ED040207; and \$2,170,680 from D603AW36 to D604MP03.

V. ALTERNATIVES

There are no recommended alternatives. B&T does not possess the resources required to perform these services.

Staff Summary

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Item Number 2 (Final)					
Dept & Dept Head Name: Engineering & Construction/Joe Keane <i>Joe Keane</i>					
Division & Division Head Name: Romolo DeSantis <i>Romolo DeSantis</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	9/4/15			
2	MTA B&T Committee	9/21/15			
3	MTA Board	9/24/15			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>John</i>	4	Executive Vice President		
2	General Counsel <i>mmt</i>	5	President <i>OS</i>		
3	Chief Procurement Officer <i>John</i>				

SUMMARY INFORMATION	
Vendor Name LiRo Engineers, Inc.	Contract Number PSC-15-2965
Description: Construction Administration and Inspection Services for Projects MP-03/MP-16, Electrical and Mechanical Rehabilitation, Friction Mitigation, Miscellaneous Steel Repairs, Painting and Fire Standpipe Installation at the Marine Parkway-Gil Hodges Memorial Bridge	
Total Amount \$7,438,401.37	
Contract Term (including Options, if any) Three (3) years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> 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 checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to award a personal service contract for the construction administration and inspection services for Projects MP-03/MP-16, Electrical and Mechanical Rehabilitation, Friction Mitigation, Miscellaneous Steel Repairs, Painting and Fire Standpipe Installation at the Marine Parkway-Gil Hodges Memorial Bridge to LiRo Engineers, Inc. (LiRo) in the negotiated amount of \$7,438,401.37 for a duration of three (3) years.

II. DISCUSSION

B&T requires the services of an engineering consultant firm to perform construction administration and inspection services Project MP-03/MP-16. The construction scope includes but is not limited to the following: replacement of lift span motors and drives; electrical and mechanical replacements and upgrades to the lift span; installation of new auxiliary counterweight ropes; rope socket enhancements; installation of new fire line system and hydrants; architectural upgrades and repairs; various structural steel and grid deck repairs; abatement of asbestos and lead containing materials; painting and maintenance and protection of traffic.

The service requirements were publicly advertised. Five (5) firms submitted qualification information for review and evaluation by the selection committee and all firms were chosen to receive the Request For Proposal (RFP). The firms are: AECOM, USA (AECOM); HAKS Engineers and Land Surveyors (HAKS); LiRo; Parsons Brinckerhoff, Inc. (PB) and

Staff Summary

STV, Inc. The proposals were evaluated against established criteria set forth in the RFP, including technical work proposed, depth of understanding of the project, qualifications of the firm for specific personnel proposed and cost. Based on the detailed review of all submittals, presentations and proposed costs, the selection committee unanimously recommended that negotiations be conducted with LiRo, the highest rated firm. The recommendation stressed LiRo's demonstrated superior understanding regarding: mechanical and electrical rehabilitations; steel repairs and painting and fire standpipe installation as compared to the other proposers.

LiRo submitted a cost proposal in the amount of \$7,870,859. The Engineer's estimate is \$7,470,102. Negotiations resulted in B&T and LiRo agreeing to the negotiated amount totaling \$7,438,401.37, which is 0.4% below the estimate and is fair and reasonable. LiRo's proposal is deemed most advantageous to B&T. LiRo is considered a responsible consultant.

II. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 10% MBE and 10% WBE for this contract. LiRo has achieved their M/WBE goals on previous MTA contracts.

III. IMPACT ON FUNDING

Funding is available in the 2015-2019 Capital Program under Project MP-03 (\$2,358,276.67) and Project MP-16 (\$2,241,973.80); Project MP-16 Capital Painting (\$2,266,144.65) and the Operating Budget under Projects MPM-351 (\$199,367.25); MPM-347 (\$214,400.31); MPM-345 (\$99,807.23) and MPM-344 (\$58,431.46).

IV. ALTERNATIVES

There are no recommended alternatives. B&T does not possess the resources required to perform these services.

Staff Summary

Page 1 of 2

Item Number 3 (Final)					
Dept & Dept Head Name: Engineering & Construction Department, Joe Keane, P.E. <i>Chris J. Stathopoulos For J. Keane</i>					
Division & Division Head Name: Engineering & Construction Department, Aris Stathopoulos, P.E. <i>Aris Stathopoulos</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	9/4/15			
2	MTA B&T Committee	9/21/15			
3	MTA Board	9/24/15			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Executive Vice President		
2	General Counsel <i>MMT</i>	5	President <i>JS</i>		
3	Chief Procurement Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
Vendor Name Greenman-Pedersen, Inc.	Contract Number PSC-15-2966
Description: Construction Administration and Inspection Services for Projects BW-14/BW-84C, Various Structural Repairs and Removal of Tuned Mass Damper and Inspection of Select Main Cable Panels at the Bronx-Whitestone Bridge	
Total Amount \$6,410,168.14	
Contract Term (including Options, if any) Three (3) years, Eight (8) months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> 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 checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to award a personal service contract for the construction administration and inspection services for Projects BW-14/BW-84C, Various Structural Repairs and Removal of Tuned Mass Damper and Inspection of Select Main Cable Panels at the Bronx-Whitestone Bridge to Greenman-Pedersen, Inc. (GPI) in the agreed amount of \$6,410,168.14 for a duration of three (3) years, eight (8) months.

II. DISCUSSION

B&T requires the services of an engineering consultant firm to perform complete construction administration and inspection services (CA & I) for Projects BW-14/BW-84C. CA & I tasks include: (i) pre-construction services; (ii) construction inspection and administration with confirmatory testing requirements and (iii) post construction and close-out services. The construction Scope of Work includes: structural steel and concrete repairs; main cable opening, inspection and testing; suspender rope inspection, testing and replacements; removal of the tuned mass damper and appurtenances; electrical transformer testing; replacement of roadway lighting and anchorage interior lighting with LED lighting; painting of bridge tower interiors, including lead abatement and abrasive blast surface preparation; painting of the main cable, suspender ropes and other locations; abatement of asbestos and lead containing materials and maintenance and protection of traffic.

Staff Summary

The service requirements were publicly advertised. Six (6) firms submitted qualification information for review and evaluation by the selection committee and four (4) firms were chosen to receive the Request For Proposal (RFP). The firms are: GPI, Hardesty & Hanover, B&H Engineering and Alta Vista Solutions. The proposals were evaluated against established criteria set forth in the RFP, including technical work proposed, depth of understanding of the project, qualifications of the firm for specific personnel proposed and cost. Accordingly, the selection committee recommended that negotiations be conducted with GPI. The recommendation stressed GPI's demonstrated greater technical understanding regarding the main cable opening, investigation and testing processes as compared to the other proposers. GPI's technical proposal included a thorough and detailed procedure for the required cable investigation phases of the work. GPI's personnel have demonstrated recent experience with this specialized work.

GPI submitted a cost proposal in the amount of \$6,442,093.58. The Engineer's estimate is \$6,412,468. Negotiations resulted in the B&T and GPI agreeing to the negotiated amount totaling \$6,410,168.14, which is slightly lower than the estimate and is fair and reasonable. GPI's proposed is deemed most advantageous to B&T. GPI is considered a responsible consultant.

II. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 10% MBE and 10% WBE for this contract. GPI has achieved their M/WBE goals on previous MTA contracts.

III. IMPACT ON FUNDING

Funding is available in the 2015-2019 Capital Program as follows: Project BW-14 (\$1,733,681.97); Project BW-84C (\$796,896.22); Project BW-84C Paint (\$1,577,550.96); and the Operating Budget under Project WBM-369 (\$2,302,038.99).

V. ALTERNATIVES

There are no recommended alternatives. B&T does not possess the resources required to perform these services.

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

Item Number: 4 (Final)

Vendor Name (& Location) Weidlinger Associates, Inc.	Contract Number PSC-13-2925	AWO/Modification #
Description Design and Construction Support Services for Project BW-14/BW-84, Various Structural Repairs and Inspection of Select Main Cable Panels at the Bronx-Whitestone Bridge		
Contract Term (including Options, if any) October 8, 2013 – April 7, 2017		
Option(s) included in Total Amount? <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 checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		
Requesting Dept/Div & Dept/Div Head Name: Engineering & Construction, Joe Keane, P.E.		
	Original Amount:	\$3,375,821.44
	Prior Modifications:	\$358,345.65
	Prior Budgetary Increases:	
	Current Amount:	\$3,734,167.09
	This Request:	\$1,793,922.47
	% of This Request to Current Amount:	48.0%
	% of Modifications (including This Request) to Original Amount:	63.8%

Discussion:

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to amend the Contract with Weidlinger Associates Inc. (WAI) for funding to provide construction support services (CSS) during the construction phase of Project BW-14/BW-84 at the Bronx-Whitestone Bridge (BWB). The project designs are complete and B&T anticipates the construction work to commence in December 2015. In order to provide the required construction support services, B&T is requesting additional funding in the amount of \$1,793,922.47. Consistent with the All-Agency Guidelines this amendment constitutes a substantial change.

In September 2013, subsequent to Board approval the subject contract was awarded to WAI for design services and at that time, B&T informed the Board that a future request for CSS funding would be submitted. The Contract requires that WAI provide the design and construction support services necessary to: (i) prepare designs, plans, specifications and construction cost estimates for various structural repairs at the suspended spans and anchorages of the BWB; (ii) design for the sequenced removal of the tuned mass damper; (iii) perform an in-depth inspection of select main cable panels; (iv) remove and test select cable wire specimens and (v) provide main cable strength evaluations, analyses, modeling and reporting.

WAI submitted a proposal in the amount of \$1,793,922.47. The Engineer's estimate is \$1,724,347.00. Based on review of the scope and discussions between the parties, B&T agreed to accept WAI's proposed amount of \$1,793,922.47. It was determined that the estimate understated the hours required to review contractor submittals (RFIs, Shop Drawings and Catalog Cuts). The accepted amount is 4% above the estimate and is considered fair and reasonable. Funding is available in the 2015-2019 Capital Program as follows: Project BW-14 (\$743,801.25); Project BW-84C (\$736,035.85); Project BW-84C Paint (\$78,049.52); and the Operating Budget under Project WBM-369 (\$236,035.85).

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

Item Number: 5 (Final)

Vendor Name (& Location) Dewberry Engineers Inc.	Contract Number PSC-12-2911	AWO/Modification #
Description Design and Construction Support Services for Project MP-16, Miscellaneous Steel Repairs, Painting and Fire Line Installation at the Marine Parkway - Gil Hodges Memorial Bridge (MPB)		
Contract Term (including Options, if any) January 31, 2013 – January 30, 2019		
Option(s) included in Total Amount? <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 type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		
Requesting Dept/Div & Dept/Div Head Name: Engineering & Construction, Joe Keane, P.E.		
	Original Amount:	\$1,249,779.02
	Prior Modifications:	\$339,460.20
	Prior Budgetary Increases:	
	Current Amount:	\$1,589,239.22
	This Request:	\$683,503.56
	% of This Request to Current Amount:	43.0%
	% of Modifications (including This Request) to Original Amount:	81.9%

Discussion:

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to amend the Contract with Dewberry Engineers Inc. (Dewberry) for funding to provide construction support services (CSS) during the construction phase of Project MP-16 at the Marine Parkway - Gil Hodges Memorial Bridge (MPB). In January 2013, subsequent to Board approval the subject contract was awarded to Dewberry for design services and at that time, B&T informed the Board that a future request for CSS funding would be submitted. The Contract requires that Dewberry provide the design and construction support services necessary to: repair or replace various steel members located throughout the MPB structure; to clean and paint the bridge up to the roadway level and install a manual dry standpipe system and fire hydrants. The project design is complete and B&T anticipates the construction work to commence in October 2015. In order to provide the necessary construction support services, B&T is requesting additional funding in the amount of \$683,503.56. Consistent with the All-Agency Guidelines this amendment constitutes a substantial change.

Dewberry submitted a proposal in the amount of \$683,503.56. The Engineer's estimate is \$712,726. Based on review of the scope and discussions between the parties, B&T accepted Dewberry's proposal in the amount of \$683,503.56. The accepted amount is 4.1% below the estimate and is fair and reasonable. Funding for this amendment is available in the 2010 – 2014 Capital Program under Project MP-16.

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

Item Number: 6 (Final)

Vendor Name (& Location) Ammann & Whitney Consulting Engineers, PC	Contract Number PSC-13-2924	AWO/Modification #
Description Construction Administration and Inspection Services for Project MP-06, Substructure and Under Water Work at the Marine Parkway - Gil Hodges Memorial Bridge (MPB)		
Contract Term (including Options, if any) September 30, 2013 - January 29, 2016		
Option(s) included in Total Amount? <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 type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		
Requesting Dept/Div & Dept/Div Head Name: Engineering & Construction, Joe Keane, P.E.		
	Original Amount:	\$1,395,189.00
	Prior Modifications:	\$199,870.43
	Prior Budgetary Increases:	
	Current Amount:	\$1,595,059.43
	This Request:	\$516,890.01
	% of This Request to Current Amount:	32.4%
	% of Modifications (including This Request) to Original Amount:	51.3%

Discussion:

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to amend Contract PSC-13-2924 with Ammann & Whitney Consulting Engineers PC (A&W) for funding to provide ongoing construction administration and inspection (CA&I) services for Projects MP-06 and MP-06B at the Marine Parkway - Gil Hodges Memorial Bridge (MPB).

In September 2013 subsequent to Board approval the subject contract was awarded to A&W. The Contract requires that A&W provide the CA&I services necessary to assist B&T in the supervision of the construction work being performed under Project MP-06. Additional scope and funding for Project MP-06A, North Abutment Concrete Repairs and Electrical Work Project MP-06B, South Abutment Repairs and Electrical Work at the MPB was subsequently added. The additional funding required for the ongoing CA&I services is necessitated for reasons as follows: (i) Project MP-06 construction was amended to substitute bedding stone in lieu of geotextile fabric to provide required scour protection in the navigation channel; (ii) greater than anticipated deterioration of the fender system at Piers 11 through 16 resulted in additional pier rehabilitation repairs and (iii) under Project MP-06B additional arch repairs to the south abutment are required. The Projects shall be complete in January 2016. B&T is requesting that Contract PSC-13-2924 be amended in the amount of \$516,890.01 in order to provide sufficient funding through the completion of the construction for Projects MP-06 and MP-06B. Consistent with the All-Agency Guidelines this amendment constitutes a substantial change.

A&W submitted a proposal in the amount of \$516,890.01. The Engineer's estimate is \$533,000. After discussion and evaluation of the proposal, B&T accepted A&W's proposal in the amount of \$516,890.01. The accepted amount is 3% below the estimate and is considered fair and reasonable. Funding for this amendment is available in the 2010 – 2014 Capital Program under Project MP-06 in the amount of \$428,095.26 and Project MP-06B in the amount of \$88,794.75.

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

Item Number: 7 (Final)

Vendor Name (& Location) Permadr Industries, Inc. dba SISSCO Material Handling, Hillsborough, NJ	Contract Number VNM-366	AWO/Modification # 3
Maintenance of Travelers at the Verrazano-Narrows and Bronx-Whitestone Bridges	Original Amount: \$1,061,100.00 Prior Modifications: \$0.00 Prior Budgetary Increases:	
Contract Term (including Options, if any) December 23, 2013 – December 22, 2016	Current Amount: \$1,061,100.00	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This Request: \$354,512.48	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	% of This Request to Current Amount: 33.4%	
Solicitation Type <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:	% of Modifications (including This Request) to Original Amount: 33.4%	
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: Engineering & Construction, Joe Keane, P.E.		

Discussion:

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to modify the miscellaneous service contract with Permadr Industries, Inc. d.b.a. SISSCO Material Handling (SISSCO) for funding to upgrade the control system for the four (4) travelers at the Bronx-Whitestone Bridge (BWB) in the amount of \$354,512.48. On December 23, 2013 subsequent to Board approval the Contract was awarded to SISSCO for inspection, maintenance and repair services for the travelers at the Verrazano-Narrows and Bronx-Whitestone Bridges. The traveling platforms at the BWB have become an integral part of the inspection and maintenance of the structural members under the deck system on the main spans of the bridge, allowing easier and less costly access to the structures. The Engineer has recommended amending the contract to upgrade the system which will replace the existing control panels with a more reliable and maintainable system, thereby increasing operating efficiency and dependability. Consistent with the All-Agency Guidelines this amendment constitutes a substantial change.

SISSCO submitted a proposal in the amount of \$381,684.36. The Engineer's estimate is \$350,021. Negotiations resulted in the parties agreeing to an amount of \$354,512.48 which is 1.3% above the estimate and is fair and reasonable. Funding for this amendment is available in the Operating Budget under GL # 711101.

LIST OF RATIFICATIONS FOR BOARD APPROVAL
SEPTEMBER 2015

MTA BRIDGES & TUNNELS

Procurements Requiring Majority Vote:

D: Ratification of Completed Procurement Actions

(Ratifications are to be briefly summarized with Staff Summaries attached only for unusually large or especially significant items)

1. **Radio Satellite Integrators, Inc. \$61,900.00**
PO3000002159

B&T is seeking the Board's ratification under the All Agency Guidelines for Procurement of Services for the issuing of a miscellaneous procurement purchase order against a competitively solicited New York City Transit (NYCT) Contract PO 6030135350 with Radio Satellite Integrators, Inc. (RSI).

Pursuant to a competitive bid process, NYCT awarded a three (3) year miscellaneous procurement contract to RSI to furnish, deliver, install and provide training for AVL M services. AVL M is a Web-Based Global Positioning System (GPS) that provides driver directional information, vehicle tracking and all associated operational/functional support. In order to complete installation and training prior to the snow season, B&T authorized the contractor to provide AVL M equipment and services at various Authority facilities. The effective date of the purchase order was August 15, 2015 and extends through September 30, 2017 in the amount of \$61,900.

The Contractor equipped B&T's snow truck fleet with AVL M devices at various Authority facilities and will provide training. With the installed equipment and the monitoring software in place, B&T will be able to track snow plowing efforts, monitor distribution of various product being placed on the roadway and view vehicle status, all in 'real time'. B&T does not possess the technology or resources needed to perform these services. Given that the vendor shall be reimbursed in accordance with the rates in NYCT Contract PO6030135350, the value of this prospective agreement is considered fair and reasonable. RSI is deemed to be a responsible contractor. Funding is available in the Operating Budget under General Ledger No. 713302.