



Metropolitan Transportation Authority

November 2015

MTA Board Action Items



MTA Board Meeting
2 Broadway, 20th Floor Board Room
New York, N.Y. 10004
Wednesday, 11/18/2015
10:00 AM - 12:00 PM ET

1. PUBLIC COMMENT PERIOD

2. APPROVAL OF MINUTES

MTA Regular Board Minutes - October 28, 2015

MTAHQ Minutes - October 28, 2015 - Page 5

NYCT/MaBSTOA/SIR/Bus Company Regular Board Minutes - October 28, 2015

NYCTA Minutes - October 28, 2015 - Page 9

MTA Metro-North Railroad Regular Board Minutes - October 28, 2015

Metro-North Minutes - October 28, 2015 - Page 12

MTA Long Island Rail Road Regular Board Minutes - October 28, 2015

LIRR Minutes - October 28, 2015 - Page 17

Triborough Bridge & Tunnel Authority Regular Board Minutes - October 28, 2015

TBTA Minutes - October 28, 2015 - Page 21

MTA Capital Construction Regular Board Minutes - October 28, 2015

MTACC Minutes - October 28, 2015 - Page 25

3. COMMITTEE ON FINANCE

Information Item

i. 2014-2015 Station Maintenance Receivable

Station Maintenance Billing Update - Page 27

Procurements Report

MTAHQ Procurement Report - Page 30

i. Non-Competitive (no items)

ii. Competitive

MTAHQ Competitive Procurements - Page 32

iii. Ratifications (no items)

Real Estate Items

i. Real Estate Agenda and Staff Summaries

Real Estate Agenda and Staff Summary - Page 36

4. COMMITTEE ON NYCT & BUS

Action Item

i. ASHRAE Level II Energy Efficiency Audits

ASHRAE Level II Energy Efficiency Audits - Page 46

Procurements

November Procurement Staff Summary and Resolution - Page 48

i. Non-Competitive (None)

ii. Competitive

NYCT Competitive Actions - Page 52

iii. Ratifications

MTACC Ratifications - Page 57

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

Procurements: LIRR, MNR and MTACC

LIRR Procurements Report

LIRR Procurements - Page 60

i. Non-Competitive (no items)

ii. Competitive

LIRR Competitive Procurements - Page 64

iii. Ratification (no items)

MNR Procurements Report

MNR Procurements - Page 71

i. Non-Competitive

MNR Non Competitive Procurements - Page 75

ii. Competitive

MNR Competitive Procurements - Page 79

iii. Ratification (no items)

MTACC Procurements Report

MTA CC Procurements - Page 81

i. Non-Competitive (no items)

ii. Competitive (no items)

iii. Ratification

MTA CC Ratification - Page 84

6. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS

Procurements

BT Procurements - Page 86

i. Non-Competitive (no items)

ii. Competitive

BT Competitive - Page 89

iii. Ratifications (no items)

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

**8. CFO PRESENTATION ON MTA 2016 FINAL PROPOSED BUDGET AND NOVEMBER
FINANCIAL PLAN 2016-2019**

9. EXECUTIVE SESSION

Date of next MTA Board meeting: Wednesday, December 16, 2015

**Metropolitan Transportation Authority
Minutes of
Regular Board Meeting
2 Broadway
New York, NY 10004
Wednesday, October 28, 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. Robert C. Bickford
Hon. Allen P. Cappelli
Hon. Jeffrey A. Kay
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. James L. Sedore, Jr.
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Neal Zuckerman**

The following members were absent:

**Hon. John H. Banks, III
Hon. Carl V. Wortendyke**

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 Ira Greenberg, James Ferrara, Interim President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giuliatti, President, Metro-North Railroad, Donald Spero, Acting President, TBTA, Craig Cipriano, Executive V.P., Business Strategies & Operations Support, 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 12 public speakers. The speaker listed below spoke on an item relevant to the MTA agenda. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records, for the content of the speaker's statement.

William Henderson, Permanent Citizens Advisory Committee

The other public speakers addressed their concerns with the working conditions and treatment of individuals employed by Global Contract Services ("GCS"), a contractor that provides certain Access-A-Ride support services. 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 the content of speakers' statements.

2. **CHAIRMAN'S REMARKS.**

Chairman Prendergast announced that later in the meeting the Board will be asked to vote on the proposed \$29 billion Capital Program covering MTA capital projects from 2015 through 2019. Of the \$29 billion, \$26.1 billion will be submitted to the Capital Program Review Board ("CPRB") for approval. The Chairman stated that the portion attributed to Bridges and Tunnels will not be submitted to CPRB because Bridges and Tunnels is self-funded and such approval is not required by statute.

Chairman Prendergast said that he is pleased to announce that New York State has committed \$8.3 billion and New York City has committed \$2.5 billion to the Capital Program. The Chairman said that the remainder of funds will come from federal sources, bonds and from the MTA's own efficiencies, as MTA continues the most aggressive cost-cutting measures in its history.

The Chairman noted that the 2015-2019 Capital Program is historical because it marks the largest investment ever made in MTA's infrastructure, and he said that the investments are essential to renew, enhance and expand the system. The Program will create jobs, fuel the region's \$1.4 trillion economy and allow MTA to maintain and improve its \$1 trillion asset. Chairman Prendergast announced that Craig Stewart, Sr., Director of Capital Programs, will present the 2015-2019 Capital Program later in the meeting.

Chairman Prendergast announced the passing of former Chairman Virgil Conway. The Chairman highlighted some of Mr. Conway's accomplishments as a member of the MTA Board, and throughout his professional career in government and private service. Chairman Prendergast asked for a moment of silence in Mr. Conway's honor.

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

4. **COMMITTEE ON FINANCE.**

A. **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. First Priority Emergency Vehicles – Customized MTAPD ESU Vehicles – No. 15029-0100. Approved the award of a competitively negotiated, miscellaneous procurement contract with First Priority Emergency Vehicles to provide the equipment and labor required to design and outfit the Ford F-550 Crew Cab vehicles to Emergency Service Vehicles in accordance with requirements of the MTA Police Department for a period of thirty-six (36) months from November 1, 2015 through October 31, 2018.
2. Oracle America, Inc. – Database Consultant Services – No. 15301-0100. Approval to Ride New York State OGS Contract with Oracle America, Inc. to engage the services of a Senior Oracle Database Administrator consultant for as-needed consulting services for Data Base Administration in accordance with the terms and conditions of NYS Contract PT64000.
3. Marc Dennis – AFT Project at LIRR Station. Approved the award of a competitively negotiated contract with Marc Dennis to provide technical design, fabrication, crating, storage, delivery and oversight of installation of materials at the LIRR Wantagh Station.
4. Various Contractors – Business Transformation Consulting Services – Nos. 13200-0100 thru -800. Approved an amendment to previously awarded competitively negotiated, personal services contracts with First Data Government Solutions LP, Grant Thornton, LLP, KPMG, LLP, McKinsey & Company, Inc., Public Financial Management, Inc., Public Strategies Group and International Business Machines, Corp. (Riding New York State contract C000410) for a period of three years from September 25, 2013 to August 8, 2016 for additional funding to continue to provide as-needed business transformation consulting services.
5. Guardian Service Industries, Inc. – Custodial and Un-Armed Guard Services – No. 11159-0100. Approved an amendment to a previously Board-approved, competitively awarded, miscellaneous service contract with Guardian Service Industries, Inc. for additional funding to cover services over the period of performance; and to extend the contract period for MTA Police and Grand Central Terminal Transit Museum and for the former MTA Headquarters Buildings (341, 345 and 347 Madison) to be coterminous with the 2 Broadway Custodial Contract expiring in February 2016.

B. **Real Estate Item.** The Board approved the following real estate item. The specifics are set forth in the staff summary and documentation filed with the meeting materials.

Metro-North Railroad

1. Lease agreement with T & T Broadway Deli, Inc. for use of ground-floor retail at North White Plains Station commuter parking garage, 76 Haarlem Avenue, White Plains, N.Y.

5. MTA OTHER BUSINESS.

A. Presentation of the MTA 2015-2019 Capital Program.

Chairman Prendergast invited Craig Stewart, Sr. Director, Capital Programs, to present the details of the 2015-2019 Capital Program.

Mr. Stewart presented an overview of the 2015-2019 Capital Program, highlights of other program changes and a review of the Capital Program savings. Mr. Stewart invited Stephen Berrang, Director of Capital Programs, to provide an overview of the agencies' projects and Stephanie DeLisle, Director, Capital Funding Management, to provide a review of the Capital Program Funding. Following the presentation, Chairman Prendergast invited Board discussion concerning the proposed capital program. 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.

Upon motion duly made and seconded, the Board approved the proposed \$29.0 billion MTA 2015-2019 Capital Program and authorized the Chairman/CEO to submit the \$26.1 billion CPRB portion of the Capital Program to the CPRB for its review and approval, in accordance with Public Authorities Law § 1269-b.

6. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:30 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, October 28, 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. Robert C. Bickford
Hon. Allen P. Cappelli
Hon. Jeffrey A. Kay
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. James L. Sedore, Jr.
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Neal Zuckerman**

The following members were absent:

**Hon. John H. Banks, III
Hon. Carl V. Wortendyke**

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 Ira Greenberg, James Ferrara, Interim President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Rail Road, Donald Spero, Acting President, TBTA, Craig Cipriano, Executive V.P., Business Strategies & Operations Support, 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

Twelve (12) public speakers addressed MTA NYC Transit/MTA Bus issues.

William Henderson, Permanent Citizens Advisory Committee, discussed the importance of investing in the capital program.

The remaining eleven (11) public speakers, listed below, addressed their concerns with the working conditions and treatment of individuals employed by Global Contract Services, LLC ("GCS"), a contractor that provides certain Access-A-Ride support services. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the content of speakers' statements.

Esther Molta
Sandra Lennon
Robert Brown
Keith Hodges
Patricia Edwards
Edwin Guzman
Celestial Hobbs
Dylan Valle
Kecia McFadden
Christian Smith
Gerald Montgomery

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 September 24, 2015.

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

Procurements:

Competitive Procurements: Upon motion duly made and seconded, the Board approved the competitive procurements requiring a two-thirds vote (Schedule A in the Agenda) and a majority vote (Schedules 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.

6. PRESENTATION OF THE MTA 2015-2019 CAPITAL PROGRAM

Chairman Prendergast invited Craig Stewart, Senior Director, Capital Programs, to present the details of the 2015-2019 Capital Program.

Mr. Stewart presented an overview of the 2015-2019 Capital Program, highlights of other program changes and a review of the Capital Program savings. Mr. Stewart invited Stephen Berrang, Director of Capital Programs, to provide an overview of the agencies' projects and Stephanie DeLisle, Director, Capital Funding Management, to provide a review of the Capital Program Funding.

Following the presentation, Chairman Prendergast invited Board discussion concerning the proposed capital program. 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.

Upon motion duly made and seconded, the Board of the MTA approved the proposed \$29.0 billion MTA 2015-2019 Capital Program and authorized the Chairman/CEO to submit the \$26.1 billion Capital Program Review Board portion of the Capital Program to the Capital Program Review Board for its review and approval, in accordance with New York State Public Authorities Law §1269-b.

7. ADJOURNMENT

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:30 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, October 28, 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. Robert C. Bickford
Hon. Allen P. Cappelli
Hon. Jeffrey A. Kay
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. James L. Sedore, Jr.
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Carl V. Wortendyke

Board Member Andrew Albert, Board Member Ira Greenberg and Joseph J. Giulietti, President, Metro-North Railroad also attended the meeting as did various other agency presidents and staff, including, James Ferrara, Interim President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Donald Spero, Acting President, TBTA, Craig Cipriano, Executive V.P., Business Strategies & Operations Support, 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 12 public speakers, none of whom spoke on Metro-North agenda items. The details of the speakers' 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, which recording includes discussions related to comments made by public speakers.

2. Chairman's Opening Remarks:

Chairman Prendergast announced that later in the meeting the Board will be asked to vote on the proposed \$29 billion Capital Program covering MTA capital projects from 2015 through 2019. Of the \$29 billion, \$26.1 billion will be submitted to the Capital Program Review Board ("CPRB") for approval.

Chairman Prendergast said that he is pleased to announce that New York State has committed \$8.3 billion and New York City has committed \$2.5 billion to the Capital Program. The Chairman said that the remainder of funds will come from federal sources, bonds and from the MTA's own efficiencies, as MTA continues the most aggressive cost-cutting measures in its history.

The Chairman noted that the 2015-2019 Capital Program is historical because it marks the largest investment ever made in MTA's infrastructure, and he said that the investments are essential to renew, enhance and expand the system. The Program will create jobs, fuel the region's \$1.4 trillion economy and allow MTA to maintain and improve its \$1 trillion asset.

Chairman Prendergast announced the passing of former MTA Chairman Virgil Conway. The Chairman highlighted some of Mr. Conway's accomplishments as a member of the MTA Board, and throughout his professional career in government and private service. Chairman Prendergast led the Board in observing a moment of silence in memory of Chairman Conway.

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 September 24, 2015 were approved.

4. Committee on Finance:

Procurements:

The Board was presented with the following competitive procurement recommended to it by the Committee on Finance that relates to Metro-North:

- Approval of amendments to previously awarded, competitively negotiated, personal services contracts with (1) First Data Government Solutions, LP, (2) Grant Thornton, LLP, (3) KPMG, LLP, (4) McKinsey & Company, Inc., (5) Public Financial Management, Inc., (6) Public Strategies Group and (7) International Business Machines, Corp., riding New York State contract C000410 for a period of three (3)

years from September 25, 2013 to August 8, 2016, for additional funding in the amount of \$5,000,000 to continue to provide as-needed business transformation consulting services.

Upon motion duly made and seconded, the Board approved the foregoing procurement item, the details of which 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:

The Board was presented with the following real estate item recommended to it by the Committee on Finance that relates to Metro-North:

- Lease Agreement with T & T Broadway Deli, Inc. for use of Ground-floor Retail Space at the North White Plains Commuter Parking Garage at 76 Haarlem Avenue, White Plains, New York.

Upon motion duly made and seconded, the Board approved the foregoing real estate item. The details of the above item are contained in the minutes of the MTA Board meeting held this day, a staff summary and report 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:

The Board was presented with the following non-competitive procurement recommended to it by the Committee on Metro-North Railroad Operations:

- Approval of a contract change for additional funding in the total not to exceed amount of \$4,500,000 to an existing non-competitively awarded miscellaneous purchase contract with Vapor Stone Rail Systems for original equipment manufacturer (OEM) replacement parts for Metro-North's various railcar fleets.

The Board was presented with the following competitive procurements recommended to it by the Committee on Metro-North Railroad Operations:

- Approval to use the Request for Proposal process to solicit design-build teams who are qualified in designing and providing a public address and visual information system as a complete and integrated network in GCT and system-wide throughout Metro-North's territory.
- Approval to award a three-year competitively solicited, joint (MNR/NYCT) miscellaneous service contract to Simpson Gumpertz & Heger Associates, Inc., P.C. to perform metallurgical and structural testing.

The Board was presented with the following ratification recommended to it by the Committee on Metro-North Railroad Operations:

- Approval for a non-competitive procurement to repair C15 Head End Power Assembly (HEP) Caterpillar engines for two of Metro-North's Brookville manufactured BL20 Locomotives.

Upon motion duly made and seconded, the Board approved the foregoing procurement items. 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. Committee on Long Island Rail Road:

The Board was presented with the following non-competitive procurements recommended to it by the Committee on Long Island Rail Road that relates to Metro-North:

- Approval for Long Island Rail Road, on behalf of itself and Metro-North Railroad, to award contracts for a 36-month period to Nordco Inc. in a total not-to-exceed amount of \$775,000 for replacement parts required by the railroads to operate and maintain various pieces of Nordco and Pyke track equipment.
- Approval for Long Island Rail Road, on behalf of itself and Metro-North Railroad, to award a Sole Source Omnibus Contract to Siemens Industry Inc. in the amount not-to-exceed \$3.5 million over a 36-month period to purchase the following: crossing gates, electronic modules and various electronic components, signals, signal light lenses, circuit boards, and other components for grade crossing systems manufactured by Siemens.

Upon motion duly made and seconded, the Board approved the foregoing items. The details of the above items are contained in the minutes of the Long Island Rail Road 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.

7. Other MTA Business:

Special Presentation of the MTA 2015-2019 Capital Program

Chairman Prendergast invited Craig Stewart, Sr. Director, Capital Programs, to present the details of the 2015-2019 Capital Program. Mr. Stewart presented an overview of the 2015-2019 Capital Program, highlights of other program changes and a review of the Capital Program savings. Mr. Stewart invited Stephen Berrang, Director of Capital Programs, to provide an overview of the agencies' projects and Stephanie DeLisle, Director, Capital Funding Management, to provide a review of the Capital Program Funding. Following the presentation, Chairman Prendergast invited Board discussion concerning the proposed capital program. 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.

Action Item:

Upon motion duly made and seconded, the Board was presented with the following action item:

- Approval of the proposed \$29.0 billion MTA 2015-2019 Capital Program and authorize the Chairman/CEO to submit the \$26.1 billion Capital Program Review Board (CPRB) portion of the Capital Program to the CPRB for its review and approval, in accordance with Public Authorities Law§ 1269-b.

Upon motion duly made and seconded, the Board approved the foregoing action item. The details of the above item are contained in the minutes of the MTA Board meeting held this day, a staff summary filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

8. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:30 a.m.

Respectfully submitted,



Linda Montanino
Assistant Secretary

Oct 2015 Board Minutes
Legal/Corporate

Minutes of the Regular Board Meeting
Long Island Rail Road Company
2 Broadway
New York, NY 10004
Wednesday, October 28, 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. Robert C. Bickford
Hon. Allen P. Cappelli
Hon. Jeffrey A. Kay
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. James L. Sedore, Jr.
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Carl V. Wortendyke

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 Ira Greenberg, James Ferrara, Interim President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, Acting President, TBTA, Craig Cipriano, Executive V.P., Business Strategies & Operations Support, 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 12 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 discussed funding of the 2015-2019 Capital Program, noting that the State of New York will be providing \$8.3 billion and the City of New York will be providing \$2.5 billion. The remaining funds will come from federal sources, bonds and the largest cost saving measures in MTA's history. He noted that the Capital Program includes critical infrastructure investments.

Chairman Prendergast announced the passing of former MTA Chairman Virgil Conway. He led the Board in observing a moment of silence in memory of Chairman Conway.

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 September 24, 2015 were approved.

4. Committee on Finance:

Procurements:

The Board was presented with the following competitive procurements recommended to it by the Committee on Finance that relate to Long Island Rail Road:

- Approval of the award of a contract to provide services related to an Arts for Transit project at LIRR's Wantagh Station, to Marc Dennis, in the amount of \$120,000.
- Approval of amendments to previously Board-approved, competitively negotiated, personal services contracts with (1) First Data Government Solutions, LP, (2) Grant Thornton, LLP, (3) KPMG, LLP, (4) McKinsey & Company, Inc., (5) Public Financial Management, Inc., (6) Public Strategies Group and (7) International Business Machines, Corp., riding New York State contract C000410 for a period of three (3) years from September 25, 2013 to August 8, 2016, for additional funding in the amount of \$5,000,000 to continue to provide as-needed business transformation consulting services that will complement and enhance MTA's efforts to improve its business processes, identify and implement opportunities for operating and capital cost savings, and increase revenue generation.

Upon motion duly made and seconded, the Board approved the foregoing procurement items, the details of which 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 Long Island Rail Road:

Procurements:

Upon motion duly made and seconded, the following LIRR procurements were approved:

Non-Competitive:

- Approval for LIRR, on behalf of itself and Metro-North Railroad, to award contracts for a 36-month period to Nordco Inc. in a total not-to-exceed amount of \$775,000 for replacement parts required by the Railroads to operate and maintain various pieces of Nordco and Pyke track equipment.
- Approval for LIRR, on behalf of itself and Metro-North Railroad, to award a Sole Source Omnibus Contract to Siemens Industry Inc. in the amount not-to-exceed \$3.5 million over a 36-month period to purchase the following: crossing gates, electronic module and various electronic components, signals, signal light lenses, circuit boards, and other components for grade crossing systems manufactured by Siemens.
- Approval to award a New York State Preferred Source, four-month term, Miscellaneous Service contract to New York State Industries for the Disabled to perform Document Scanning and Indexing Services for LIRR's Fleet Engineering Group in the not-to-exceed amount of \$387,625.

Competitive:

- Approval to award a Personal Service contract to Services for the UnderServed ("SUS"), in the amounts of \$512,498 for the Base Term and \$347,793 for the Option Terms, for a combined total of \$860,291. Under the contract, SUS will provide Homeless Outreach Services at LIRR Stations throughout Nassau and Suffolk Counties.

MTA Capital Construction Procurements:

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

- Modification to Contract No. CM005 for the construction of a trailer office complex on the express level of Madison Yard and for alterations to the existing 52nd Street exit in the amount of \$2,525,000.

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.

6. Other MTA Business:

Special Presentation of the MTA 2015-2019 Capital Program

Chairman Prendergast, Craig Stewart and staff gave a presentation of the MTA 2015-2019 Capital Program. The details of that presentation are contained in the minutes of the MTA Board meeting held this day, the 2015-2019 Capital Program Board Briefing filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records, which recording includes discussions between Board members, Chairman Prendergast and staff regarding the 2015-2019 Capital Program.

Action Item:

Upon motion duly made and seconded, the Board was presented with the following action item:

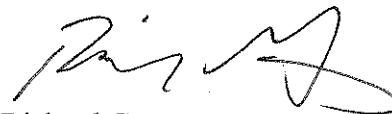
- Approval of the proposed \$29.0 billion MTA 2015-2019 Capital Program and to authorize the Chairman/CEO to submit the \$26.1 billion Capital Program Review Board (CPRB) portion of the Capital Program to the CPRB for its review and approval, in accordance with Public Authorities Law § 1269-b.

Upon motion duly made and seconded, the Board approved the foregoing action item. The details of the above item are contained in the minutes of the MTA Board meeting held this day, a staff summary filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

7. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:30 a.m.

Respectfully submitted,



Richard Gans
Secretary

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

BOARD MINUTES

October 28, 2015

Minutes of the Regular Meeting
Triborough Bridge and Tunnel Authority
October 28, 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. Robert C. Bickford
Hon. Allen P. Cappelli
Hon. Jeffrey A. Kay
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. James L. Sedore, Jr.
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Carl V. Wortendyke

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 Ira Greenberg, James Ferrara, Interim President, New York City Transit, Patrick Nowakowski, President, Long Island Rail Road, Joseph J. Giulietti, President, Metro-North Railroad, Donald Spero, Acting President, Triborough Bridge and Tunnel Authority, Craig Cipriano, Executive Vice President, Business Strategies & Operations Support, 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 Company, 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 twelve (12) 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 stating that the Board will be voting to approve a \$26.1 billion Capital Program for 2015 to 2019. He thanked New York State for committing \$8.3 billion and New York City for committing \$2.5 billion and stated that the remaining funds will come from federal sources, bonds and MTA efficiencies. The Capital Program is the largest investment in MTA infrastructure in history and the investments are essential to renew, enhance and expand the system, which will create hundreds of thousands of jobs, fuel the regions \$1.4 trillion economy and allow MTA to maintain and improve a \$1 trillion asset. Chairman and CEO Prendergast also asked for a moment of silence for Virgil Conway former MTA Chairman, from 1995 to 2001, and MTA Board Member who recently passed away and who helped draft Governor Pataki's "Master Links" plan, which committed the State to the East Side Access and Second Avenue Subway projects, oversaw the rollout of the MetroCard, implemented fare discounts and eliminated "two fare zones" that dramatically reduced the average cost of ride.

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 September 24, 2015

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

4. Committee on MTA Bridges and Tunnels Operations

Procurements

Commissioner Cappelli stated that there are three (3) procurements totaling \$12.139 million.

Non-Competitive Procurements

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

Competitive Procurements

Commissioner Cappelli stated that there are three (3) competitive procurements totaling \$12.139 million.

Upon a motion duly made and seconded, the Board approved the procurements recommended to it by the Committee for MTA Bridges and Tunnels Operations.

Competitive Procurements

Personal Service Contracts

LiRo Engineers, Inc.	Contract No. PSC-15-2967	\$4,552,375.00
	Provide Construction Administration and	
	Inspection Services for Project TN-60,	

Dehumidification System for the main cable
splays and elimination of water infiltration
into the anchorages at the Throgs Neck
Bridge.

Modifications to Purchase & Public Works Contracts

Tutor Perini Corp.	Contract No. VN-80B Perform additional work in connection with the replacement of the upper level roadway deck suspension span at the Verrazano- Narrows Bridge.	\$5,836,903.15
American Bridge Company	Contract No. C52077/Task 39 Perform additional work associated with the dry fire standpipe (DFSP) at the Robert F. Kennedy Bridge.	\$1,750,000.00

5. Special Presentation of the MTA 2015-2019 Capital Program

Chairman and CEO Prendergast, along with Craig Stewart, Stephen Berrang, and Stephanie DeLisle, presented the Capital Program for 2015-2019. A motion was made for the approval of the proposed MTA 2015-2019 Capital Program and to authorize Chairman and CEO Prendergast to submit the Capital Program Review Board (CPRB) portion of the Capital Program to the CPRB for its review in accordance with Public Authorities Law §1269-b. After discussion and upon a motion duly made and seconded, the Board voted to approve the Capital Program.

The presentation, Staff Summary and approval materials regarding the 2015-2019 Capital Program are filed with the minutes of the meeting of the Board of the Metropolitan Transportation Authority.

6. Adjournment

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 11:30 a.m.

Respectfully submitted,



Julia R. Christ
Acting Assistant Secretary

**Regular Board Meeting
MTA Capital Construction Company
2 Broadway
New York, NY 10004
Wednesday, October 28, 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. Robert C. Bickford
Hon. Allen P. Cappelli
Hon. Jeffrey A. Kay
Hon. Susan Metzger
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. Lawrence Schwartz
Hon. James L. Sedore, Jr.
Hon. Vincent Tessitore
Hon. Polly Trottenberg
Hon. Neal Zuckerman

The following members were absent:

Hon. John H. Banks, III
Hon. Carl V. Wortendyke

Board Member Andrew Albert, Board Member Ira Greenberg 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, James Ferrara, Interim President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, Acting President, TBTA, Craig Cipriano, Executive V.P., Business Strategies & Operations Support, 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 twelve public speakers.

William Henderson, Executive Director of the Permanent Citizens Advisory Committee to the MTA ("PCAC") expressed his appreciation to those who worked hard to reach an agreement to fund the Capital Program. He also expressed PCAC's position that there needs to be on-going partnerships with a continuous transparent process of two way communication among the MTA, Elected Officials and all other stakeholders during the planning process for the next Capital Program.

The remarks of Mr. Henderson along with the names and remarks of the remaining eleven speakers are more fully noted and filed with the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on October 28, 2015.

Chairman's Remarks

The Chairman noted that at today's meeting the Board will be voting on the proposed 2015-2019 Capital Program of which New York State has committed \$8.3B and New York City \$2.5B. The remainder will come from Federal sources, bonds and MTA's own efficiencies. He expressed his gratitude that New York State and New York City came together to provide this essential funding.

Chairman Prendergast mentioned the passing of former MTA Board Member and Chairman E. Virgil Conway on October 21, 2015 and requested a moment of silence be held in honor of the former Chairman.

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 October 28, 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 September 24, 2015.

Committee on Long Island Rail Road

Procurement

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

A modification to the East Side Access Project's Manhattan South Structures contract (CM005) in the amount of \$2,525,000 for the construction of a trailer office complex on the Express Level of Madison Yard and alterations to the existing 52nd St. exit to establish a primary personnel access point.

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 October 28, 2015.

Other Business

2015 – 2019 Capital Program Presentation

Craig Stewart, Sr. Director, Capital Programs, Stephen Berrang, Director, Capital Program Management and Stephanie DeLisle, Director, Capital Program Funding Management, provided a presentation on the 2015-2019 Capital Program. A discussion among the Board members followed.

The Board members remarks are more fully noted in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on October 28, 2015.

2015 – 2019 Capital Program Vote

Upon motion duly made and seconded, the Board:


Approved the proposed \$29 billion MTA 2015 – 2019 Capital Program and authorized the Chairman/CEO to submit the \$26.1 billion Capital Program Review Board ("CPRB") portion of the Capital Program to the CPRB for its review and approval, in accordance with New York State Public Authorities Law §1269-b.

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 October 28, 2015.

Adjournment


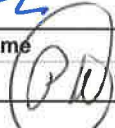


Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 11:30 a.m.

Respectfully submitted,



David K. Cannon
Assistant Secretary

Staff Summary

Subject 2014-2015 Station Maintenance Receivable						Date November 5, 2015			
Department Chief Financial Officer						Vendor Name			
Department Head Name Robert E. Foran						Contract Number			
Department Head Signature 						Contract Manager Name			
Project Manager Name Patrick Kane 						Table of Contents Ref #			
Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	Finance Com.	11/16				1	Legal 		
2	Board	11/18				2	Chief of Staff 		

Narrative

The MTA billed the counties and the City of New York for station maintenance for the period 4/1/14 – 3/31/15 based on a statutory formula, which incorporates an annual CPI adjustment factor.

Under Section 1277 of the Public Authorities Law, if a municipality fails to make a full payment of the amounts owed the MTA, the Chief Executive Officer of the MTA or such other person as the Chairman shall designate and shall certify to the State Comptroller for the collection of the amount due and owing.

The attached schedule shows the Station Maintenance billings and collections as of September 30, 2015.

**METROPOLITAN TRANSPORTATION AUTHORITY
STATION MAINTENANCE RECEIVABLE AS OF 9/30/15**

	<u>AMOUNT BILLED</u>	<u>AMOUNT RECEIVED</u>	<u>BALANCE DUE</u>
NEW YORK CITY	\$ 91,434,441	\$ 91,434,441	\$ 0
NASSAU	28,575,435	28,575,435	0
SUFFOLK	17,612,723	17,612,723	0
WESTCHESTER	19,748,766	19,748,766	0
DUTCHESS	2,354,319	2,354,319	0
PUTNAM	920,692	920,692	0
ORANGE	487,043	487,043	0
ROCKLAND	<u>51,781</u>	<u>51,781</u>	<u>0</u>
TOTAL	<u>\$161,185,200</u>	<u>\$161,185,200</u>	<u>\$ 0</u>

Metropolitan Transportation Authority
Station Maintenance Period Ending September 30, 2015

2015	New York City	Nassau County	Suffolk County	Westchester County	Rockland County	Dutchess County	Orange County	Putnam County	Total
Billed %	56.73%	17.73%	10.93%	12.25%	0.03%	1.46%	0.30%	0.57%	100.00%
Billed Amount	91,434,441.00	28,575,435.00	17,612,723.00	19,748,766.00	51,781.00	2,354,319.00	487,043.00	920,692.00	161,185,200.00
Receipts									
July 2015					51,781.00				51,781.00
August 2015		28,575,435.00	17,612,723.00					920,692.00	47,108,850.00
September 2015	91,434,441.00			19,748,766.00		2,354,319.00	487,043.00		114,024,569.00
Total Received	\$91,434,441.00	\$28,575,435.00	\$17,612,723.00	\$19,748,766.00	\$51,781.00	\$2,354,319.00	\$487,043.00	\$920,692.00	\$161,185,200.00
Balance due September 30, 2015	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Staff Summary



Metropolitan Transportation Authority

Page 1 of 1

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

Date
November 12, 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	11/16/2015	X		
2	Board	11/18/2015	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:

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

# of Actions	\$ Amount
None	None

MTAHQ proposes to award Competitive procurements in the following categories:

Schedules Requiring Majority Vote

Schedule F: Personal Service Contracts

	2	\$20,238,843.64
SUBTOTAL	2	\$20,238,843.64

MTAHQ presents the following procurement actions for Ratification:

	None	None
TOTAL	2	\$20,238,843.64

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, NOVEMBER 2015

COMPETITIVE PROCUREMENTS

METROPOLITAN TRANSPORTATION AUTHORITY

Procurements Requiring Majority Vote:

F. Personal Service Contracts

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

1. **NYS Technology Enterprise Corporation (NYSTEC)** **\$238,843.64**
Data Center Disaster Recovery Consulting Services (not-to-exceed)
Contract No. 15369-0100

Ride OGS Contract Nos. PN20500 – 12 months

MTA seeks to ride New York State Contract No. PN20500 to provide consulting services for data center disaster recovery. In alignment with the MTA-IT Strategic Plan 2015-2017, disaster recovery planning enables data center managers, hardware and software administrators, and user groups to proactively anticipate and mitigate the effects of disruptions. Comprehensive recovery plans address support for continuity of critical business operations, availability of systems and resources. NYSTEC will prepare a comprehensive "Disaster Recovery plan" for 2 Broadway Data Center which includes risk assessment, business impact analysis with system owners, IT function recovery guides that would enable continuity of operations. The data center hosts vital systems for BSC, Bridges & Tunnels, New York City Transit, MTA Bus and HQ applications. NYSTEC proposed an initial cost of \$243,335.68 which was negotiated down to \$238,843.64, a reduction of \$4,492.04. Based on the above, the negotiated cost is considered fair and reasonable.

2. **Transportation Planning Research Services** **\$20,000,000** **Staff Summary Attached**
Contract Nos. 15099-0100 thru 0600 (not-to-exceed)
- a. **AECOM USA, Inc.**
 - b. **Louis Berger Group**
 - c. **Parsons Brinckerhoff, Inc.**
 - d. **Sam Schwartz Engineering, D.P.C.**
 - e. **STV Incorporated**
 - f. **VHB Engineering Surveying and Landscape Architecture, P.C.**

Competitively negotiated – 7 proposals – 48 months

To recommend that the Board approve the award of six (6) competitively negotiated, personal service contracts for Transportation Planning Research Services on an as-needed basis for a period of forty-eight (48) months from December 1, 2015 to November 30, 2019. The MTA and its operating agencies require the services of transportation planning firms to conduct research projects on an ad hoc basis to support capital investments and improvements, identify priorities and strategies for strategic business development, and policy making decisions. The six (6) selected firms originally proposed hourly rates ranging from \$15 (for field staff) to \$348 (for directors). These hourly rates were negotiated down to a range of \$15 to \$142, representing a reduction of 0% to 59%. Annual rate escalations were negotiated down to a range of 2% to 3% from the proposed range of 3% to 4%, or CPI; whichever is lower. The range of the hourly rates negotiated for the subject contracts is lower than the hourly rates ranging from \$26 to \$236 under the current contracts for these services which have been in effect for the past three (3) years. Based on the above, the negotiated hourly rates are considered fair and reasonable.

Staff Summary

Schedule F: Personal Service Contracts

Item Number:					
Dept & Dept Head Name: MTA Chief of Staff, Donna Evans					
Division & Division Head Name: MTA Planning, William Wheeler					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Finance	11/16/2015	X		
2	Board	11/18/2015	X		
Internal Approvals					
Order	Approval	Order	Approval		
1	Procurement <i>[Signature]</i>	4	DDCR <i>[Signature]</i>		
2	Planning <i>[Signature]</i>	5	Legal <i>[Signature]</i>		
3	Chief of Staff <i>[Signature]</i>	6	CFO <i>[Signature]</i>		

SUMMARY INFORMATION	
Vendor Name: Various	Contract Number 15099-0100 thru 0600
Description: Transportation Planning Research Services	
Total Amount: \$20,000,000 NTE	
Contract Term (Including Options, if any): December 1, 2015 – November 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 checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative						
<p>I. <u>PURPOSE/RECOMMENDATION</u></p> <p>To recommend that the Board approve the award of the following six (6) competitively negotiated, personal service contracts for Transportation Planning Research Services on an as-needed basis for a period of forty-eight (48) months from December 1, 2015 to November 30, 2019. The amount allocated to planning studies in the MTA 2015-2019 capital program is not to exceed \$20,000,000.</p> <table> <tr> <td>1. AECOM USA, Inc.</td> <td>4. Sam Schwartz Engineering, D.P.C.</td> </tr> <tr> <td>2. Louis Berger Group, Inc.</td> <td>5. STV Incorporated</td> </tr> <tr> <td>3. Parsons Brinckerhoff, Inc.</td> <td>6. VHB Engineering Surveying and Landscape Architecture, P.C.</td> </tr> </table> <p>II. <u>DISCUSSION</u></p> <p>The current all-agency retainer contract expires in March 2016. The MTA and its operating agencies require the services of transportation planning firms to conduct research projects on an ad hoc basis to support capital investments and improvements, identify priorities and strategies for strategic business development, and policy making decisions. These retainer contracts include firms that will be able to use advanced statistical methods related specifically to demand modeling for service planning, cost/benefit analyses for capital investments and budget priority setting, sample design for large origin and destination surveys, demand estimation and forecast studies, feasibility and fare policy studies, and long term service planning and strategic business initiatives, etc.</p> <p>Examples of projects planned in the next four years include: origin and destination surveys of transit and commuter railroads required by FTA regulations, specific corridor studies to determine travel needs, environmental and economic impact studies, regional analysis of future transportation needs and services, new technologies such as traffic simulations for toll crossings and new payments systems, and targeted service studies for specific railroads and subway lines.</p>	1. AECOM USA, Inc.	4. Sam Schwartz Engineering, D.P.C.	2. Louis Berger Group, Inc.	5. STV Incorporated	3. Parsons Brinckerhoff, Inc.	6. VHB Engineering Surveying and Landscape Architecture, P.C.
1. AECOM USA, Inc.	4. Sam Schwartz Engineering, D.P.C.					
2. Louis Berger Group, Inc.	5. STV Incorporated					
3. Parsons Brinckerhoff, Inc.	6. VHB Engineering Surveying and Landscape Architecture, P.C.					

In order to continue the services, a Request for Proposals (RFP) was publicly advertised and letters advising potential proposers of the RFP's availability were mailed to 38 vendors, two (2) of which are D/M/WBE firms. Seven (7) proposals were received. The firms were evaluated based on their experience and expertise in such areas as transportation planning, research design and analysis, project management, data collection, report writing skills, unique analytical methodologies and modeling techniques, and cost. The Selection Committee, consisting of representatives from MTA Planning, MTA New York City Transit, MTA Long Island Rail Road, MTA Metro-North Railroad and MTA Bridges and Tunnels, evaluated the proposals and determined that the six (6) firms listed above were the most technically qualified and best suited firms to perform the services identified by the RFP.

The six (6) selected firms originally proposed hourly rates ranging from \$15 (for field staff) to \$348 (for directors). These hourly rates were negotiated down to a range of \$15 to \$142, representing a reduction of 0% to 59%. Annual rate escalations were negotiated down to a range of 2% to 3% from the proposed range of 3% to 4%, or CPI; whichever is lower. The range of the hourly rates negotiated for the subject contracts is lower than the hourly rates ranging from \$26 to \$236 under the current contracts for these services, and which have been in effect for the past six (6) years. Based on the above, the negotiated hourly rates are considered fair and reasonable.

MTA has conducted a responsibility review and other due diligence on all firms and four out of six has been deemed responsible for award. Two of the proposed awardees, AECOM USA, Inc. and Louis Berger Group, Inc., has revealed significant adverse information as part of its Responsibility Data submission to the MTA. In accordance with the MTA All-Agency Contractor Responsibility Guidelines, a waiver request has been submitted to the MTA Chairman and CEO to make an award to both firms as responsible contractors despite the significant adverse information. MTA Procurement will not award the contract to either AECOM Consult, Inc., or Louis Berger Group, Inc. unless the MTA Chairman and CEO grants the waiver.

III. D/M/WBE INFORMATION

Mandatory goals of 17% DBE were established by the MTA Office of Civil Rights for these contracts and met by the selected firms.

1. Aecom USA Inc. has achieved its previous MWDBE goals on previous MTA contracts.
2. Louis Berger has achieved its previous MWDBE goals on previous MTA contracts.
3. Parsons Brinckerhoff, Inc. has achieved its previous MWDBE goals on previous MTA contracts.
4. Sam Schwartz Engineering, D.P.C. has not completed any MTA contracts; therefore, no assessment of the firm's MWDBE performance can be determined at this time.
5. STV Inc. has achieved its previous MWDBE goals on previous MTA contracts.
6. VHB Engineering Surveying and Landscape Architecture, P.C. 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

The total cost for work assigned under this contract will not exceed \$20,000,000 over four years. Actual expenditures are dependent upon the approval of projects in development by MTA headquarters and the operating agencies. Any expenditures 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. Also, some of the types of studies mentioned are mandated by the federal government.

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NOVEMBER 2015
MTA REAL ESTATE ACTION ITEMS
FOR BOARD APPROVAL

1. ACTION ITEMS

MTA NEW YORK CITY TRANSIT


- a. Sale of property Located at 234 East 127th Street, Manhattan, Block 1791, Lot 25, to the City of New York
- b. Lease with Shepelrub Realty , LLC for swing room at 2106 Avenue U, Brooklyn,

MTA METRO-NORTH RAILROAD

- c. Lease with Jerry's Seafood Connection Inc., dba Pescatore Seafood Company for a fresh fish and seafood store in retail spacesMKT 27/28 in the Grand Central Market at Grand Central Terminal
- d. Acquisition of Property at 95 Virginia Road contiguous to the North White Plains Yard located in New Castle, New York




MTA NEW YORK CITY TRANSIT

Staff Summary

Subject DISPOSITION OF SURPLUS PROPERTY
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name JOHN COYNE

Date November 16, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/16/15	X		
2	Board	11/18/15	X		

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

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

PURCHASER: The City of New York (the "City")

LOCATION: 234 East 127th Street, Manhattan, Block 1791, Lot 25 (the "Subject Property")

ACTIVITY: Sale of fee interest

ACTION REQUESTED: Approval of terms

SPACE: Approximately 22,982 square feet

COMPENSATION: \$4,300,000, plus a permanent easement on property owned by the City's Department of Housing Preservation and Development and located at 1807-1813 Park Avenue, Manhattan, Block 1773, Lots 4 and 72 (the "HPD Property Easement")

COMMENTS:

NYCT acquired the Subject Property in 1991, and it was previously used for employee and bus parking for the 126 Street Depot. As a result of the closure of the 126 Street Depot, NYCT no longer requires use of the Subject Property, and it has been deemed surplus.

The City wishes to acquire the Subject Property from NYCT to incorporate it into its East Harlem Media, Entertainment and Cultural Center project. That project involves the redevelopment of three blocks of East Harlem located between 125th and 127th Streets and between Second and Third Avenues for a combination of affordable housing and commercial, office, medical, and retail space.

The estimated fair market value of the NYCTA Property is \$4.4 million, based on an independent appraisal obtained by MTA Real Estate. The proposed sale price of the property is \$4.3 million in cash plus the value of the HPD Property Easement.

The HPD Property Easement will provide a suitable location for a needed ventilation facility for the Second Avenue Subway's 125th Station, and save the MTA the cost and disruption of acquiring the HPD Property Easement via eminent domain at a later date. Taken together, the value of HPD Property Easement and the cash portion of the sale exceed MTA's estimated fair market value.

An explanatory statement has been prepared and transmitted in accordance with Public Authorities Laws §2897(6)(d).

Staff Summary

FINANCE COMMITTEE MEETING

Disposition (Cont'd.)

2 of 2




Metropolitan Transportation Authority

Page

Based on the foregoing, MTA Real Estate requests authorization to enter into a contract to sell the Property to the City of New York on the above-described terms and conditions.

Staff Summary

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

Date November 16, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/16/15	X		
2	Board	11/18/15	X		

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

AGENCY: MTA New York City Transit Authority ("Tenant")
 LICENSOR: Sheplrub Realty LLC ("Landlord")
 LOCATION: 2106 Avenue U, Brooklyn, NY
 USE: Swing room for bus operators and dispatchers
 ACTION REQUESTED: Approval of terms
 TERM: 5 years
 SPACE: Approximately 400 rentable square feet, street level retail
 OPTION TERM: One 5-year option, with 3% annual increases.
 RENT:
 Year 1: \$23,700.00 per annum / \$59.25 per rentable sq. ft.
 Year 2: \$24,411.00 per annum / \$61.03 per rentable sq. ft.
 Year 3: \$25,143.33 per annum / \$62.86 per rentable sq. ft.
 Year 4: \$25,897.63 per annum / \$64.74 per rentable sq. ft.
 Year 5: \$26,674.56 per annum / \$66.69 per rentable sq. ft.
 Year 6: \$27,474.79 per annum / \$68.69 per rentable sq. ft.
 Year 7: \$28,299.04 per annum / \$70.75 per rentable sq. ft.
 Year 8: \$29,148.01 per annum / \$72.87 per rentable sq. ft.
 Year 9: \$30,022.45 per annum / \$75.06 per rentable sq. ft.
 Year 10: \$30,923.12 per annum / \$77.31 per rentable sq. ft.
 RENT ESCALATION: 3% per annum
 RENT COMMENCEMENT: December 1st, 2015
 TAXES: None
 ELECTRICITY: Tenant's cost; space is to be directly metered.
 WATER: Tenant cost; space is sub-metered.
 HEAT: By Landlord
 AIR CONDITIONING: Tenant to be responsible for maintaining an above-door air conditioning unit.

Staff Summary

FINANCE COMMITTEE MEETING

Lease (Cont'd)

SNOW AND ICE
REMOVAL:

By Tenant

REPAIRS AND
MAINTENANCE:

Tenant to be responsible for interior non-structural repairs, roll-up gate, and exterior signage. Landlord to be responsible for all exterior repairs.

TENANT'S
ALTERATIONS:

Tenant's responsibility. Space to be rented as-is.

COMMENTS:

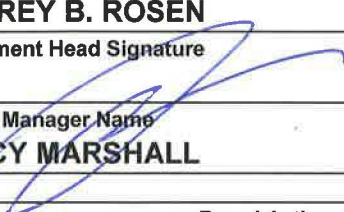
A swing room with a restroom is required for use by bus operators and dispatchers on the B49 bus line from Flatbush Depot to serve as a comfort / relief space in the middle of the route. Currently bus operators and dispatchers have no designated comfort or relief area in this portion of the B49 route. This space will be utilized by approximately 100 bus operators per day, 7-days per week 365-days per year between the hours of 6 a.m. and 10 p.m. The negotiated rent is considered reasonable for the area and no other suitable alternative spaces in the immediate area were found.

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

MTA METRO NORTH RAILROAD




Staff Summary



Subject LEASE AGREEMENT
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name NANCY MARSHALL

Date NOVEMBER 16, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/16/15	X		
2	Board	11/18/15	X		

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

AGENCY: MTA Metro-North Railroad ("Metro-North")
 TENANT: JERRY'S SEAFOOD CONNECTION INC., dba PESCATORE SEAFOOD COMPANY
 LOCATION: Retail Space MKT-27/28 and Storage Space BS-08
 ACTIVITY: A high-quality fresh fish and seafood store
 ACTION REQUESTED: Approval of terms
 TERM: 7 years
 SPACE: Approximately 458 sq. ft. and approximately 177 sq. ft. of storage space
 COMPENSATION: Annual Base Rent plus 7% of gross sales over Breakpoint, as follows:

<u>Year</u>	<u>Annual Base Rent</u>	<u>PSF</u>	<u>Breakpoint</u>
1	\$183,200	\$400.00	\$2,617,143
2	\$183,200	\$400.00	\$2,617,143
3	\$188,696	\$412.00	\$2,695,651
4	\$194,357	\$424.36	\$2,775,085
5	\$200,188	\$437.09	\$2,859,828
6	\$206,193	\$450.20	\$2,945,614
7	\$212,379	\$463.70	\$3,033,985

STORAGE RENT: \$87.00 per sq. ft. per year, increasing annually by 3%
 MARKETING: \$11.00 per sq. ft. per year, increasing annually by 3%
 TRASH: \$13.26 per sq. ft. per year, increasing annually by 3%
 SECURITY: Three months' minimum rent plus a personal guaranty from both Glenn Licht and Gerald Bocchino (limited to six months' rent after vacating of premises)
 INSURANCE: Standard
 CONSTRUCTION PERIOD: 60 days

COMMENTS:

In response to a recent MTA Request for Proposals ("RFP") for Retail Space MKT-27/28 at Grand Central Terminal, a single proposal was received from JERRY'S SEAFOOD CONNECTION INC., dba Pescatore Seafood Company ("Pescatore Seafood"). One other fresh fish merchant had expressed interest in the space, but did not submit a proposal.

Pescatore Seafood has been a tenant in the Grand Central Market since it opened in 1998. Over those 15 years, Pescatore Seafood has been rated one of the best fish counters in New York City, recognized for the quality of the product and excellent service multiple times by Zagat, *Food & Wine* magazine and the Food Network. Pescatore Seafood regularly cross promotes with other tenants in the Terminal, and continues to support every marketing event proposed by the GCT retail management team. The original merchandising plan for Grand Central Market included, and continues to include, vendors selling fresh fish and seafood, meats, poultry, produce, fresh bread and baked goods, chocolates and a full assortment of cheese and dairy products. A fresh fish and seafood counter remains an indispensable element of the mix at fresh food markets and particularly at Grand Central Market.

Pescatore Seafood will undertake a full remodel of its back-of-house space, as well as upgrade the counters and shelving in its front-of-house space

The proposed rent is above the fair market rental value of the subject space as estimated by Newmark Grubb Knight Frank, and 20% higher than Pescatore Seafood's current (escalated) rent.

Based on the foregoing, MTA Real Estate requests authorization to enter into a lease agreement with JERRY'S SEAFOOD CONNECTION INC., dba Pescatore Seafood Company on the above-described terms and conditions.

Staff Summary



Subject PROPERTY ACQUISITION
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name ANTHONY CAMPBELL

Date NOVEMBER 16, 2015
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/16/15	X		
2	Board	11/18/15	X		

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

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

GRANTOR: Sanford Gold & Lyn Lubliner ("Seller")

LOCATION: 95 Virginia Road, Hamlet of North White Plains, Town of North Castle, NY
Tax Map ID – 122.16-1-32

ACTIVITY: Acquisition of commercial building (warehouse and office) and land

ACTION REQUESTED: Approval of terms

SPACE: 8,320± square feet of warehouse space with 2,254± square feet of office space situated on 35,300± square feet of land

COMPENSATION: \$1,850,000.00

COMMENTS:


Due to space constraints at the North White Plains Rail Yard (the "Yard"), Metro-North Railroad has desired for many years to acquire available property that would be suitable for the expansion of the Yard.

In August 2015, the subject property was offered for sale. This property is contiguous to the Yard and contains a 10,574 square foot building that has a 30-foot ceiling height, 5 loading docks, 1 drive-in door and a heavy floor load rating. Metro-North has confirmed that the property is suitable for use by various departments that operate at the Yard.

MTA Real Estate reached an agreement with the Seller on a purchase price of \$1,850,000.00, subject to typical closing costs and adjustments. The purchase price is consistent with an independent appraisal obtained by Real Estate. The purchase would be subject to execution of a contract of sale containing provisions for a 10% down payment, the satisfactory completion of additional due diligence, and any required environmental reviews.

The purchase of this property is exempt from SEQRA under section 1266(11) of the Public Authorities Law, as it involves an expansion of an existing transportation use on a contiguous property of less than 10 acres.

Based on the foregoing, Real Estate recommends acquiring this strategically located property on the above terms and conditions.

Subject ASHREA Level II Energy Audits
Department Office of Management & Budget
Department Head Name Aaron Stern
Department Head Signature 
Project Manager Name Albert Chen

Date October 14, 2015
Vendor Name NA
Contract Number NA
Contract Manager Name NA
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	NYCT Committee		X		
2	Board		X		

Internal Approvals			
Order	Approval	Order	Approval
5	President		
4	Executive V.P.		
3	SVP Subways		
2	Chief Officer, MOW Engineering		
1	Director OMB		

Purpose

To obtain Board approval to perform energy audits in New York City Transit (NYCT) Department of Subways (DOS) maintenance facilities, utilizing the services of the New York Power Authority (NYPA), consistent with the MTA/NYPA Energy Services Program Agreement approved by the Board in December 2005.

Discussion

NYCT DOS maintenance barns/shops will receive in-depth Level II Energy Audits as defined by the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE). Energy audits identify and prioritize the replacement of inefficient energy-related equipment based on return on investment. Energy audits include such items as lighting, compressors, motors, pumps, boilers, windows and building envelope. The energy audits will be used to develop and execute energy-efficiency projects. Projects will be financed and managed by NYPA and paid back through a surcharge to the agency's electrical bill that is equal to, or less than, the value of the project's energy savings. Utilizing this method, energy-efficiency projects will be developed and executed without negatively impacting operating or capital budgets. To date, over one hundred and twenty-five such energy-efficiency projects have been completed under the MTA/NYPA Energy Services Program Agreement.

This staff summary seeks Board authorization for 17 energy audits. The services for these energy audits have been competitively procured by NYPA, at a cost of \$384,258.37. Subsequent to MTA Board approval, NYCT intends to execute a Customer Installation Commitment (CIC) with NYPA, which sets forth the terms of the audits, including the scope of services, schedule, cost (including fees and interest) and payment.

Under the terms of the Board approval for the 2005 Energy Services Program Agreement, projects conducted pursuant to that Agreement that result in net energy savings are not required to be presented to the Board. However, projects for which there are no net savings, or for which net savings cannot be quantified up-front, are presented to the Board for approval. Although it is anticipated that the energy audits will lead to energy-efficiency projects and actions, the studies in and of themselves cannot be said to produce energy savings and thus are presented for Board approval. (It should be noted that, to date, 10 energy audits have been executed in MTA facilities and all have identified significant energy savings potential.)

III. Impact on Funding

The total not-to-exceed cost of \$384,258.37 for the work. Funding is included in the 2016 operating budget, chargeable to Professional Services GLA 712542, ChgRC 2403 Chief Officer Engineering.


IV. Alternative

A scope of work and contract for energy audits could be developed and procured directly by NYCT. However, NYCT lacks direct energy audit experience. NYPA has the necessary experience and expertise to implement and manage this work at a cost structure similar to, or less than, the NYCT. NYPA has already satisfactorily performed 10 ASHRAE Level II Energy Audits (related to the Governor's Executive Order 88 and previously approved by the MTA Board) and has the necessary services in place to perform the work quickly and efficiently.

V. Recommendation

It is recommended that the Board approve NYPA to perform ASHRAE Level II Energy Audits in NYCT DOS maintenance barns/shops, and authorize NYCT to enter into a Customer Installation Commitment with NYPA for these audits.

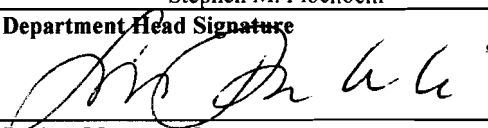
Approved: _____

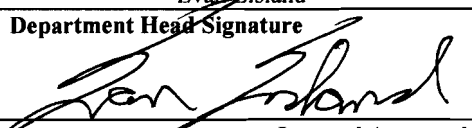
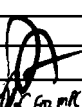
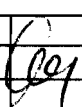



James Ferrara
Interim President

Report

PROCUREMENTS

The Procurement Agenda this month includes 7 actions for a proposed expenditure of \$198.7M.

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	11/16/15			
2	Board	11/18/15			
Internal Approvals (cont.)					
Order	Approval	Order	Approval	Order	Approval

November 5, 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

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:

Procurements Requiring Two-Thirds Vote:

	<u># of Actions</u>	<u>\$ Amount</u>
Schedule C: Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	2	\$ 184.9 M

Schedules Requiring Majority Vote:

Schedule G: Miscellaneous Service Contracts	2	\$ 5.8 M
Schedule H: Modifications to Personal/Miscellaneous Service Contracts	1	\$ 2.7 M
SUBTOTAL	5	\$ 193.4 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: NONE

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

Schedules Requiring Majority Vote:

Schedule K: Ratification of Completed Procurement Actions	2	\$ 5.3 M
SUBTOTAL	2	\$ 5.3 M
TOTAL	7	\$ 198.7 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.

NOVEMBER 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.)

- | | | |
|---|------------------------------------|---|
| <p>1-2. New Flyer of America, Inc. and
Nova Bus LFS, a Division of Prevost Car (US), Inc.
Eighty-five month contract
Contract# B-40660</p> | <p>\$184,924,325 (Est.)</p> | <p><u>Staff Summary Attached</u></p> |
| <p>Purchase and delivery of 231 low floor 60-foot articulated diesel buses with an option to purchase up to 300 additional buses.</p> | | |

Procurements Requiring Majority Vote:

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.)

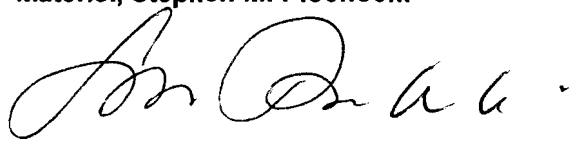
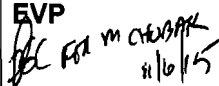
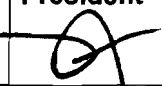
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|--|----------------------------------|---|
| <p>3. Tully Environmental, Inc.</p> | <p>\$4,297,508 (Est.)</p> | <p><u>Staff Summary Attached</u></p> |
| <p>4. AB Oil Service Ltd</p> | <p>\$1,521,681 (Est.)</p> | <p>↓</p> |
| <p>Six Bids/Low Bidder - Five-year contract
IFB# 80935</p> | | |
| <p>Multi-agency contract for cleaning, removal and disposal of non-hazardous oily waste.</p> | | |

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.)

- | | | |
|---|----------------------------------|---|
| <p>5. CGI Technologies and Solutions, Inc.</p> | <p>\$2,717,054 (Est.)</p> | <p><u>Staff Summary Attached</u></p> |
| <p>Contract# 00F7849.6</p> | | |
| <p>Modification to the contract for the operation of the Transit Adjudication Bureau, in order to extend the contract term for six months, with an option to extend for an additional three months.</p> | | |



Staff Summary

Item Number 1-2			
Division & Division Head Name: VP Materiel, Stephen M. Plochochi			
			
Internal Approvals			
Order	Approval	Date	Approval
1	Materiel	6	EVP  11/16/15
2	Law	7	President 
X			
3	Budget	8	
X			
4	DDCR	9	
X			
5	Buses	10	
X			

SUMMARY INFORMATION	
Vendor Name New Flyer of America, Inc. and Nova Bus LFS, a Division of Prevost Car (US), Inc.	Contract No. B-40660
Description Furnish and Deliver 231 Low Floor 60-foot Articulated Diesel Buses with an Option to Purchase up to 300 additional Buses	
Total Amount \$184,924,325 (Est.) \$109,937,596 (New Flyer of America Inc.) \$74,986,729 (Nova Bus LFS)	
Contract Term (including Options, if any) 85 months from Notice of Award (25 months for delivery of the last bus and 60 months for warranty support)	
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 request that the Board approve the purchase, pursuant to subdivision 9(g) of Section 1209 of the Public Authorities Law, of 231 Low Floor 60-foot Articulated Diesel Buses and related items such as spare parts, special tools and equipment, diagnostic testing, technical documentation and training for 139 buses from New Flyer of America, Inc. (New Flyer) in the amount of \$109,937,596 and 92 buses from Nova Bus LFS (Nova Bus) a Division of Prevost Car (US), Inc. in the amount of \$74,986,729 for NYC Transit for a combined total award amount of \$184,924,325.

DISCUSSION:

On February 26, 2014, the Board adopted a resolution authorizing the use of a competitive Request for Proposal (RFP) in lieu of competitive bidding to award a contract for the purchase of 256 Low Floor 60-foot Articulated Diesel Buses with an option to purchase up to 275 additional buses. On January 21, 2015, the Board approved an Amendment to NYC Transit's 2010-2014 Capital Program adding 72 standard buses and deferring 25 articulated buses in order to meet an immediate operating need for the purchase of the 72 standard buses. As a result, the scope of this project was changed to 231 Low Floor 60-foot Articulated Diesel Buses with an option for up to an additional 300 buses.

The solicitation, which allowed the award to be split, was advertised in March 2015. Additionally, eight bus manufacturers were directly contacted. Pursuant to the statutory framework, the selection criteria, listed in descending order, were as follows: Overall Project Cost, New York State Content, Overall Quality of Proposer and Product and Other Relevant Matters. Selection Committee members were drawn from NYC Transit - Department of Buses (DOB), Procurement, Capital Planning & Budget and Operations Planning.

Two low floor 60-foot articulated bus manufacturers; New Flyer and Nova Bus, attended the pre-proposal conference held on March 25, 2015. Initial proposals were received on May 8, 2015 from both New Flyer and Nova Bus.

After the Selection Committee reviewed the initial proposals, both New Flyer and Nova Bus were invited for oral presentations. Oral presentations and negotiations were conducted on a series of dates spanning from May through July 2015. Negotiations centered on the current performance of the 90 bus test fleets from each bus manufacturer operating in NYC Transit, pricing, alternate proposals, as well as exceptions/deviations/clarifications to the technical specifications and the terms and conditions.

BAFOs were received from both New Flyer and Nova Bus on September 25, 2015. The Selection Committee reviewed the two BAFOs in accordance with the evaluation criteria and unanimously recommended a split award of 139 buses for New Flyer and 92 buses for Nova Bus because New Flyer's lower price and higher technical evaluation outweighed Nova Bus' slightly greater New York State Content.

The award to New Flyer will consist of \$108,864,778 (\$783,200 per bus) for the 139 buses, \$381,502 for qualification testing, diagnostic tools and manuals, \$241,620 for an estimated quantity of training, and \$449,696 for capital spares for a total award amount of \$109,937,596, which is \$2,659,545 or 2.36% below New Flyer's initial proposal of \$112,597,141.

The award to Nova Bus will consist of \$73,226,867 (\$795,944 per bus) for the 92 buses, \$1,049,062 for qualification testing, diagnostic tools and manuals, \$318,474 for an estimated quantity of training, and \$392,326 for capital spares for a total award amount of \$74,986,729, which is \$903,123 or 1.19% below Nova Bus' initial proposal of \$75,889,852.

The combined total award amount of \$184,924,325 results in a total savings of \$3,562,668 or 1.89% below the initial pricing received from both bus manufacturers. The final average unit price per bus of \$788,276 is \$11,270 or 1.41% below DOB's estimate of \$799,546. Procurement, DOB and the Cost/Price Analysis Unit have determined the final prices to be fair and reasonable.

This split award is anticipated to result in delivery and acceptance of buses in a more expeditious timeframe, which shortens the delivery schedule by up to seven weeks versus an award to a single manufacturer. This enables NYC Transit to retire over-aged buses sooner while effectively saving on maintenance costs. Additionally, a split award will continue to foster price and technological competition and allow DOB to mitigate potential performance and supply risks between two manufacturers instead of relying on only one bus manufacturer for such a large order.

New Flyer and Nova Bus each offered to build four pilot buses in order to expedite delivery of the production buses. Pilot buses are scheduled to be delivered by New Flyer in July 2016 and Nova Bus in January 2017. Pilot buses from each manufacturer will be used for configuration audit and qualification testing. The combined delivery of the production buses manufactured is scheduled to begin in January 2017 and be completed in March 2018, for an overall period of 111 weeks from Notice of Award. The above delivery schedules are based on the assumption that Notice of Award will be issued on or before February 29, 2016. Note, these contracts are subject to review and approval of the Office of the NY State Comptroller and award will not be made prior to this approval.

The total New York State Content for this contract will be \$43,785,265, which represents 23.68% of the total award; New Flyer has committed to meeting a New York State Content of 23.44% and Nova Bus has committed to meeting a New York State Content of 24.02%.

Pricing for option buses, if exercised, will be based on obtaining pricing from both contractors in the form of a "run-off" and will be brought to the Board for approval of award(s). In the event another bus manufacturer is deemed qualified before the "run-off", no option will be exercised and a new RFP will be conducted.

MBE/WBE:

The MTA Department of Diversity and Civil Rights (DDCR) has established a 15% MWBE goal based on the sub-contractible elements which represent approximately 18% of the total contract value. The utilization plans submitted by New Flyer and Nova Bus of 15.79% MWBE and 15.42% MWBE respectively, were reviewed and approved by DDCR. New Flyer and Nova Bus have both significantly increased their respective MWBE goal attainment. Both are currently meeting the MWBE goals established for recently awarded bus contracts and have demonstrated an ongoing commitment to expand their MWBE supplier base.

IMPACT ON FUNDING:

The contract will be funded with 100% MTA funds. Funds for this procurement have been approved in the MTA 2010-2014 Capital Program. A WAR certificate will be secured prior to award. Funding for option buses is included in the proposed 2015 – 2019 Capital Plan.

ALTERNATIVES:

There are no alternatives as not awarding this contract will seriously undermine NYC Transit's fleet plan and its ability to retire older buses in a competitive environment.

RECOMMENDATION:

It is recommended that the Board approve the purchase, pursuant to subdivision 9 (g) of Section 1209 of the Public Authorities Law, of Low Floor 60-foot Articulated Diesel Buses and related items such as spare parts, special tools and equipment, diagnostic testing, technical documentation and training for 139 buses from New Flyer in the amount of \$109,937,596 and 92 buses from Nova Bus in the amount of \$74,986,729 for NYC Transit for a combined total award amount of \$184,924,325.

Schedule G: Miscellaneous Service Contracts

Item Number: 3-4

Vendor Name (& Location) Tully Environmental, Inc. (Flushing, NY) AB Oil Service, Ltd (Bohemia, NY)	Contract Number IFB 80935	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Description Cleaning, removal and disposal of non-hazardous waste	Total Amount: Tully (DOB/MTABC, Class A): \$4,297,508 AB Oil (DOS, Class B): \$1,521,681 <div style="float: right; text-align: right;"> \$5,819,189 (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, Darryl C. Irick Department of Subways, Joseph Leader	
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:		

Discussion:

Under these contracts, the contractors are required to provide all labor and equipment for the removal and disposal of non-hazardous oily wastes from and cleaning of oil/water separator collection units for NYC Transit's Department of Buses (DOB), MTA Bus Company (MTABC) and NYC Transit's Department of Subways (DOS).

DOB and MTABC generate oily wastes primarily from cleaning the bus body, undercarriage, and engine compartment as part of normal maintenance. DOS generates oily wastes primarily from cleaning the car body and undercarriage, as well as liquid and solid wastes generated from cleaning the cured/hardened varnish-like accumulations on subway car traction motor components. These contracts are necessary to ensure compliance with regulations concerning the disposal of non-hazardous wastes.

This solicitation was structured as a multi-class award because of nuances associated with the requirements. DOB and MTABC requirements were grouped together under a common work scope and specification comprising Class A while DOS requirements comprise Class B under a different work scope.

Procurement conducted an extensive outreach to the marketplace resulting in six bids for each class. Tully Environmental, Inc. (Tully) was the low bidder for Class A and AB Oil Service, Ltd. (AB Oil) was the low bidder for Class B. Tully's price was 10% lower than the second low bidder for Class A and AB Oil's price was 4.1% lower than the second low bidder for Class B.

An overall price comparison of the comparable items for DOB/MTABC between the existing Contract 08G9919A and this new solicitation resulted in an average annual weighted increase of 2.6%. An overall price comparison of the comparable items for DOS between the existing Contract 08G9919B and this new solicitation resulted in an average annual weighted decrease of 1%.

Based on adequate price competition, Procurement considers Tully's and AB Oil's pricing to be fair and reasonable.

Item Number: 5

Vendor Name (& Location) CGI Technologies and Solutions, Inc. (New York, NY)	
Description Operation of the Transit Adjudication Bureau	
Contract Term (including Options, if any) November 1, 2001 – December 31, 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 checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div. & Dept./Div. Head Name: Law Department, James Henly	

Contract Number	AWO/Mod. #
00F7849	6
Original Amount: \$ 18,201,762 Option Amount: \$ 15,944,300 Total Amount: \$ 34,146,062	
Prior Modifications:	\$ 12,023,620
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 46,169,682
This Request:	\$ 2,717,054 (Est.)
% of This Request to Current Amount:	5.9%
% of Modifications (including This Request) to Total Amount:	43.2%

Discussion:

This modification will extend the contract term for six months from January 1, 2016 through June 30, 2016 during which period the Transit Adjudication Bureau (TAB) will transition to a new computer system developed by MTA IT and a new competitively solicited staffing contract will be awarded. The modification also includes an option to extend for an additional three months (July 1, 2016 through September 30, 2016). Award of the option will be subject to the approval of the Assistant Chief Procurement Officer.

This contract is for operation of TAB, which was established in 1985 to provide a forum for the processing and adjudication of Notices of Violations issued for violations of the Transit Rules governing the use of the Transit System. CGI Technologies and Solutions, Inc. (CGI) provides staff who conduct significant components of the operation of TAB under the supervision of NYC Transit's Executive Director of TAB and also presently provides the computer system used to track fines, payments, outstanding balances, hearing outcomes and enforcement and collection efforts.

The CGI-provided computer system has reached the end of its useful life and is in need of replacement. A decision was made to develop a replacement computer system in-house in order to enhance competition for subsequent contracts. The new system, known as the Transit Adjudication Bureau Information System (TABIS), has been under development for several years by MTA IT. It is currently in user acceptance testing with full implementation planned during the second quarter of 2016. TABIS will be maintained by MTA IT.

In addition, a competitive Request for Proposals (RFP) for staffing of TAB is currently under way and is expected to be awarded in February 2016. This six month extension of the CGI contract is necessary to complete the testing and rollout of TABIS and to allow sufficient time for the transition of TAB operations to the awardee of the new contract.

The September 2001 Board approved the original award of this competitively solicited contract to American Management Systems (AMS) for five years with a five year option that was later exercised. The contract was further extended from November 1, 2011 to December 31, 2015 to allow for the development of the new computer system. The contractor provides staff who perform payment processing, administrative processes such as support for hearings and appeals, telephone collections, judgment enforcement and data entry. Currently, the contractor also hosts and operates the computer system. AMS was acquired by CGI in 2004.

The final price for this six month extension is \$1,799,636. The price for the three month option is \$917,418. The overhead rate remains the same as the original rate negotiated in 2001. The price for the six month extension is 2.9% above the existing rate structure.

NOVEMBER 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. **E. E. Cruz/ Tully Construction Company, JV, LLC** **\$3,750,000** **Staff Summary Attached**
Contract# C-26010.171
Modification to the contract for station finishes for the Second Avenue Subway, 96th Street Station, in order to address the acceleration of surface restoration contract work between 90th and 105th Streets.

2. **Skanska/Traylor, JV** **\$1,500,000** **Staff Summary Attached**
Contract# C-26008.56
Modification to the contract for station cavern mining and heavy civil/structural work for the Second Avenue Subway, 86th Street Station, in order to address changes to the excavation plan, at the south end of the 86th Street Station, due to a differing site condition.

Schedule K: Ratification of Completed Procurement Actions



Item Number: 1

Vendor Name (& Location) E.E. Cruz/Tully Construction Co., JV, LLC (New York, NY)		Contract Number C-26010	AWO/Mod. # 171
Description Second Avenue Subway Route 132A – 96 th Street Station Finishes		Original Amount:	\$ 324,600,000
Contract Term (including Options, if any) June 22, 2012 – March 29, 2016		Prior Modifications:	\$ 27,600,388
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a		Prior Budgetary Increases:	\$ 0
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		Current Amount:	\$ 352,200,388
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification		This Request:	\$ 3,750,000
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:		% of This Request to Current Amount:	1.1%
Requesting Dept/Div & Dept/Div Head Name: MTA Capital Construction, Dr. Michael Horodniceanu		% of Modifications (including This Request) to Original Amount:	9.7%

Discussion:

This retroactive modification is for the acceleration of work between 90th and 105th Streets in order to complete the surface restoration of Second Avenue as early as possible.

This contract is for 96th Street Station Finishes for the Second Avenue Subway Project, and requires rehabilitation and retrofit of the existing 99th – 105th Street Tunnel; construction of invert slab and benches in the newly constructed 87th – 92nd Street Tunnels and in the northern section of the 97th – 99th Street Tunnel; installation of mechanical systems including HVAC, electrical medium voltage and 120V systems; plumbing; supply and installation of elevators and escalators in the station and entrances; construction of the station platform, mezzanine levels, ancillaries and entrances; construction of interior walls and rooms; installation of architectural finishes; removal of temporary road decking installed in previous contracts; restoration of the surface of Second Avenue and adjacent streets; and maintenance of the station until contract completion.

The contract requires the restoration of Second Avenue roadway and sidewalks from the 90th Street intersection to the south side of the 105th Street intersection, and approximately 25 feet up every side street including final placement of utilities, concrete roadway base and asphalt, steel curbing, full width sidewalks, light poles and masts with associated conduit, traffic signals and permanent lane markings. As a result of prior delays, surface restoration is anticipated to be completed in the fall of 2016. Impacts from winter weather conditions and possible unforeseeable third party delays, however, could postpone completion of this work beyond the Revenue Service Date in December 2016. To ensure completion of this work and the return of the roadways and sidewalks to the public as soon as possible, this modification will establish a new intermediate milestone with a completion date of August 31, 2016 for all contract surface restoration work and include an incentive of \$40,000/workday for completion earlier than August 31, 2016 and a disincentive of \$60,000/workday for completion later than August 31, 2016. Both the incentive and disincentive are capped at 60 workdays.

Work to be accelerated includes final placement of utilities including gas, electric, telephone/communication, water and sewer; street, pedestrian and traffic light construction; roadway, sidewalk and curb construction; and traffic marking installation. This modification addresses the additional cost differential for performing this work on extended day shifts, second shifts, and/or weekends. Future approval of the Board will be sought for a subsequent modification to extend the limits of the surface restoration work.

In order to achieve the August 31, 2016 completion date, it was necessary to start this acceleration immediately. Approval to proceed with the work on a retroactive basis was obtained from the MTACC President on August 21, 2015. Additionally, the VP Materiel previously authorized partial payment to the contractor for work performed up to \$700,000.

The contractor's proposal was \$4,235,891. MTACC's revised estimate was \$3,608,101. Negotiations resulted in a lump sum price of \$3,750,000, which was found to be fair and reasonable. Savings of \$485,891 were achieved.

Item Number: 2

Vendor Name (& Location) Skanska/Traylor, JV (New York, NY)	
Second Avenue Subway - 86th Street Station Cavern Mining, and Heavy Civil Structural - Manhattan "B" Division	
Contract Term (including Options, if any) August 4, 2011 – December 16, 2014	
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-26008	AWO/Mod. #: 56
Original Amount:	\$ 294,360,000
Option Amount:	\$ 7,500,000
Total Amount:	\$ 301,860,000
Prior Modifications:	\$ 19,181,413
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 321,041,413
This Request:	\$ 1,500,000
% of This Request to Current Amount:	0.5%
% of Modifications (including This Request) to Total Amount:	6.9%

Discussion:

This retroactive modification is for changes to the excavation plan, at the south end of the 86th Street Station, due to a differing site condition.

The contract includes the mining of the 86th Street Station cavern including mine shafts, adits for the entrances, an elevator shaft, electrical shafts, ancillaries, cross passages and underpinning for existing structures.

Based on the characteristics of the rock as depicted in the contract documents, the contract required that certain clearances be maintained between the Central Instrument Room (CIR) excavation and the east tunnel due to the proximity of the CIR to the unlined tunnel and the south open-cut excavation. As part of the Contractor's excavation plan, they were required to maintain a 10-foot rock pillar between the unlined tunnel and the CIR excavation. However, after the first round of blasting for the CIR excavation, a joint inspection of the rock pillar revealed cracks, which necessitated changes to the excavation methodology.

Work associated with this modification includes installation and monitoring of three deformation monitoring points; installation of an additional three inches of shotcrete canopy for 50 feet in the east tunnel; changes in blasting sequence including increasing the number of rounds from four larger rounds to 10 smaller rounds; the cost differential for excavating approximately 14 feet of rock in the landing area by mechanical means instead of by blasting; and the cost differential for installing a sand wall instead of shotcrete on the east side of the south open-cut wall.

In order to evaluate the stability of the rock pillar and determine the revised excavation sequencing, it was necessary to initiate this work retroactively. Approval from the MTACC President was subsequently obtained. Substantial Completion for this contract was declared on December 16, 2014.

The contractor's proposal was \$1,680,146. MTACC's estimate is \$1,457,613. Negotiations resulted in a lump sum price of \$1,500,000, which was found to be fair and reasonable. Savings of \$180,146 were achieved.

LONG ISLAND RAIL ROAD

PROCUREMENTS

FOR

BOARD ACTION

November 18, 2015

Staff Summary



Subject : Request for Authorization to Award Various Procurements						Date <div style="text-align: center;">November 18, 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	11.16.15				X	President		
2	MTA Board	11.18.15				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:

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

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

LIRR proposes to award Competitive Procurements in the following categories:

	<u># of Actions</u>	<u>\$ Amount</u>
--	---------------------	------------------

Schedules Requiring Two-Thirds Vote

Schedule C:	Competitive Requests for Proposals (Award of Purchase)	<u>2</u>	<u>\$15,516,939</u>
SUBTOTAL:		<u>2</u>	<u>\$15,516,939</u>

Schedules Requiring Majority Vote

Schedule G:	Miscellaneous Service Contracts	<u>1</u>	<u>\$79,290</u>
SUBTOTAL:		<u>1</u>	<u>\$79,290</u>

LIRR proposes to award Ratifications in the following categories:

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

	<u>3</u>	
<u>TOTAL:</u>	<u>3</u>	<u>\$15,596,229</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.

NOVEMBER 2015

MTA LONG ISLAND RAIL ROAD

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote

Schedule C: Competitive Request for Proposals (Award of Purchase and Public Work Contracts)
(Staff Summaries only required for items requiring Board approval)

1. **Ansaldo STS USA, Inc.** **\$9,095,500** *Staff Summary Attached*
 Competitive RFP
 Contract No. 6170

LIRR requests approval to award a contract to Ansaldo STS USA, Inc. (ASTS) in the amount of \$8,949,500 for the Base Work plus \$146,000 for Optional Training, to replace the existing signal system along its entire Long Beach branch beginning at the Long Beach Terminal to its interconnection with Babylon Branch and Valley Tower.

2. **Myers Controlled Power, LLC** **\$6,421,439** *Staff Summary Attached*
 Competitive RFP
 Contract No. 6186

LIRR requests MTA Board approval to award a contract award to Myers Controlled Power, LLC (Myers) for the lump sum price of \$6,421,439 to furnish a prefabricated traction power substation needed to replace one existing substation located at Long Beach.

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)

3. **ARAMARK Uniform Services, a division of** **\$79,290**
 ARAMARK Uniform & Career Apparel, LLC **Not-to-Exceed**
 Three-Year Contract
 Contract No. TBD

LIRR requests MTA Board approval to award a competitively bid, three-year, Miscellaneous Service contract to ARAMARK Uniform Services, a division of ARAMARK Uniform & Career Apparel, LLC (“ARAMARK”), in the not-to-exceed amount of \$79,290 for the furnishing and weekly cleaning of walk-off mats at various LIRR locations in support of Stations Operations department. The Railroad explored whether there were opportunities to “piggy-back” onto existing contracts with other MTA agencies and also surveyed whether any MTA

agencies had a need for similar services. No other MTA agency offered similar contracts, or expressed a need for the same requirements. This renewal contract was advertised in the NYS Contract Reporter and on the MTA Website on September 9, 2015, and in the NY Post on September 17, 2015. Bids were sent directly to two known service providers, ARAMARK and Cintas, on September 10, 2015 as no other firms requested solicitation documents. On October 7, 2015, LIRR received a single bid from the incumbent - ARAMARK. As a single bid was received, LIRR attempted to negotiate lower pricing, but ARAMARK confirmed their bid price was the best afforded to LIRR. ARAMARK's 2015 unit pricing remained unchanged from their previous 2012 contract unit pricing. The bid price schedule is based on fixed pricing for weekly service, and forecasted walk-off mat replacement costs during the three-year term. ARAMARK's pricing is therefore considered fair & reasonable. Funding for this contract is included in LIRR's Operating Budget.

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

Staff Summary



Long Island Rail Road

Page 1 of 2

Item Number: 1					
Dept & Dept Head Name: Procurement & Logistics, Dennis Mahon					
Department Head Signature & Date <i>[Signature]</i> 11/6/15					
Division & Division Head Name: Department of Program Management, Richard Oakley					
Division Head Signature & Date <i>[Signature]</i> 11/6/15					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	11.16.15	X		
2	MTA Board	11.18.15	X		
Internal Approvals					
Order	Approval	Order	Approval		
6	President <i>[Signature]</i>	3	VP/CFO <i>[Signature]</i>		
5	Executive VP <i>[Signature]</i>	2	Sr. VP/Operations <i>[Signature]</i>		
4	VP/Gen'l Counsel & Sec'y <i>[Signature]</i>	1	Sr. VP/Administration <i>[Signature]</i>		

SUMMARY INFORMATION	
Vendor Name Ansaldo STS USA, Inc.	Contract Number 6170
Description Design/Build Services for the Restoration of the Long Beach Signal System	
Total Amount \$9,095,500 (includes \$8,949,500 Base Work + \$146,000 Optional Training)	
Contract Term (including Options, if any) 1,220 consecutive calendar days (Base Work)	
Options(s) included in Total Amount: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-Competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative:

I. PURPOSE/RECOMMENDATION

LIRR requests approval to award a contract to Ansaldo STS USA, Inc. (ASTS) in the amount of \$8,949,500 for the Base Work, plus \$146,000 for Optional Training to replace the existing signal system along its entire Long Beach branch beginning at the Long Beach Terminal to its interconnection with Babylon Branch and Valley Tower.

II. DISCUSSION

Super Storm Sandy affected the entire Long Beach branch for several weeks until infrastructure was repaired sufficiently to resume service using the diesel fleet, and eventually full schedule service using the MU car fleet. While repairs restored full service for customers, the damage to infrastructure from salt water flooding drastically shortened the life cycle of cables and equipment by accelerating the degradation of electrical insulation, cable connections and other electrical components, including signal huts and cases, switch machines, third rail switch boxes, communication cases and network equipment. This contract is for the replacement of the signal system, and includes: signal design; manufacture of signal equipment and enclosures; system integration and testing; delivery and setting of assembled Central Instrument Location ("CILs") and Huts; and delivery of cases and ancillary equipment for the Railroad's Restoration of the Long Beach Branch Signal System (the "Work").

To gauge proposers' level of interest and assess items that would inhibit competition a Request for an Expression of Interest (RFEI) was publicly advertised on October 16, 2014. The RFEI was advertised through public notice in local newspapers and supplemented with direct mailings to known prime contractors qualified and capable to provide signal systems. The results consisted of responses from Siemens, Alstom, Ansaldo STS USA (ASTS), and General Electric Transportation Systems (GETS). All four firms provide signal systems in

Staff Summary



Page 2 of 2

the rail transit industry. Alstom, ASTS and GETS provided feedback that resulted in changes to our contract documents.

The MTA Board granted an “omnibus” approval to use the “Request for Proposal” (RFP) method to solicit various Design-Build and other contracts in connection with post-Super Storm Sandy restoration, mitigation and resiliency initiatives” (specifically citing the Long Beach Signal System Replacement Project, among others) at its November 2013 meeting.

In March 2015 LIRR publicly advertised an RFP for this project. Proposals were submitted by three firms (inclusive of options): Alstom for \$21,857,371, ASTS for \$13,036,570 and XoRail for \$18,293,056. ASTS’s proposal was found to be superior when evaluated against the RFP technical criteria, which included demonstrated ability to meet the schedule, technical approach, and the qualifications and experience of the company and project team. Their proposal also contained a six month reduction to LIRR’s original contract schedule. XoRail’s proposal was found to be technically compliant with the requirements of the project and their Key Personnel and Company qualifications were in accordance with the RFP’s minimum requirements. Alstom’s proposal was found to be technically compliant with the requirements of the project; however, LIRR had a number of concerns about its proposal.

All firms were invited to give oral presentations, and then were asked to provide a “Best and Final Offer,” which included technical clarifications of LIRR requirements. The firms submitted BAFOS as follows (including options pricing): Alstom for \$20,453,579, ASTS for \$10,556,067 and XoRail for \$14,990,652. A formal TEC re-evaluation based on the orals and the BAFOs still yielded ASTS having the superior offering.

LIRR negotiated with ASTS a final price of \$8,949,500 for the Base Work of the contract; ASTS’s BAFO price for Base Work was \$9,643,874. This negotiated amount is less than their BAFO and significantly less than the Base Work BAFOs of the other two proposers, within ten percent of the LIRR estimate, and is considered fair and reasonable. The contract contains an option for training with a total price of \$146,000.

III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights (DDCR) has established an 8.5% DBE goal for this project. ASTS has agreed to submit a plan that would meet the contract’s goal requirements. The final plan is subject to review and approval by DDCR. An award will not be issued until approval by DDCR. ASTS has not completed any MTA contract with MWDBE goals; therefore, no assessment of the firm’s M/W/DBE performance can be determined at this time.

IV. IMPACT ON FUNDING

This contract will be funded by the LIRR 2010-2014 Capital Budget supported by federal Super Storm Sandy relief funding.

V. ALTERNATIVES

LIRR does not have the ability to undertake the design and furnishing of the equipment with in-house forces. The alternative is to not undertake this project, which is impractical as this work is a critical component of the Super Storm Sandy Mitigation Program.

Staff Summary



Item Number: 2					
Dept & Dept Head Name: Procurement & Logistics; Dennis Mahon					
Department Head Signature & Date <i>[Signature]</i> 4/6/15					
Division & Division Head Name: Department of Program Management, Richard Oakley					
Division Head Signature & Date <i>[Signature]</i> 11/6/15					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	11.16.15	X		
2	MTA Board	11.18.15	X		
Internal Approvals					
Order	Approval	Order	Approval		
6	President <i>[Signature]</i>	3	VP/CFO <i>[Signature]</i>		
5	Executive VP <i>[Signature]</i>	2	Sr. VP/Operations <i>[Signature]</i>		
4	VP/Gen'l Counsel & Sec'y <i>[Signature]</i>		Sr. VP/Administration <i>[Signature]</i>		

SUMMARY INFORMATION	
Vendor Name	Contract Number
Myers Controlled Power, LLC	6186
Description	
Long Beach Substation Replacement	
Total Amount	
\$6,421,439	
Contract Term (including Options, if any)	
770 consecutive calendar days	
Options(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 type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative:

I. PURPOSE/RECOMMENDATION

LIRR requests MTA Board approval to award a contract to Myers Controlled Power, LLC (Myers) for the lump sum price of \$6,421,439 to furnish a prefabricated traction power substation needed to replace one existing substation located at Long Beach.

II. DISCUSSION

Super Storm Sandy affected the entire Long Beach Branch for several weeks until infrastructure was repaired sufficiently to resume service using the diesel fleet, and eventually full schedule service using the MU car fleet. The repairs performed to substations on this branch were temporary in nature, and continuing to rely upon these storm-damaged substations, which were constructed in 1972, poses a risk for LIRR service reliability. Under this substation procurement, Myers will design, fabricate, deliver, install, integrate and test the modular substation including building enclosure, equipment, cabling and supervisory control systems. The modular substation building will be assembled and installed on foundations constructed by LIRR forces. LIRR Forces will also interconnect the substation into the power infrastructure.

The MTA Board granted an "omnibus" approval to use the "Request for Proposal" (RFP) method "to solicit various Design-Build and other contracts in connection with post-Super Storm Sandy restoration, mitigation and resiliency initiatives" (specifically citing the Long Beach Substation Replacement, among others) at its November 2013 meeting.

Staff Summary



Page 2 of 3

Advertisement of this Contract ran in both the New York State Contract Reporter and the New York Post on June 25, 2015. In addition, a copy of the advertisement was sent directly to 3 firms known to have experience with this type of work. The proposers' conference and site tour was attended by 15 firms.

Four firms responded to the Railroad's RFP: Benfield Control Systems, Inc. for \$9,944,586; Myers Controlled Power for \$6,159,293; Powell Electrical Systems, Inc. for \$7,684,888; and Siemens Industry, Inc. for \$10,065,908. A Technical Evaluation Committee (TEC) reviewed these proposals against the technical criteria, which included Technical Approach; Key Personnel and Corporate Qualifications; and the Management Approach. Following a preliminary evaluation, Myers was technically ranked the highest; however, Powell and Siemens were also found to be technically compliant with the requirements of the RFP. Benfield demonstrated that they were able to produce major components for the traction power substation, however they did not demonstrate that they were capable of manufacturing an entire substation. The TEC decided to extend invitations for oral presentations to three of the firms (Myers, Powell and Siemens).

Following the oral presentations, the TEC completed their final scores and cost was added into the evaluation. Myers again was the top-ranked firm.

The TEC cited the following reasons for Myers receiving the highest overall rating when compared to other proposers:

- Myers' technical approach to the project demonstrates a strong competency and understanding of the project;
- Myers has extensive corporate experience with this kind of work;
- The equipment being proposed by Myers meets or exceeds the LIRR specifications and industry requirements;
- The project team and key personnel proposed by Myers have undertaken similar projects and meet or exceed the requirements of the contract;
- The manufacture and integration of equipment and housing is largely centralized at Myers' facilities, increasing the ability to control these activities.

Moreover, Myers' cost proposal of \$6,519,293.00 was the lowest of all 4 proposers, and fully \$1,165,595.00 lower than the next-ranked and next-costliest proposer. It also is \$1,540,649.00 lower than LIRR's internal estimate for the work.

LIRR negotiated with Myers a final price of \$6,421,439. This price is less than their proposed price and the LIRR estimate.

Based on a comparison to market prices and the internal estimate, Myers' cost is deemed fair and reasonable. Myers has also been reviewed and found to be responsible.

III. D/M/WBE INFORMATION

This contract has a 10% DBE goal, which Myers' proposal meets. Myers Controlled Power LLC has not completed any MTA prime contract containing D/M/WBE goals; therefore, no assessment of the firm's D/M/WBE prior performance can be determined at this time.

Staff Summary



Long Island Rail Road

Page 3 of 3

IV. IMPACT ON FUNDING

This contract will be funded by the LIRR 2010-2014 Capital Program supported by federal Super Storm Sandy relief funds.

V. ALTERNATIVES

State-of-the-art traction power substations are crucial to the continued functioning of the LIRR in maintaining On-Time Performance. Further, LIRR has no ability to perform this work in-house; 3rd-party vendors are required.



Metro-North Railroad

Procurements

November 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	November 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.	11-16-15	X		
2	MTA Board Mtg.	11-18-15	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 V.P. & General Counsel
X	VP Finance & IT		

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 G:	Miscellaneous Service Contracts	1	\$200,000
	• Koni North America		\$200,000
Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	1	\$1,007,516
	• Transportation Technology Center, Inc. (TTCI)		\$1,007,516
SUB TOTAL:		2	\$1,207,516

MNR proposes to award competitive procurements in the following categories:

		<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		<u>NONE</u>	
<u>Schedules Requiring Majority Vote</u>			
Schedule G: Miscellaneous Service Contracts		4	\$589,542
• Carrier Corporation	\$276,827		
• Capus Automation Services, Inc.	\$98,725		
• Chem Treat, Inc.	\$20,400		
• AKA Pest Control, Inc. dba Bye-Bye Birdie	\$193,590		
SUB TOTAL:		4	\$589,542

MNR presents the following procurement actions for Ratification:

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		<u>NONE</u>	
<u>Schedules Requiring Majority Vote</u>		<u>NONE</u>	
SUB TOTAL:			
TOTAL:		6	\$1,797,058

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.

NOVEMBER 2015

METRO-NORTH RAILROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Majority Vote:

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.)

1. Koni North America \$200,000 (not-to-exceed) Staff Summary Attached
Repair and Return of MNR M7 and Genesis Locomotive Fleets Dampers

Approval is requested to award a five year non-competitive, negotiated miscellaneous service agreement for repair and return of horizontal, vertical, and lateral dampers, for the MNR Genesis locomotive and M-7 fleets. Koni North America is the Original Equipment Manufacturer (OEM) of this equipment and the sole authorized repair facility. MNR has determined that it is economically beneficial to repair and return these dampers in lieu of procuring new dampers.

MNR has complied with the MTA All-Agency Procurement Guidelines and with PAL§1265-a (3) regarding the posting of advertisements in order to identify potential alternate suppliers. In addition to the advertisement, direct outreach by the MNR Procurement Department was performed and no alternate suppliers have been identified.

The total cost of this procurement is not to exceed \$200,000 and its costs are deemed fair and reasonable for the level of service required. The procurement is to be funded by the MNR Operating Budget.

H. Modifications to Personal /Miscellaneous Service Contracts

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

2. Transportation Technology Center, Inc. (TTCI) \$1,007, 516 (not-to exceed) Staff Summary Attached
Technical Support for the Maintenance of Way Track Department

Approval is requested for funding totaling \$1,007,516 to Transportation Technology Center, Inc. (TTCI) for additional technical and track testing assistance throughout the MNR territory. TTCI's services continue to be required in collecting and analyzing automated track inspection data to prioritize repairs and cyclical maintenance programs.

In 2013, the MTA Board ratified a miscellaneous service contract for TTCI to provide various engineering support services along with specific track testing. Under the original award, TTCI reviewed established maintenance and inspection procedures, practices and programs. In addition, a review of training programs and Maintenance of Way methodology were conducted. Subsequent to the original award and based on actual field conditions, MNR increased the scope of work to include additional analysis of its infrastructure with both a Track Loading Vehicle (TLV) and Ground Penetration Radar (GPR) to map conditions of the tracks ballast and subgrade.

In an effort to conclude TTCI's review, MNR has requested that TTCI finalize MNR's MW-4 track

manual with the associated training for track supervision. In addition, TTCI will finalize its searchable track defect data warehouse, which will enable MNR to properly categorize and prioritize track maintenance in the future. Finally, TTCI will conclude its review of MNR's track infrastructure by completing a final series of track loading vehicle testing over MNR's complete East of Hudson service territory.

Based on TTCI's revised scope of work and MNR's need to complete its third party track evaluation, the total additional funds required by MNR at the not to exceed amount of \$1,007,516 is deemed fair and reasonable. All contract terms, and conditions remain the same. The additional funding will be provided by the MNR Operating Budget.

Schedule G: Miscellaneous Service Contracts

Item Number: G

Vendor Name (& Location) Koni North America
Description Repair and Return of MNR M7 and Genesis Locomotive Fleets Dampers
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 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 TBD	AWO/Modification #
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Amount:	(not-to-exceed) \$200,000
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: Procurement & Material Management, Alfred Muir, Sr. Director	

Discussion:

Approval is requested to award a five year non-competitive negotiated miscellaneous service agreement for repair and return of horizontal, vertical, and lateral dampers, for the MNR Genesis locomotive and M-7 fleets. Koni North America is the Original Equipment Manufacturer (OEM) of this equipment and the sole authorized repair facility. MNR has determined that it is economically beneficial to repair and return these dampers in lieu of procuring new dampers. This process results in an average unit price savings of 47%.

MNR has complied with the MTA All-Agency Procurement Guidelines and with PAL§1265-a (3) regarding the posting of advertisements in order to identify potential alternate suppliers. In addition to the advertisement, direct outreach by the MNR Procurement Department was performed and no alternate suppliers have been identified.

The total cost of this procurement is not to exceed \$200,000 and its costs are deemed fair and reasonable for the level of service required. The procurement is to be funded by the MNR Operating Budget.

Schedule H: Modifications to Personal Service and Miscellaneous Service Contracts

Item Number: H

Vendor Name (& Location) Transportation Technology Center, Inc. (TTCI)		Contract Number 1000027923	AWO/Modification # 3
Description Automated Track Inspection Survey and Data Management		Original Amount: \$750,000	
Contract Term (including Options, if any) Three Years		Prior Modifications: \$1,838,900	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Prior Budgetary Increases: \$	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive		Current Amount: \$2,538,900	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other:		This Request: \$1,007,516 (not-to-exceed)	
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: 39.68%	
Requesting Dept/Div & Dept/Div Head Name: Procurement & Material Management, Al Muir, Sr. Director		% of Modifications (including This Request) to Original Amount: 472%	

Discussion:

Approval is requested for funding totaling \$1,007,516 to Transportation Technology Center, Inc. (TTCI) for additional technical and track testing assistance throughout the MNR territory. TTCI services continue to be required in collecting and analyzing automated track inspection data to prioritize repairs and cyclical maintenance programs.

In 2013, the MTA Board ratified a miscellaneous service contract for TTCI to provide various engineering support services along with specific track testing. Under the original award, TTCI reviewed established maintenance and inspection procedures, practices and programs. In addition reviews of training programs and Maintenance of Way methodology were conducted. Subsequent to the original award and based on actual field conditions, MNR increased the scope of work to include additional analysis of its infrastructure with both a Track Loading Vehicle (TLV), and Ground Penetration Radar (GPR), to map conditions of the tracks, ballast and subgrade.

In an effort to draw TTCI's review to a close, MNR has requested that TTCI finalize MNR's MW-4 track manual and conduct the associated training for track supervision. In addition, TTCI will finalize its searchable track defect data warehouse, which will enable MNR to properly categorize and prioritize track maintenance in the future. Finally, TTCI will conclude its review of MNR's track infrastructure by completing a final series of track loading vehicle testing over MNR's complete East of Hudson service territory.

Based on TTCI's revised scope of work and MNR's need to complete its third party track evaluation, the total additional funds required by MNR at a not to exceed amount of \$1,007,516 is deemed fair and reasonable. All contract terms, and conditions remain the same. The additional funding will be provided by the MNR Operating Budget.

NOVEMBER 2015

METRO-NORTH RAILROAD

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Majority Vote:

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.)

**1. Carrier Corporation \$276,827 (not-to-exceed)
Maintenance Services for Grand Central Terminal (“GCT”) Absorption Units**

Approval is requested to award a five year competitively negotiated miscellaneous service contract (RFQ process, one bid received) to Carrier Corporation to provide preventative maintenance services for two absorption units located in Grand Central Terminal (“GCT”).

MNR’s GCT Maintenance Department requires a firm to provide maintenance services for two absorption units located in GCT. These units act as backup for the five existing electric chillers. The work includes: standard periodic maintenance including water tests, oil changes, and leak & pressure tests; maintenance materials including grease, oil, drive belts, and oil filters; capture and tracking of refrigerant activity including providing usage reports; analyzing trending for oil, absorption solutions and refrigerant; and system repair coverage, including evacuating/recharging of fluids.

Six vendors were provided the solicitation and one bid was received from Carrier Corporation in the amount of \$285,265. MNR requested a price concession which resulted in a 3% reduction to the gross sum bid amount, from \$285,265 to \$276,827. All pricing will remain firm and fixed for the five year contract period. The total award is not to exceed \$276,827 and is to be funded by the MNR Operating Budget.

**2. Capus Automation Services, Inc. \$98,725 (not-to-exceed)
Preventative Maintenance and Inspection Services of Vertical Lift Machines**

Approval is requested to award a three year competitively solicited (RFQ process, one bid received), miscellaneous service contract to Capus Automation Services, Inc. These services are to provide semi-annual preventative maintenance, inspection and emergency repairs to various types of vertical lift machines (VLM) located at MNR maintenance and warehouse facilities in New York and Connecticut.

The VLMs are vertically arranged storage trays that contain rolling stock maintenance material. These storage and retrieval systems provide maximum storage density and automate material retrieval to improve efficiencies and maximize limited space in the MNR facilities. Further, they provide the safest means of storing materials in the most ergonomic method preventing injury to warehouse personnel. In order to maintain these systems in a state of good repair, they require specialized preventative maintenance and inspections.

Capus Automation Services, Inc. is the VLM’s Original Equipment Manufacturer (OEM) and the sole responsive and responsible bidder. A comparison of prices paid from the previous service contract

(2011-2015) with the new agreement reflects a decrease of 2.78% per unit. Pricing will be fixed for the first year of service and maintenance. The subsequent years of this agreement will be adjusted in accordance with the Bureau of Labor Statistics (BLS) and will be adjusted annually. The pricing is deemed fair and reasonable. The total award is not to exceed \$98,725 for the three year period and is to be funded by the MNR Operating Budget.

3. Chem Treat, Inc. \$20,400 (not-to-exceed)

Boiler Inspection, Testing and Treatment Services

Approval is requested to award a three year competitively solicited (RFQ process, 3 bids received) miscellaneous service contract to Chem Treat, Inc. (Chem) to provide chemical & treatment evaluation services on 13 boilers located throughout the MNR territory. Chem shall provide inspection, testing, and treatment services in accordance with MNR technical specifications which is required on a regular basis to prevent corrosion and ensure that the boilers remain in a state of good repair. In addition, ongoing safety inspections will be accomplished.

Solicitations were forwarded to nine prospective bidders and MNR received three bid responses. Chem was the lowest bidder that met all requirements outlined in the RFQ. Chem's price was reviewed and found to be fair and reasonable; their bid price was 2% below the next lowest bidder and pricing for these services is consistent with prior inspection and testing MNR has previously contracted. Pricing for this service shall remain fixed for the three year period with a total cost of not to exceed \$20,400, and is to be funded by the MNR Operating Budget.

4. AKA Pest Control, Inc. dba Bye-Bye Birdie \$193,590 (not-to-exceed)

Bird Control Netting Repair Services at various locations throughout Metro-North's Territory

Approval is requested to award a three year competitively solicited miscellaneous service contract (RFQ process, one bid received) to AKA Pest Control, Inc. dba Bye-Bye Birdie to provide inspection and maintenance services for Bird Control Netting Repair Services at various locations throughout the MNR territory.

MNR's Customer Service and Stations Department requires a firm to provide inspection and maintenance of the Railroad's existing bird control netting. The maintenance includes repair and replacement of bird control netting, spikes, and slip-off strips located at passenger stations on the Harlem, Hudson, New Haven and West of Hudson lines. MNR utilized the discretionary procurement process and directly solicited NYS certified minority, women, and small business enterprises. AKA Pest Control, Inc. dba Bye-Bye Birdie is a NYS small business enterprise.

In accordance with the MTA All-Agency Discretionary Procurement Procedure, an advertisement for the required services was posted on the MNR website under Discretionary Procurements and solicitation packages were forwarded directly to 12 known NYS MWBEs and small businesses. A single bid was received from AKA Pest Control, Inc. dba Bye-Bye Birdie in the amount of \$193,590. Their bid price was within 5% of the Engineer's estimate and is consistent with previous pricing for these services. All pricing was deemed to be fair and reasonable and will remain firm and fixed for the three year contract period. The total award of this contract is not to exceed \$193,590 and is to be funded by the MNR Operating Budget.

METRO-NORTH AND LONG ISLAND RAILROAD

JOINT COMMITTEE

MTA BOARD PROCUREMENT PACKAGE

NOVEMBER 2015

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	11/16/15	X		
2	Board	11/18/15	X		

Date: November 6, 2015			
Vendor Name Frontier Kemper Constructors, Inc.			
Contract Number CM006			
Contract Manager Name			
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 a contract modification and to inform the Long Island Railroad Committee of this procurement action.

DISCUSSION

MTA Capital Construction proposes to award a Ratification in the following category:

Schedules Requiring Majority Vote:

Schedule K Ratification of Completed Procurement Actions

	<u># of Actions</u>	<u>\$ Amount</u>
	1	\$ 4,282,776
TOTAL	1	\$ 4,282,776

Budget Impact:

The approval of this modification 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.)

MTA Capital Construction Company

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 works contracts, and the solicitation and award of request for proposals in regard to purchase and public work contracts; and

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

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

NOW, the Board resolves as follows:

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

NOVEMBER 2015

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

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

- | | | | |
|----|--|---------------------|--------------------------------------|
| 1. | Frontier Kemper Constructors, Inc.
Contract No. CM006
Modification No. 19 | \$ 4,282,776 | <u>Staff Summary Attached</u> |
|----|--|---------------------|--------------------------------------|

In accordance with Article IX of the All-Agency Procurement Guidelines, MTACC is requesting the Board ratify a modification to the Contract to increase the allowance under Bid Item No. 5 for the Remediation of the Existing Structures Work..

Schedule K: Ratification of Completed Procurement Actions
Item Number 1

Vendor Name (& Location) Frontier Kemper Constructors Inc. (Pelham, NY)	Contract Number CM006	AWO/Modification # 19
Description Manhattan North Structures		
Contract Term (including Options, if any) 32 Months	Original Amount:	\$ 294,201,750
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Prior Modifications:	\$ 25,420,522
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	Prior Budgetary Increases:	\$ 0
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	Current Amount:	\$ 319,622,272
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	This Request	\$ 4,282,776
Requesting Dept/Div&Dept/Div Head Name: East Side Access W. Goodrich, P.E.	% of This Request to Current Amount:	1.3%
	% of Modifications (including This Request) to Original Amount:	10.1%

Discussion:

The scope of work of this Contract includes construction of the permanent structural concrete lining, interior structures, and fit-out of the caverns and tunnels beneath and to the North of the existing Grand Central Terminal. In accordance with Article IX of the All-Agency Procurement Guidelines, MTACC is requesting the Board ratify a modification to the Contract to increase the allowance under Bid Item No. 5 for the Remediation of the Existing Structures Work.

The Contract contains an Allowance Item (Bid Item 5) in the amount of \$1.75M to prepare the tunnels and abutting structures for the placement of the final concrete lining. The work included under this item includes removal of concrete, rock, and temporary supports that intrude within the minimum structural clearance line for the final lining, providing temporary ground support to enable the safe removal of such protrusions, filling of overbreak and application of smoothing shotcrete in selected areas to achieve the specified smoothness prior to installation of waterproofing and repairs to existing waterproofing systems. Work under this item is paid for based on a combination of unit rates and time and material as directed by the Construction Manager.

At the time that this contract was advertised, excavation was not complete, as built surveys were not complete and the full extent of non-conforming work from prior contracts had not been established. Thus, the ability of the Project Management team to accurately quantify the full scope of work to be performed as part of the remediation work was compromised and the dollar value assigned to the Bid Item 5 allowance was based on rough approximations rather than quantity estimates. The \$1.75M allowance amount established under this Contract has proven to be insufficient. MTACC Program Controls along with East Side Access Construction Management has performed an analysis and has determined that an additional \$4,282,776 will be required to complete the work under Bid Item No. 5. It should be noted that credits were previously taken from the CM009 and CM019 Contractor for a portion of this work.

The remediation work has to be performed ahead of the permanent lining installation, which, in the Westbound tunnel, is critical to providing tunnel access to the CS179 Systems contractor and the contractor for the future CM007 GCT Station Caverns and Track contract (currently in negotiations). To mitigate this impact, on July 20, 2015, the Executive Vice President and ESA Senior Program Executive authorized the Contractor to continue to perform work under this item at a not to exceed amount of \$650,000 and on October 9, 2015, the President approved a retroactive memorandum authorizing the Contractor to continue to perform work under this item for a total not to exceed amount of \$1.5M. The remainder of this request (\$2,782,776) will not be authorized until approved by the Board.



Bridges and Tunnels

Procurements November 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	November 4, 2015
Vendor Name	
Contract Number	
Contract Manager Name	
Table of Contents Ref #	

Board Action					
Order	To	Date	Approval	Info	Other
1	President	11/4/15			
2	MTA B&T Committee	11/16/15			
3	MTA Board	11/18/15			

Internal Approvals			
Order	Approval	Order	Approval
<i>DS</i>	President	<i>BP</i>	VP Operations
<i>BP</i>	Executive Vice President		VP & Chief Engineer
	SVP & General Counsel <i>MMT</i>		VP & Chief Procurement Officer <i>CM</i>
	VP Administration		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
	Chief Financial Officer <i>MMT</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 B	Competitive RFPs (Solicitation of Purchase and Public Works Contracts)	1	TBD
Schedule H	Modifications to Personal/Miscellaneous Service Contracts	1	\$0.782M

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

TOTAL	2	\$0.782M
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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
NOVEMBER 2015

MTA BRIDGES & TUNNELS

Procurements Requiring Majority Vote:

B: Request to Use RFP for Procurement of Purchase & Public Works in lieu of Sealed Bid
(Staff Summaries only required for items estimated to be greater than \$1 million)

- | | | |
|---|------------------------------|--------------------------------------|
| 1. Contractors to be Determined
Contract Nos. HH-89; RK-21;
BW-39/RK-60 and TU-MIT-01 | Cost to be Determined | <u>Staff Summary Attached</u> |
| Requesting Board approval under the All Agency Procurement Guidelines to authorize B&T to enter into a competitive Request for Proposal (RFP) process for Design/Build Services in lieu of sealed competitive bids for four projects in the Authority's 2010-2014 Sandy Resiliency Capital Program and the recently approved 2015-2019 Capital Program. | | |

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)

- | | | |
|--|---------------------|--------------------------------------|
| 2. Weidlinger Associates, Inc.
Contract No. PSC-13-2927 | \$781,837.24 | <u>Staff Summary Attached</u> |
| Amend contract for additional funding to provide construction support services (CSS) to support the construction phase of Project TN-60 at the Throgs Neck Bridge. | | |

Staff Summary

Page 1 of 2

Item Number 1 (Final)					
Dept & Dept Head Name: Joe Keane, P.E. <i>Joe Keane</i>					
Division & Division Head Name: Various Engineering and Construction					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	11/4/15			
2	MTA B&T Committee	11/16/15			
3	Board	11/18/15			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>John</i>	4	Chief of Staff		
2	General Counsel <i>MM</i>	5	Executive Vice President		
3	Chief Procurement Officer <i>OM</i>	6	President <i>DS</i>		

SUMMARY INFORMATION	
Vendor Name N/A	Contract Number Various
Description: Design-Build Services for various projects	
Total Amount TBD	
Contract Term (including Options, if any) Various	
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 checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Procurement Guidelines to authorize B&T to enter into a competitive Request for Proposal (RFP) process for Design/Build Services in lieu of sealed competitive bids for four projects in B&T's 2010-2014 Sandy Resiliency Capital Program and the recently approved 2015-2019 Capital Program.

II. DISCUSSION

On October 28, 2015, a revised MTA B&T Capital Program for 2015-2019 was approved by the Board of MTA Bridges & Tunnels. B&T's revised 2015-2019 Capital Program reflects anticipated efficiencies attributed to more streamlined design and construction of certain types of capital projects, including alternate project delivery and procurement methods to achieve overall best value implementation. B&T is pursuing an aggressive Design-Build program in the 2015-2019 timeframe, which promises efficient and faster delivery of projects, while achieving best value benefits. Seventeen B&T projects are targeted for design-build implementation and at least four of these projects are planned to be initiated in 2016.

Therefore, in accordance with the All-Agency Procurement Guidelines, B&T requests that the Board approve a resolution authorizing B&T to enter into a competitive RFP process to award Design/Build contracts for the following capital projects:

HH-89 Retrofit/Repair of Skewbacks, Approach Piers and North Abutment at the Henry Hudson Bridge (HHB) – Design and construction for retrofit/repair of skewbacks, column pedestals, the lower level north abutment, and associated work.

(rev. 3/22/07)

Staff Summary

Page 2 of 2

- | | |
|-------------|---|
| RK-21 | Installation of Fire Standpipe and Upgrade of Fire Protection System at the RFK Bridge – Design and construction of dry fire standpipes at the Randall’s Island (RI) and Ward’s Island (WI) viaduct, the junction structure and Bronx Toll Plaza, the Bronx Kills crossing, the Harlem River Lift Span (HRLS) and the Queens Approach to meet the latest NFPA 502 and FDNY fire protection standards. |
| BW-39/RK-60 | Installation of Facility-wide Electronic Monitoring and Detection System - Installation of an integrated facility wide electronic monitoring and detection system at the Bronx Whitestone and Robert F. Kennedy Bridge facilities including cameras, alarms, fire detection and access control systems at the anchorages, towers, roadways, substations and other areas. |
| TU-MIT-01 | Flood Mitigation at the Hugh L. Carey Tunnel (HLCT) and Queen-Midtown Tunnel (QMT) – Design, construction, operation, and maintenance of a comprehensive flood mitigation program to protect tunnel entrances and plazas and the HLCT Governors Island Ventilation Building |

B&T plans to commence the procurement process for these projects with funding provided by the 2015–2019 and 2010-2014 Sandy Resiliency Capital Programs. B&T shall select the contractor(s) with the proposal most advantageous to B&T including proposed technical approach, technical ability, performance record, proposed schedule, cost and other relevant factors. B&T recommends this project delivery method, which will advance the projects more expeditiously, help minimize disruption to customers and provide the Authority with the best value for its investment.

III. D/M/WBE INFORMATION

MTA DDCR will be consulted in order to establish MBE/WBE goals for this contract.

IV. IMPACT ON FUNDING

Funding is available in the 2015–2019 Capital Program under Projects D701HH89 (\$83,193,089), D704RK-21 (\$23,827,511), D704BW-39/D704RK-60 (\$66,481,125) and in the 2010-2014 Sandy Resiliency Program under Projects ED010301 – 04 (\$48,008,323), ED050303 (\$17,464,910).

V. ALTERNATIVES

There are no recommended alternatives.

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

Item Number: **2 (Final)**

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Vendor Name (& Location)</td> </tr> <tr> <td style="padding: 2px;">Weidlinger Associates, Inc. (New York, New York)</td> </tr> <tr> <td style="padding: 2px;">Description</td> </tr> <tr> <td style="padding: 2px;">Design and Construction Support Services for Project TN-60, Dehumidification System for the Main Cable Splays and Elimination of Water Infiltration at the Throgs Neck Bridge (TNB)</td> </tr> <tr> <td style="padding: 2px;">Contract Term (including Options, if any)</td> </tr> <tr> <td style="padding: 2px;">July 31, 2013 – December 30, 2018</td> </tr> <tr> <td style="padding: 2px;">Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> </tr> <tr> <td style="padding: 2px;">Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive</td> </tr> <tr> <td style="padding: 2px;">Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:</td> </tr> <tr> <td style="padding: 2px;">Funding Source</td> </tr> <tr> <td style="padding: 2px;"><input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:</td> </tr> <tr> <td style="padding: 2px;">Requesting Dept/Div & Dept/Div Head Name:</td> </tr> <tr> <td style="padding: 2px;">Engineering & Construction/Joe Keane, P.E.</td> </tr> </table>	Vendor Name (& Location)	Weidlinger Associates, Inc. (New York, New York)	Description	Design and Construction Support Services for Project TN-60, Dehumidification System for the Main Cable Splays and Elimination of Water Infiltration at the Throgs Neck Bridge (TNB)	Contract Term (including Options, if any)	July 31, 2013 – December 30, 2018	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.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 2px;">Contract Number</td> <td style="width: 40%; padding: 2px;">AWO/Modification #</td> </tr> <tr> <td style="padding: 2px;">PSC-13-2927</td> <td></td> </tr> <tr> <td colspan="2" style="padding: 2px;">Original Amount:</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">\$983,385.67</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Prior Modifications:</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">\$545,813.10</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Prior Budgetary Increases:</td> </tr> <tr> <td colspan="2" style="padding: 2px;">Current Amount:</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">\$1,529,198.77</td> </tr> <tr> <td colspan="2" style="padding: 2px;">This Request:</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">\$781,837.24</td> </tr> <tr> <td colspan="2" style="padding: 2px;">% of This Request to Current Amount:</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">51.1%</td> </tr> <tr> <td colspan="2" style="padding: 2px;">% of Modifications (including This Request) to Original Amount:</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">135%</td> </tr> </table>	Contract Number	AWO/Modification #	PSC-13-2927		Original Amount:		\$983,385.67		Prior Modifications:		\$545,813.10		Prior Budgetary Increases:		Current Amount:		\$1,529,198.77		This Request:		\$781,837.24		% of This Request to Current Amount:		51.1%		% of Modifications (including This Request) to Original Amount:		135%	
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Discussion:

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to amend this Contract with Weidlinger Associates, Inc. (WAI) for additional funding to provide construction support services (CSS) to support the construction phase of Project TN-60 at the Throgs Neck Bridge. In July 2013 subsequent to Board approval the subject contract was awarded to WAI for design services. At that time, B&T informed the Board that a future request for CSS funding would be submitted once the scope of construction had been finalized. The Contract requires WAI to provide the design and construction support services necessary to eliminate water infiltration into the bridge anchorages and to dehumidify the main cable splays by means of structural enclosures and mechanical dehumidification equipment. The project design is complete and B&T anticipates the construction work to commence in December 2015. In order to provide the necessary construction support services, B&T is requesting additional funding in the amount of \$781,837.24.

WAI submitted a proposal in the amount of \$781,837.24. The Engineer's Estimate is \$751,763. After discussion B&T accepted WAI's proposal in the amount of \$781,837.24 based on the complexities and coordination required to support this multi-disciplined construction project. The accepted amount is 4% above the estimate and is fair and reasonable. Funding is available as follows: 2015-2019 Capital Program under Project TN-60 (\$699,221.59); Project TN-60 Paint (\$41,555.96) and in the Operating Budget under Project TNM-388 (\$41,059.69).