



Metropolitan Transportation Authority

# July 2016

## MTA Board Action Items



**MTA Board Meeting**  
**2 Broadway - 20th Floor Board Room**  
**New York, N.Y. 10004**  
**Wednesday, 7/27/2016**  
**10:00 AM - 12:00 PM ET**

**1. PUBLIC COMMENT PERIOD**

**2. APPROVAL OF MINUTES**

**MTA Regular Board Minutes - June 22, 2016**

*MTAHQ Minutes - June 22, 2016 - Page 5*

**NYCT/MaBSTOA/SIR/Bus Company Regular Board Minutes - June 22, 2016**

*NYCT Minutes - June 22, 2016 - Page 10*

**MTA Metro-North Railroad Regular Board Minutes - June 22, 2016**

*Metro-North Minutes - June 22, 2016 - Page 14*

**MTA Long Island Rail Road Regular Board Minutes - June 22, 2016**

*LIRR Minutes - June 22, 2016 - Page 19*

**Triborough Bridge & Tunnel Authority Regular Board Minutes - June 22, 2016**

*TBTA Minutes - June 22, 2016 - Page 26*

**MTA Capital Construction Regular Board Minutes - June 22, 2016**

*MTACC Minutes - June 22, 2016 - Page 30*

**3. COMMITTEE ON FINANCE**

**Action Item**

**i. Commuter Railroad/Amtrak Agreement**

*Commuter Railroad/Amtrak Agreement - Page 33*

**MTAHQ Procurements Report**

*MTAHQ Procurement Report - Page 36*

**i. Non-Competitive (no items)**

**ii. Competitive**

*MTAHQ Competitive Procurements - Page 38*

**iii. Ratifications (no items)**

**Real Estate Items**

**i. Real Estate Agenda and Staff Summaries**

*Real Estate Agenda and Staff Summaries - Page 47*

**4. COMMITTEE ON NYCT & BUS**

**Action Item**

**i. NYCT M5 Service Revisions**

*NYCT M5 Service Revisions - Page 56*

## **NYCT Procurements**

*NYCT July Procurement Staff Summary and Resolution - Page 62*

### **i. Non-Competitive**

*NYCT Non-Competitive Actions - Page 66*

### **ii. Competitive**

*NYCT Competitive Actions - Page 69*

### **iii. Ratifications**

*NYCT, MTACC Ratifications - Page 79*

## **5. COMMITTEE ON METRO-NORTH RAILROAD**

### **Action Item**

#### **i. Public Hearing For New Haven Line Connecticut Fare**

*CDOT Fare Increase - Page 87*

### **Metro-North Procurements**

*MNR Procurements - Page 89*

#### **i. Non-Competitive**

*MNR Non-Competitive Procurements - Page 93*

#### **ii. Competitive**

*MNR Competitive Procurements - Page 101*

#### **iii. Ratifications**

*MNR Ratifications Procurements - Page 108*

## **6. COMMITTEE ON LONG ISLAND RAIL ROAD**

### **LIRR Procurements**

*LIRR Procurements - Page 113*

#### **i. Non-Competitive**

*LIRR Non-Competitive Procurement - Page 117*

#### **ii. Competitive**

*LIRR Competitive Procurements - Page 120*

#### **iii. Ratifications (no items)**

### **LIRR MTACC Procurements**

*MTA CC Procurements - Page 126*

#### **i. Non-Competitive (no items)**

#### **ii. Competitive**

*MTA CC Competitive Procurements - Page 129*

#### **iii. Ratifications**

*MTA CC Ratifications - Page 131*

## **7. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS**

### **BT Procurements**

*BT Procurements - July 2016 - Page 134*

**i. Non-Competitive (no items)**

**ii. Competitive**

*BT Competitive - Page 137*

**iii. Ratifications (no items)**

**8. FIRST MUTUAL TRANSPORTATION ASSURANCE CO (FMTAC) (no items)**

**9. CFO PRESENTATION TO A JOINT SESSION OF THE BOARD & FINANCE COMMITTEE (Materials Distributed Separately)**

**2016 Mid-Year Forecast**

**2017 Preliminary Budget**

**July Financial Plan 2017-2020**

**10. EXECUTIVE SESSION**

Date of next meeting: Wednesday, September 28, 2016

**Metropolitan Transportation Authority  
Minutes of  
Regular Board Meeting  
2 Broadway  
New York, NY 10004  
Wednesday, June 22, 2016  
10:00 a.m.**

**The following members were present:**

**Hon. Thomas F. Prendergast, Chairman & CEO  
Hon. Fernando Ferrer, Vice Chairman  
Hon. David Jones  
Hon. Susan Metzger  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. James Vitiello  
Hon. Carl V. Wortendyke**

**The following members were absent:**

**Hon. John H. Banks, III  
Hon. John Samuelson  
Hon. Andrew Saul  
Hon. Peter Ward  
Hon. Neal Zuckerman**

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Ira Greenberg, Board Member Vincent Tessitore, Veronique Hakim, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph J. Giuliatti, President, Metro-North Railroad, Donald Spero, President, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, Michael Horodniceanu, President, MTA Capital Construction, and Stephen Morello, Counselor to the Chairman, 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 thirteen (13) public speakers. The following speakers spoke on items relative to the MTA agenda. Refer to the video recording of the meeting produced by the MTA and maintained in MTA records, and to the other agencies' minutes of this date, for the names of other speakers and the content of speakers' statements.

Tabitha Decker, TransitCenter  
Marty Goodman, TWU Retiree  
Suzanne Adely, Labor for Palestine  
David Letwin, Private Citizen  
Robert Schwab, TWU Retiree  
John Mooney, TWU  
Irving Lee, TWU  
Ali el Amir, Private Citizen  
Jason Anthony Pineiro, Private Citizen  
Gene Russianoff, Straphangers Campaign

2. **CHAIRMAN'S REMARKS.**

Chairman Prendergast introduced new Board members, Veronica Vanterpool, Executive Director of the Tri-State Transportation Campaign and a member of the Transportation Reinvention Commission; James Vitiello, Executive Vice President and co-founder of Vitech Systems Group; and David Jones, President and CEO of the Community Service Society of New York. The Chairman also announced the appointment of new Board Members Peter Ward, President of the New York Hotel and Motel Trades Council and John Samuelson, President of the Transport Workers Union Local 100, both of whom could not be present at today's Board meeting. In addition, Chairman Prendergast noted that the Senate also appointed and confirmed Neal Zuckerman as a voting Board Member; he noted the re-appointment and confirmation of Board Members John Molloy and Carl Wortendyke; and noted that the Senate appointed and confirmed Andrew Saul to return to the MTA Board. Chairman Prendergast welcomed and congratulated all of the new, re-appointed and returning Board Members.

Chairman Prendergast acknowledged the extraordinary contributions of outgoing Board Members Jonathan Ballan, Robert Bickford, Allen Cappelli, Jeffrey Kay and James Sedore, and he expressed his sincere gratitude for their contributions to the transportation network and to the State.

3. **MINUTES.** Upon motion duly made and seconded, the Board approved the minutes of the regular Board meeting held on May 25, 2016.

4. **COMMITTEE ON FINANCE.**

**A. Action Items.**

1. MTA Hudson Rail Yards Trust Obligations. Approved the resolution authorizing MTA Hudson Rail Yards Trust Obligations, Series 2016A, authorizing the issuance of the Trust Obligations, as well as all actions related to the issuance of the Trust Obligations as described in the staff summary, including other costs of issuance and transaction costs, from time-to-time deemed necessary or desirable in connection therewith; and such other related actions hereunder, which authorizations shall continue in effect without any further action by the Board, unless modified or repealed.
2. 2016 State Public Work Enforcement Fund (PWEF) Assessment. Authorized staff to remit the 2016 PWEF Assessment, including the adjustment for the 2015 overpayment, to the State Department of Labor.

**B. Procurement Items.** Upon motion duly made and seconded, the Board approved the following procurement items. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

1. International Business Machines Corporation – Applicant Tracking Software & Maintenance – No. 15416-0100. Approved the award of a competitively negotiated, miscellaneous procurement contract to purchase applicant tracking software including implementation and technical support for Metro North Railroad's Human Resource Department.
2. Kentech Consulting, Inc. – On-Call Credit and Background Reports for MTA Real Estate Department – No. 14343-0100. Approved the award of competitively negotiated contracts to provide as-needed credit reporting services relating to MTA commercial real estate transactions.
3. WageWorks, Inc. – Administrative and Recordkeeping Services – No. 14404-0100. Approved the award of a competitively negotiated, all-agency personal services contract for the operation of the MTA Commuter Benefits Program.
4. AFT Projects at Two NYCT Subway Station on the Culver Line. Approved the award of competitively negotiated contracts with Julien Gardair to provide technical design, fabrication, crating, storage, delivery and oversight of installation of materials at the 18<sup>th</sup> Avenue and Kings Highway Stations.

**C. Real Estate Items.** Upon motion duly made and seconded, the Board approved the following real estate items. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

### **New York City Transit Authority**

1. Surrender to the City of New York of NYCT's Master Lease interest in a subway entrance for Brooklyn-bound platform of Fulton Street Station on Lexington Avenue Line (Station), situated at the northwest corner of Dey Street and Broadway (Entrance), within 195 Broadway (Block 80, Lot 1), Manhattan N.Y.
2. Modification of a license agreement with Transit Wireless, LLC ("TW") relating to the acceleration of the completion date for the installation of TW's communications network in NYCT's underground subway stations.

### **MTA Bridges and Tunnels**

3. Amendment to a license agreement with National September 11 Memorial and Museum at the World Trade Center Foundation, Inc. relating to the installation, maintenance and removal of a temporary lighting project ("Tribute In Light") and storage of 88 search lights associated with the annual Tribute in Light at Battery Parking Garage, 56-70 Greenwich Street, New York, N.Y.

### **Metropolitan Transportation Authority & MTA Capital Construction Company**

4. Agreements with Broadway 280 Park Fee LLC (a joint venture entity between Vornado Realty Trust and SL Green Realty Corp.) for the acquisition of various permanent easements and two (2) temporary easements to construct, operate and maintain a customer elevator for East Side Access located at 280 Park Avenue, New York, N.Y.

### **Metropolitan Transportation Authority & MTA Bus Company**

5. Amendment to a sub-lease agreement with the City of New York/49-19 Rockaway Beach Boulevard, LLC to add a lot for bus parking at 49-19 Rockaway Beach Boulevard, Arverne, Queens, N.Y.

## **5. COMMITTEE ON CORPORATE GOVERNANCE.**

A. **Action Items.** Upon motion duly made and seconded, the Board approved the following action items. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

1. **Mission Statement, Measurements, and Performance Indicators Report.** Approved the MTA's Mission Statement and authorized submission of the 2015 Mission Statement, Measurements, and Performance Indicators Report to the Independent Authorities Budget Office ("ABO"), as required by Section 169-f and Section 2824-a of the Public Authorities Law to the ABO.
2. **All-Agency General Contract Procurement Guidelines and All-Agency Service Contract Procurement Guidelines.** Approved the revised All-Agency Contract

Procurement Guidelines and the All-Agency Service Contract Procurement Guidelines.

3. Revisions to the Audit and Safety Committee Charters. Approved revisions to the Audit and Safety Committee Charters.
6. **AUDIT COMMITTEE.** Vice Chairman Ferrer announced that although Audit Committee items are not normally advanced to the full Board for approval, in light of the absence of a quorum at today's Audit Committee meeting, he is advancing the following action item for Board approval.
  - A. **Action Item.**
    1. Engagement of Deloitte & Touche, LLP as Independent Auditors. Upon motion duly made and seconded, the Board approved the extension of the contract with Deloitte & Touche, LLP as Independent Auditors for an additional one (1) year period.
7. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:50 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, June 22, 2016  
10:00 a.m.**

**The following members were present:**

**Hon. Thomas F. Prendergast, Chairman & CEO  
Hon. Fernando Ferrer, Vice Chairman  
Hon. David Jones  
Hon. Susan Metzger  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. James Vitiello  
Hon. Carl V. Wortendyke**

**The following members were absent:**

**Hon. John H. Banks, III  
Hon. John Samuelson  
Hon. Andrew Saul  
Hon. Peter Ward  
Hon. Neal Zuckerman**

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

**1. CHAIRMAN PRENDERGAST CALLED THE MEETING TO ORDER**

**2. PUBLIC COMMENT PERIOD**

There were twelve (12) public speakers who addressed MTA NYC Transit/MTA Bus Company issues.

Tabitha Decker, TransitCenter, expressed support for the improvement of local buses with a new fare payment system.

Denise Richardson, General Contractors Association (GCA), addressed issues relating to contractor work on the Second Avenue Subway.

The following speakers spoke in opposition to Governor Cuomo's Executive Order No. 157, which directs state agencies to stop doing business with any institution or company that supports the Boycott, Divestment, and Sanctions (B.D.S.):

Marty Goodman, TWU Retiree  
Suzanne Adely, Labor for Palestine  
David Letwin, Private Citizen,  
Robert Schwab, TWU Retiree  
John Mooney, TWU  
Irving Lee, TWU  
Ali el Amir, Private Citizen

Mr. X, Private Citizen, discussed issues he had with proposed M5/M55 service changes.

Omar Vera, Private Citizen, and Jason Anthony Pineiro, Private Citizen, made various suggestions about transit service.

Gene Russianoff, Straphangers Campaign, expressed his support for improvements in transit bus service.

A video recording of the meeting produced by the MTA and maintained in MTA records provides more detailed content of speakers' statements.

**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 May 25, 2016.

## **5. COMMITTEE ON FINANCE**

### **Real Estate Items:**

MTA NYC Transit: Upon motion duly made and seconded, the Board approved: (i) the surrender of MTA NYC Transit's lease interest in a subway entrance at 195 Broadway to the City of New York; and (ii) a modification of a License Agreement with Transit Wireless, LLC.

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

### **Procurements:**

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

A discussion ensued concerning an RFP (described in pp. 230-233 in the Board book) relating to new fare payment system technology, as applied to buses. A video recording of the meeting produced by the MTA and maintained in MTA records provides more detailed content of the Chairman's and Board members' comments.

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

## **7. CORPORATE GOVERNANCE COMMITTEE**

### **Action items:**

Upon motion duly made and seconded, the Board approved: (i) the MTA's Mission Statement and the submission of the 2015 Mission Statement, Measurements and Performance Indicators Report (Report included in Exhibit Book) to the Independent Authorities Budget Office; (ii) All Agency General Contract and the All Agency Service Contract Procurement Guidelines (Guidelines included in the Exhibit Book); and (iii) Revisions to Audit and Safety Committee Charters (Charters included in Exhibit Book):

8. **ADJOURNMENT**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:50 a.m.

Respectfully submitted,  
/s/Mariel A. Thompson  
Mariel A. Thompson  
Assistant Secretary

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

Wednesday, June 22, 2016  
10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO  
Hon. Fernando Ferrer, Vice Chairman  
Hon. David Jones  
Hon. Susan Metzger  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. James Vitiello  
Hon. Carl V. Wortendyke

The following members were absent:

Hon. John H. Banks, III  
Hon. John Samuelson  
Hon. Andrew Saul  
Hon. Peter Ward  
Hon. Neal Zuckerman

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

Chairman Prendergast called the meeting to order.

1. Public Speakers:

There were 13 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.

2. Chairman's Opening Remarks:

Chairman Prendergast welcomed Board members Veronica Vanterpool who replaces Jeffrey Kay, James Vitiello who replaces James Sedore, David Jones who will fill the vacant seat of Iris Weinshall, Andrew Saul who replaces Jonathan Ballan, Neal Zuckerman, a previous non-voting member representing the PCAC, who replaces Robert Bickford, Peter Ward who replaces Allen Cappelli and John Samuelson, a non-voting member who replaces Ed Watt. He noted that John Molloy and Carl Wortendyke have been re-appointed and confirmed. He thanked former Board members Jonathan Ballan, Allen Cappelli, Robert Bickford, Jeffrey Kay and James Sedore for their service.

The details of Chairman Prendergast's Opening Remarks 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 May 25, 2016 were approved.

4. Committee on Finance:

Action Items:

The Board was presented with the following action items recommended to it by the Committee on Finance that relate to Metro-North:

- MTA Hudson Rail Yards Trust Obligations – Approval to issue obligations and authorize the execution and delivery of all other transaction documents and closing certificates in connection with the plan of finance to monetize (1) the ground lease payments (“Base Rent”) and (2) payments for the purchase, at the option of each tenant, of the fee interests (the “Fee Purchase Payments”). The monetization of these payments will allow MTA to currently take advantage of the low interest rates and the value of the 99-year ground leases to raise approximately \$1 billion in proceeds for the benefit of the Capital Program.
- 2016 Public Work Enforcement Fund Assessment – Authorization to remit the 2016 assessment, including the adjustment for the 2015 overpayment, to the State Department of Labor.

Upon motion duly made and seconded, the Board approved the foregoing action 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.

#### MTAHQ Procurements:

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

- Approval of a competitively negotiated software as a service contract with International Business Machines Corporation to purchase applicant tracking software, including implementation and technical support, for Metro-North's Human Resource Department. The one-time cost of the software is \$60,000 and includes project management, data conversion and the implementation of the onboarding module. The cost of this Software As A Service (SaaS) environment over a five year period is \$371,500 (\$74,300 annually) for a combined amount of \$431,500.
- Approval of a competitively negotiated, all-agency personal services contract with WageWorks, Inc. for the operation of the MTA Commuter Benefits Program. The contract will be for a period of five (5) years from July 1, 2016 through June 30, 2021, for total not-to-exceed amount of \$700,000.

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 Metro-North Railroad:

##### Procurements:

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

- Approval to award a three-year, non-competitive miscellaneous procurement contract with NetBoss Technologies, Inc. to provide maintenance and support services for Metro-North's NetBoss Network Management System software. Netboss Technologies is the original equipment manufacturer, the original software developer and the sole authorized provider of all NetBoss hardware, software, and all associated maintenance and support services. The total cost of the three-year maintenance and support contract is not-to-exceed \$309,586.

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

- Approval to award a three-year, competitively solicited miscellaneous service contract in the not-to-exceed amount of \$348,000 to East Coast Railroad Services, LLC for the transportation and unloading of railroad ties and other materials for various projects throughout Metro-North's operating territory.
- Approval to award a five-year, competitively solicited miscellaneous service contract in the not-to-exceed amount of \$272,500 to John N. Fehlinger Co., Inc. to provide

maintenance services on 12 steam pressure relief valve stations located in Grand Central Terminal.

- Approval to award a competitively solicited, five-year (3 year base with two 1-year options) miscellaneous service contract in the not-to-exceed amount of \$838,458 to Bureau Veritas North America, Inc. for quality assurance inspections of Metro-North railcar wheels and axles.
- Approval to award a competitively solicited, three-year miscellaneous service contract in the not-to-exceed amount of \$728,500 to Wabtec Passenger Transit to provide repair and return services for Type H “Tight Lock” Couplers used on the Shoreliner Railcars.
- Approval to award three competitively solicited, 52-month miscellaneous service contracts to DeAngelo Brothers, LLC, United Right of Way, and Asplundh Tree Expert Co. for weed and brush spray services. This is a Metro-North led, multi-agency procurement and the participating agencies are Metro-North, Long Island Rail Road and Staten Island Rapid Transit Operating Authority. DeAngelo Brothers, LLC is the awardee for Metro-North’s hi-rail and manual application and SIRTOA’s manual application services; United Right of Way is the awardee for Long Island Rail Road’s hi-rail and manual application; and Asplundh Tree Expert Co. is the awardee for Long Island Rail Road’s manual application and SIRTOA’s manual application services. The total estimated cost for the 52-month contracts for all agencies is \$5,847,486.
- Approval of additional funds and an extension of time to Metro-North’s (on behalf of itself and Long Island Rail Road) miscellaneous service contract with the firm Scheidt & Bachmann GmbH. The existing negotiated Board-approved contract with S&B provided comprehensive long-term Life Cycle Maintenance services to Metro-North and Long Island Rail Road’s ticket selling system and equipment since January 2006. The extension, including necessary system enhancements and upgrades, will extend the useful life of the equipment through the transition to a new fare payment system. The railroads seek to award an extension of the in-place agreement for a period of three-years, retaining two one-year extension options and implement certain onetime necessary equipment and system upgrades. The total negotiated not-to-exceed cost for the one time equipment/system upgrades is \$3,653,640 to be shared equally by the Railroads. The not-to-exceed cost of the three-year maintenance extension including potential out-of-scope items (2018-2020) is \$14,179,820 (\$6,953,974 MNR & \$7,225,845 LIRR), and the not-to-exceed costs of the two one-year additional options is \$9,613,545 (\$4,631,783 - MNR and \$4,981,762 - Long Island Rail Road).
- Approval to issue a contract change order to the firm Sepsa North America, Inc. (SEPSA), in the not-to-exceed amount of \$3,148,581 for additional work associated with the Design and Delivery of Video Camera systems for MNR’s Rolling Stock Fleet.

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. Corporate Governance Committee:

The Board was presented with the following items recommended to it by the Corporate Governance Committee that relate to Metro-North:

- Mission Statement and Performance Measurement Report – Approval of the MTA’s Mission Statement and to authorize submission of the annexed 2015 Mission Statement, Measurements, and Performance Indicators Report to the Independent Authorities Budget Office.
- Procurement Guidelines – Approval of the revised All Agency General Contract Procurement Guidelines and the All Agency Service Contract Procurement Guidelines.

Upon motion duly made and seconded, the Board approved the foregoing 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.

7. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:50 a.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Linda Montanino". The signature is fluid and cursive, with the first name "Linda" and last name "Montanino" clearly distinguishable.

Linda Montanino  
Assistant Secretary

June 2016 Board Minutes-FINAL  
Legal/Corporate

Minutes of the Regular Board Meeting  
Long Island Rail Road Company  
2 Broadway  
New York, NY 10004  
Wednesday, June 22, 2016  
10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO  
Hon. Fernando Ferrer, Vice Chairman  
Hon. David Jones  
Hon. Susan Metzger  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. James Vitiello  
Hon. Carl V. Wortendyke

The following members were absent:

Hon. John H. Banks, III  
Hon. John Samuelson  
Hon. Andrew Saul  
Hon. Peter Ward

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Ira Greenberg, Board Member Vincent Tessitore, Veronique Hakim, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Catherine Rinaldi, Executive Vice President, Metro-North Railroad, Donald Spero, President, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, Michael Horodniceanu, President, MTA Capital Construction, and Stephen Morello, Counselor to the Chairman, also attended the meeting.

Chairman Prendergast called the meeting to order.

1. Public Speakers:

There were Thirteen (13) public speakers. One (1) speaker commented on matters related to the LIRR.

Omar Vera, a private citizen, expressed his support for inclusion of Far Rockaway in LIRR Zone 3, and allowing the purchase of a City Ticket at Far Rockaway. He also expressed support for joint LIRR/Air Train ticket machines at Barclay's Center/Atlantic Terminal.

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.

2. Chairman's Opening Remarks:

Chairman Prendergast introduced new members of the MTA Board who were recently appointed: Veronica Vanterpool, Executive Director of the Tri-State Transportation Campaign; James Vitiello, Executive Vice President and co-founder of the Vitech Systems Group; and David Jones, President and CEO of the Community Service Society of New York, all of whom are present today. Other new members of the Board who are not present are Peter Ward, President of the New York Hotel and Motel Trades Council, and John Samuelson, President of the TWU Local 100, who called to express thanks to all who supported his nomination to the Board and to apologize for not being present due to a previously scheduled trip to London. Chairman Prendergast also announced that the Senate had appointed and confirmed Neil Zuckerman, previously a member of the Commuter Council for New York and now representing Putnam County; and had re-appointed and confirmed John Molloy from Nassau County, and Carl Wortendyke from Rockland County, and had appointed and confirmed the return of Andrew Saul to the MTA Board, representing Westchester County.

Chairman Prendergast also thanked the following outgoing MTA Board members for their service, and noted that each had served the MTA with distinction: Jonathan A. Ballan; Robert C. Bickford; Jeffrey A. Kay; Allen P. Capelli; and James L. Sedore.

Chairman Prendergast asked everyone present to join in a round of applause for the new MTA Board members and the outgoing MTA Board members.

3. Approval of Minutes:

Upon motion duly made and seconded, the minutes of the Regular Board Meeting of May 25, 2016 were approved.

4. Committee on Finance:

Action Items:

The Board was presented with the following action items recommended to it by the Committee on Finance:

- Authorization to Issue MTA Hudson Rail Yards Trust Obligations to raise proceeds for the 2005-2009 and 2010-2014 Capital Program Projects: That the Boards of the MTA, the New York City Transit Authority, the Manhattan and Bronx Surface Transit

Operating Authority, The Long Island Rail Road Company, Metro-North Commuter Railroad Company, and MTA Bus Company (collectively, the “Related Transportation Entities”) approve the annexed resolution authorizing MTA Hudson Rail Yards Trust Obligations, Series 2016A, authorizing the issuance of the Trust Obligations, as well as all actions related to the issuance of the Trust Obligations as described in the related staff summary, including other costs of issuance and transaction costs, from time to time deemed necessary or desirable in connection therewith; and such other related actions as described in the staff summary, which authorizations shall continue in effect without further action by the Board, unless modified or repealed.

- Authorization of actions relating to the payment of the State assessment on the MTA and its constituent agencies for the Public Work Enforcement Fund for calendar 2016.

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

#### Procurements:

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

- Approval of the award of a competitively negotiated all-agency personal services contract to WageWorks, Inc. for the operation of the MTA Commuter Benefits program. The contract will be for a period of five (5) years from July 1, 2016 through June 30, 2021, for a total not-to-exceed amount of \$700,000. The MTA has the option to extend the agreement for up to two (2) additional consecutive one (1) year periods.

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, the staff summary 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 Long Island Rail Road:

- Approval of the terms for acquisition, from Broadway 280 Park Fee LLC, of various permanent easements and two (2) temporary easements to construct, operate and maintain a customer elevator for East Side Access, connecting 280 Park Avenue’s public plaza area on the north side of East 48<sup>th</sup> Street to the new underground LIRR Concourse.

Upon motion duly made and seconded, the Board approved the foregoing real estate item, the details of which are contained in the minutes of the MTA Board meeting held this day, the staff summary 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 procurement items recommended to it by the Committee on Metro-North Railroad which relate to Long Island Rail Road, as well as to Metro-North Railroad:

- Weed and Brush Spray Services – Three (3) competitively solicited, 52-month miscellaneous service contracts to DeAngelo Brothers, LLC, United Right of Way, and Asplundh Tree Expert Co. for weed and brush spray services. Metro-North Railroad (MNR) led the multi-agency procurement and the participating agencies are MNR, LIRR and Staten Island Rapid Transit Operating Authority (SIRTOA). The awardee of MNR Hi-Rail and manual application and SIRTOA manual application services is DeAngelo Brothers, LLC; United Right of Way is the awardee for LIRR's hi-rail and manual application; and Asplundh Tree Expert Co. is the awardee for LIRR's manual application and SIRTOA's manual application services. The total estimated cost to the 52-month contract for all agencies is \$5,847,486.
- Modifications to Personal/Miscellaneous Service Contracts – Approval of additional funds and an extension of time to MNR's (on behalf of itself and LIRR) miscellaneous service contract with the firm of Scheidt & Bachmann GmbH (S&B). S&B provides comprehensive long-term Life Cycle Maintenance services to MNR and LIRR's Ticket Selling System and Equipment. The agencies seek to award an extension of the in-place agreement with S&B for a period of three (3) years, retaining two one (1) year extension options, and to implement certain onetime necessary equipment and system upgrades. The total negotiated not-to-exceed cost for the one time equipment/system upgrades is \$3,653,640, to be shared equally by the railroads. The not-to-exceed cost of the three year maintenance extension including potential out-of-scope items (2018-2020) is \$14,179,820 (\$6,953,974 MNR and \$7,225,845 LIRR), and the not-to-exceed costs of the two one (1) year additional options is \$9,613,545 (\$4,631,783 2021/2022 MNR and \$4,981,762 – 2021/2022 LIRR).

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, the staff summaries filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

6. Committee on Long Island Rail Road:

Before receiving the report on the actions taken by the Long Island Committee at its meeting on Monday, June 20, 2016, Chairman Prendergast noted that that in response to questions raised by Board Member Charles G. Moerdler which deserve to be answered, and with the concurrence of LIRR President Patrick A. Nowakowski, the procurement item that was recommended to the Board by the Committee was being modified so as to remove that portion relating to Siemens Rail Car, Inc. for further review and consideration. The other portions of the procurement item, relating to Kawasaki Rail Car, Inc. and Luminator Holding LP, would go forward if approved by the Board.

Procurements:

The Board was presented with the following non-competitive procurement item recommended to it by the Committee on Long Island Rail Road for approval:

- Non-Competitive Purchases and Public Works Contracts – Kawasaki Rail Car, Inc., and Luminator Holding, LP – Award of multiple five (5) year Sole Source Purchase Agreements in the total not-to-exceed amount of \$35,744,000 to two Original Equipment Manufacturers (OEMs) who will supply, on an as needed basis, complete systems, parts and other equipment, technical/field support and repair services required to (i) support LIRR's Reliability Centered Maintenance (RCM) program, and (ii) perform unscheduled maintenance and repairs to LIRR's diesel fleet of locomotives and coach cars. (\*)

(\*) = Reflects the aforementioned modification to this procurement item, removing that portion relating to Siemens Rail Car, Inc. (not-to-exceed amount of \$16,850,000).

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

MTA Capital Construction:

Procurements:

The Board was presented with the following procurement items recommended to it by the Committee on Capital Construction for approval:

- Ratification of a Modification to the East Side Access Project's Harold Structures – Part 3A contract (CH057A) to incorporate changes to the design of the Pump Station.

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,

the staff summary filed with those minutes and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

7. Corporate Governance Committee

Action Items

The Board was presented with the following action items recommended to it by the Corporate Governance Committee:

- Mission Statement, Measurements, and Performance Indicators Report – To obtain Board approval of the MTA’s Mission Statement and to authorize the submission of the annexed 2015 Mission Statement, Measurements, and Performance Indicators report to the Independent Authorities Budget Office.
- All Agency General Contract Procurement Guidelines and All Agency Service Contract Procurement Guidelines – To obtain Board approval of the revised All Agency General Contract Procurement Guidelines and the All Agency Service Contract Procurement Guidelines.
- Revisions to Committee Charters – To seek Board approval of proposed revisions to the Audit and Safety Committee charters. Copies of the Audit and Safety Committee charters with proposed revisions are provided with the related staff summary.

The Chairman noted that the members of the Corporate Governance Committee who met and considered these items approved them, although a quorum of the Committee was not present.

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

8. Audit Committee:

Vice Chairman Ferrer reported that the Audit Committee had met this morning but that a quorum was not present. He stated that although Audit Committee items are not normally advanced to the full Board for approval, in light of the fact that a quorum was not present he was advancing the following action item for the Board’s approval.

Action Item:

- Extension of the engagement of Deloitte & Touche LLP as independent auditor for an additional period of one (1) year.

Upon motion duly made and seconded, the Board approved the foregoing action item.

9. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:50 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark D. Hoffer".

Mark D. Hoffer  
Secretary

**TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY**

**BOARD MINUTES**

**June 22, 2016**

Minutes of the Regular Meeting  
Triborough Bridge and Tunnel Authority  
June 22, 2016

Meeting Held at  
2 Broadway, 20<sup>th</sup> 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. David Jones  
Hon. Susan Metzger  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. James Vitiello  
Hon. Carl V. Wortendyke

The following members were absent:

Hon. John H. Banks, III  
Hon. John Samuelsen  
Hon. Andrew Saul  
Hon. Peter Ward  
Hon. Neal Zuckerman

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

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

**1. Public Speakers**

There were thirteen (13) 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 (MTA) and maintained in MTA records, and to the other agencies' minutes of this date, for the content of the speakers' statements.

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

Chairman and CEO Prendergast opened his remarks by introducing new members of the Board: Veronica Vanterpool, James Vitiello and David Jones. New member Peter Ward was not present and John Samuelsen, another new member, was in London. The Senate also appointed and confirmed Neal Zuckerman as a voting member of the Board, reappointed and confirmed John Molloy and Carl Wortendyke and appointed and confirmed Andrew Saul to return to the Board. Chairman & CEO Prendergast acknowledged the extraordinary contributions of the five outgoing Board members – Jonathan Ballan, who served for five years; Robert Bickford and Allen Cappelli, who both served for eight years; Jeffrey Kay, who served for 10 years and James Sedore, who served for 22 years which is the third longest tenure in the Board's history.

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 May 25, 2016**

Upon a motion duly made and seconded, the minutes of the Regular Board Meeting held on May 25, 2016 were approved.

**4. Committee on MTA Bridges and Tunnels Operations**

**Procurements**

Commissioner Pally stated that there is one (1) procurement totaling \$1.933 million.

**Non-Competitive Procurements**

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

**Competitive Procurements**

Commissioner Pally stated that there is one (1) competitive procurement totaling \$1.933 million.

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

WSP Sells/HNTB JV.	Contract No. PSC-11-2865 B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to amend this Contract with WSP Sells/HNTB JV. to add funding for construction support services for Project RK-75, Interim Rehabilitation of the Manhattan Plaza at the RFK Bridge and funding for additional construction support services for Project RK-65A, Bronx Plaza Structure Rehabilitation.	\$1,932,508.08
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Commissioner Pally stated that the Committee member who was present at the Committee Meeting considered and voted in favor of the procurement although a Committee Quorum was not present. Upon a motion duly made and seconded, the Board approved the procurement recommended to it by the Committee for MTA Bridges and Tunnels Operations.

#### **Ratifications**

Commissioner Pally stated that there are no ratifications.

#### **5. Governance Committee**

Upon a motion duly made and seconded the Board approved the following action items:

- MTA's Mission Statement and authorize submission of the Mission Statement, Measurements and Performance Indicators Report to the Independent Authorities Budget Office;
- Revised All Agency Contract Procurement Guidelines and All Agency Service Contract Procurement Guidelines; and
- Revisions to the Audit and Safety Committee charters.

Copies of the All Agency Policies, Staff Summaries and details of the above items 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 10:50 a.m.

Respectfully submitted,



Julia R. Christ  
Acting Assistant Secretary

**Regular Board Meeting  
MTA Capital Construction Company  
2 Broadway  
New York, NY 10004  
Wednesday, June 22, 2016  
10:00 AM**

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO  
Hon. Fernando Ferrer, Vice Chairman  
Hon. David Jones  
Hon. Susan Metzger  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. James Vitiello  
Hon. Carl V. Wortendyke

The following members were absent:

Hon. John H. Banks, III  
Hon. John Samuelson  
Hon. Andrew Saul  
Hon. Peter Ward  
Hon. Neal Zuckerman

Board Member Ira Greenberg, Board Member Vincent Tessitore, 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 Morello, Counselor to the Chairman, MTA, Veronique Hakim, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph J. Giulietti, President, Metro-North Railroad, Donald Spero, President, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, Evan M. Eisland, Sr. Vice President, General Counsel and Secretary, MTA Capital Construction Company and David K. Cannon, Sr. Director, Chief Procurement Officer & Assistant Secretary, 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 ("Chairman") Prendergast called the meeting to order.

**Public Comment Period**

There were thirteen public speakers. Denise Richardson of the General Contractors Association spoke on behalf of Schiavone Construction and the other General Contractors currently performing work on the Second Avenue Subway Project. Her remarks are noted in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

None of the other speakers spoke on matters related to the MTA Capital Construction Company. Their names and remarks are noted in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

**Chairman's Remarks**

The Chairman introduced newly appointed Board members David Jones, Veronica Vanterpool and James Vitiello. The Chairman announced that John Samuelson and Peter Ward had also been appointed to the Board, John Molloy, Carl Wortendyke and Andrew Saul had been reappointed to the Board, and that Neal Zuckerman, formerly a non-voting member of the Board, had been reappointed as a voting member. The Chairman thanked outgoing Board members Jonathan Ballan, Robert Bickford, Allen Cappelli, Jeffrey Kay, James Sedore and Ed Watt for their service.

The remainder of the Chairman's remarks is noted in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

### **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 May 25, 2016.

### **Committee on Finance**

#### Procurement

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

Award of a competitively negotiated, all-agency personal service contract (14404-0100) for the operation of the MTA Commuter Benefits Program for a not-to-exceed amount of \$700,000 for a five year (July 1, 2016 – June 30, 2021) period with two (2) one-year options.

Copies of the Resolution and the Staff Summary for the above item are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

#### Real Estate

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

Acquisition of various permanent easements and two temporary easements at 280 Park Avenue in order to construct operate and maintain a customer elevator for the East Side Access Project.

The Staff Summary for the above item is filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

### **Joint Committee on Metro-North Railroad and the Long Island Rail Road**

#### Procurement

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

A Modification to the East Side Access Project's Harold Structures Part 3A contract (CH057A) to incorporate changes to the design of the Pump Station for the amount of \$3,899,500.

A copy of the Resolution and the Staff Summary for the above item is filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

### **Governance Committee**

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

1. The MTA's 2015 Mission Statement and authorized submission of the 2015 Mission Statement, Measurements, and Performance Indicators Report to the Independent Authorities Budget Office.
2. The revised All Agency General Contract Procurement Guidelines and the All Agency Service Contract Procurement Guidelines.
3. The revised Audit and Safety Committee Charters.

The Staff Summaries and associated documents for the above items are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on June 22, 2016.

**Adjournment**

Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 10:50 a.m.

Respectfully submitted,




David K. Cannon  
Assistant Secretary

# Staff Summary

Subject <b>COMMUTER RAILROAD/AMTRAK AGREEMENT</b>
Department <b>MTA SPECIAL PROJECT PLANNING AND DEVELOPMENT</b>
Department Head Name <b>WILLIAM WHEELER</b>
Department Head Signature 
Project Manager Name <b>WILLIAM WHEELER</b>

Date <b>JULY 25, 2016</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	MNR Committee	7/25/16		X	
2	LIRR Committee	7/25/16		X	
3	Finance Committee	7/25/16	X		
4	Board	7/27/16	X		

Internal Approvals			
Order	Approval	Order	Approval
1	MNR President 	5	MTAHQ Chief of Staff 
2	LIRR President 		
3	MTAHQ Legal 		
4	MTAHQ CFO 		

**Purpose/Recommendation:** To obtain Board approval of modifications to various agreements between MTA and each of its Commuter Railroads (LIRR and Metro-North) and the National Railroad Passenger Corporation (“Amtrak”) necessary to comply with the requirements of the Federal Passenger Rail Investment and Improvement Act of 2008 (“PRIIA”), and the implementing policies adopted by the Northeast Corridor Commission (the “Commission”).

**Background:** In 2008, Congress passed PRIIA, reauthorizing Amtrak and implementing various statutory requirements applicable to Amtrak and, in certain respects, to other railroads which share trackage with Amtrak. Congress sought to improve coordination on the Northeast Corridor (the “NEC”) and amended 49 U.S.C. § 24905 to direct the Secretary of Transportation to establish the Commission to promote mutual cooperation and planning and to advise Congress on NEC policy. Specifically, the Commission was charged with implementing a cost sharing framework based on each passenger railroad’s proportional use of the NEC, thereby eliminating cross-subsidization between railroads. The Commission is composed of one member from each of the nine NEC states (including New York), four members from Amtrak, and five members from the U.S. Department of Transportation. New York’s vote on the Commission has been exercised by a representative of NYS Department of Transportation acting in consultation with the MTA. In September 2015, the Commission adopted the Northeast Corridor Commuter and Intercity Rail Cost Allocation Policy (the “NEC Policy”) which is intended to establish the cost-sharing framework mandated by Congress.

Metro-North’s New Haven Line (the “NHL”) is part of the NEC, as is Penn Station and LIRR’s tracks west of and including Harold Interlocking in Queens (these being the trackage and related facilities jointly used by the Commuter Railroads and Amtrak). Each of the Commuter Railroads have several long-standing agreements with Amtrak concerning trackage rights, maintenance responsibilities and cost-sharing obligations. LIRR and Metro-North, working with MTA, have negotiated changes to these agreements as required by PRIIA and consistent with the NEC Policy. The changes to these agreements are summarized below.

**LIRR Agreements and Modifications:** LIRR is a party to a series of lease and operating agreements that were entered into with Amtrak in connection with Amtrak's assumption of certain of the passenger rail services previously operated by the Penn Central Railroad. Amtrak is the owner of Penn Station and the facilities and trackage for the portion of the NEC over which LIRR operates. Under agreements with Amtrak, LIRR has the right to occupy one level of Penn Station (the so-called Level A) and to operate on certain tracks east to Harold Interlocking in Queens and west to the LIRR's J. D. Caemmerer West Side Yard. The agreements with Amtrak, originally entered into in 1988 and amended from time to time, are the Level A and Platform Lease, the Joint Facility Agreement and the Joint Venture Agreement. The Level A and Platform Lease governs LIRR's occupancy and use of concourse and platform space at Penn Station. The Joint Facilities Agreement covers LIRR's usage rights and maintenance responsibilities for the trackage and tunnel zones from Penn Station to the western boundary of the LIRR's Harold Interlocking. The Joint Venture Agreement covers the construction, operation and maintenance responsibilities for the computerized train dispatch operations and improvements located in the Penn Station Central Control Center. All three agreements are being modified to implement the cost sharing protocols mandated by PRIIA

**Metro-North Agreements and Modifications:** MTA owns the New York State portion of the NHL, while the State of Connecticut owns the Connecticut portion. Amtrak operates on the NHL pursuant to a three-party 1991 trackage agreement among Amtrak, Metro-North and Connecticut. In addition, there is a separate agreement covering the Acela service, and various amendments to the underlying agreements. In general, under these agreements, Amtrak has been paying the incremental costs incurred for having Amtrak operate on the NHL, and there are performance incentives and penalty payments depending on the Amtrak trains' on-time performance. Under the Amended and Restated Service Agreement ("ARSA") among MTA, Metro-North and Connecticut for the NHL, Connecticut receives 65% of these Amtrak operating payments (as Connecticut is responsible for 65% of the NHL operating costs).

Pursuant to the NEC Policy and PRIIA, under the proposed amended trackage agreement with Amtrak, Amtrak will be paying its fully allocated share of all operating costs, and for the first time contributing to property and liability insurance costs. Performance/penalty payments will be eliminated. In addition, for the first time Amtrak will also be contributing towards capital costs for the NHL, through a separate capital cost agreement. The NHL agreements are being negotiated with the participation of the Connecticut Department of Transportation ("CDOT"), and the final modified agreements with Amtrak will be subject to concurrence by the State of Connecticut in accordance with the ARSA.

**Budget Implications:** On an aggregate basis, PRIIA results in favorable financial impact to the MTA. Combined, the LIRR and Metro-North modified agreements will result in an estimated \$0.85M favorable annual impact to the MTA's Operating Budget. In addition, PRIIA will also have a favorable impact to the Capital Budget of both agencies. Individual impacts are detailed below:

For Metro-North the fact that Amtrak will be paying fully allocated overhead plus, for the first time, additional operating costs based on its true usage of Metro-North trackage will result in substantially higher operating payments, which will be further augmented by the payment by Amtrak of its allocated share of capital costs. While payments will vary depending on costs and the number of trains run by the railroads, it is anticipated that the modified agreements when finalized will result in a significant net positive to both Metro-North and the State of Connecticut.

Based on the PRIIA cost allocation policy, the operating budget for the NHL will receive approximately an additional \$11 million dollars annually from Amtrak. Based on the 65/35% split between CDOT and MTA as per ARSA, MTA would receive a benefit of an estimated additional \$3.85 million annually to offset costs, while the remainder of the \$11 million will accrue to CDOT. Regarding Capital Budget costs, MNR estimates that PRIIA will also generate an additional capital contribution from Amtrak of \$2 million annually for the New York State portion of the NHL, the costs of which are funded by the MTA. Amtrak and CDOT will separately agree on capital funding for the Connecticut portion of the NHL.



For the LIRR, it is expected that the PRIIA cost allocation amendments to the three (3) bi-lateral agreements with Amtrak (Level A and Platform Lease, Joint Facility Agreement, and Joint Venture Agreement) will have a net nominal financial impact on LIRR in terms of both capital and operating costs.

PRIIA retains many of the cost allocation elements embedded in the existing agreements. Under the terms of the existing agreements, the costs to operate and maintain the various interlockings, tunnels, platform tracks and Penn Station concourse areas are currently allocated between the LIRR and Amtrak in proportion to each party's level of usage (which, in the case of Amtrak, includes New Jersey Transit usage). The primary financial impact of PRIIA is the application of a fully-allocated Amtrak overhead rate compared to an incremental overhead rate. However, this impact is offset by an adjustment to the cost sharing percentages for certain areas of Penn Station and the East River Tunnels to reflect higher proportional usage of these facilities by Amtrak and New Jersey Transit, thereby resulting in a reduction of the percentage of capital and operating costs allocable to the LIRR for these facilities.

Based on the PRIIA cost allocation policy, the LIRR's Operating Budget contribution towards the cost of operating and maintaining the NEC trackage used jointly by LIRR and Amtrak/NJT will increase by approximately \$3.0 million per year over current levels. With respect to the cost of capital projects, the PRIIA cost allocation policy, together with the adjusted cost sharing percentages as between LIRR and Amtrak/New Jersey Transit, will result in lower costs for the LIRR for some capital projects. The actual financial savings would be dependent on the specific capital projects and location of work that is implemented. For example, under PRIIA, a potential \$100 million investment by LIRR, Amtrak and New Jersey Transit to rehabilitate and improve the East River Tunnels would yield a \$3.9 million savings to the LIRR.




**Alternatives:** Federal law mandates the adoption of modified agreements implementing the PRIIA requirements. As described above, MTA and its Commuter Railroads have negotiated modified agreements protective of the Commuter Railroads' rights and which result in a net positive to MTA finances. Accordingly, approval of these modifications is recommended.


**Metropolitan Transportation Authority**

<b>Subject</b>
Request for Authorization to Award Various Procurements
<b>Department</b>
Executive
<b>Department Head Name</b>
Bob Foran
<b>Department Head Signature</b>

<b>Division Head Name</b>
Angel Barbosa 

<b>Date</b>	July 15, 2016
<b>Vendor Name</b>	Various
<b>Contract Number</b>	Various
<b>Contract Manager Name</b>	Various
<b>Table of Contents Ref #</b>	

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	7/25/2016	X		
2	Board	7/27/2016	X		

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

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

# of Actions	\$ Amount
--------------	-----------

**MTAHQ proposes to award Non-competitive procurements in the following categories:** None None

**MTAHQ proposes to award Competitive procurements in the following categories:**

### Schedules Requiring Majority Vote

Schedule E: Miscellaneous Procurement Contracts	1	\$ 1,520,000.00
Schedule F: Personal Services Contracts	2	\$60,716,438.00
Schedule H: Modifications to Personal Services/Miscellaneous Service Contracts	2	\$ 4,963,500.00
<b>SUBTOTAL</b>	<b>5</b>	<b>\$67,199,938.00</b>

**MTAHQ presents the following procurement actions for Ratification:**

	None	None
<b>TOTAL</b>	<u>5</u>	<u>\$67,199,938.00</u>

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

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

## BOARD RESOLUTION

### METROPOLITAN TRANSPORTATION AUTHORITY

WHEREAS, in accordance with Section 1265-a and Section 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, JULY 2016**  
**COMPETITIVE PROCUREMENTS**

**METROPOLITAN TRANSPORTATION AUTHORITY**

*Procurements Requiring Majority Vote:*

**E. Miscellaneous Procurement Contracts**

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

- |   |                                       |                                      |
|---|---------------------------------------|--------------------------------------|
| <b>1. NYS Office of Information Technology Services (ITS)</b><br><b>Memorandum of Understanding for</b><br><b>Data Center Co-Location</b><br><b>Contract No. 16263-0100</b> | <b>\$1,520,000</b><br>(Not-to-exceed) | <b><u>Staff Summary Attached</u></b> |
|---|---------------------------------------|--------------------------------------|

To recommend that the Board approve a Memorandum of Understanding (MOU) with The Office of Information Technology (ITS) of New York State for Data Center Co-Location for a period of sixty (60) months from August 1, 2016 thru July 31, 2021 at a not-to-exceed amount of \$1,520,000 which includes a contingency of \$20,000. This will permit the MTA to utilize space in the Albany site for location of equipment to support Disaster Recovery operation for its PeopleSoft Applications and Middleware Technologies, if required. The New York State ITS location is a turn-key, lights out solution, which is fully supported with no allocation of personnel from the MTA. The charges related to the equipment space for this MOU are based on monthly costs for each equipment "rack" at approximately \$2,000 per rack and an additional estimated electrical charge of approximately \$500 per rack each month. The total charge per month of approximately \$2,500 per rack for approximately ten racks over the sixty (60) months results in a not-to-exceed amount of \$1,520,000 which includes a contingency of \$20,000.

**F. Personal Service Contracts**

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

- |   |  |                                      |
|---|--|--------------------------------------|
| <b>2. All-Agency Enterprise Asset Management (EAM)</b><br><b>Integration Services</b><br><b>Contract Nos. 15135-0100 thru -1200</b><br><b>a. ABSG</b><br><b>b. Accenture</b><br><b>c. Bentley</b><br><b>d. CSC</b><br><b>e. DTEC</b><br><b>f. EAMS</b><br><b>g. IBM</b><br><b>h. INFOR</b><br><b>i. INFOSYS</b><br><b>j. INTERLOC</b><br><b>k. Net Consulting Group</b><br><b>l. Life-Cycle</b> | <b>\$50,000,000</b><br>(Not-to-exceed) | <b><u>Staff Summary Attached</u></b> |
|---|--|--------------------------------------|

Competitively negotiated – 16 proposals – 60 months

To recommend that the Board approve the award of twelve (12) competitively negotiated, all-agency software integration contracts to support and implement the next stage of MTA's Enterprise Asset Management (EAM) Program on an as-needed basis for a period of five (5) years with two additional one-year options from August 1, 2016 through July 31, 2021 in the not-to-exceed amount of \$50 million. This retainer contract for the EAM information systems integration services complements and supports the design, development and deployment of the Infor-Bentley software solution throughout the MTA. Additional requirements for a cloud-based hosting services and specialty software will be part of a subsequent competitive RFP process that is scheduled to be presented for Board approval during Q1 2017. The twelve (12) selected firms' average rates of \$203.70 were negotiated and are comparable to the EAM consulting average rates of \$209.89. Based on the above, these negotiated rates are considered fair and reasonable.

### 3. Small Business Development Program

#### Provide Business Development Mentoring Services for the MTA's Small Businesses Development Program (SBMP)

**TDX Const. Corp.**

**\$10,716,438.00**

**Staff Summary Attached**

**Contract No. 16148-0100**

(Not-to-exceed)

Competitively negotiated – 3 proposals – 48 months + (2) one year option periods

To recommend that the Board approve the award to TDX Construction Corporation to provide mentoring services for the MTA's Small Business Mentoring Program (SBMP), for a four year period, from August 1, 2016 through July 31, 2020, with options to review for two additional one-year periods at the MTA's sole discretion, at a not to exceed cost of \$10,716,438.00 for the initial four years. This contract is funded by each agency from within its capital program. The total not to exceed amount of \$10,716,438 proposed by TDX may be adjusted lower at the conclusion of the negotiations that are currently in progress.

## **METROPOLITAN TRANSPORTATION AUTHORITY** **COMPETITIVE PROCUREMENTS**

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

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

#### 4. **Corvel Healthcare Corporation**

**\$3,800,000**

**Staff Summary Attached**

**All-Agency Medical Bill Review and Payment Services**

(Total)

**Contract No. 08341-0100, S/A#4**

Base plus previous change orders = \$10,619,982

To recommend that the Board approve an amendment to a previously Board-approved, competitively awarded, all-agency personal service contract with CorVel Healthcare Corporation for Medical Bill Review and Payment Services. To date, this service reduced medical bill payments by \$247,875,006. The amendment is to: (i) increase funding by \$3,800,000 from \$10,619,982 to \$14,419,982 to cover current invoices and thus realize additional savings; and (ii) extend the period of performance by twelve months from August 1, 2016 through July 31, 2017 to allow time to complete a new RFP process and a transition period to a new supplier, if necessary. MTA and its agencies are required to pay medical expenses for employees injured on duty and no fault medical expenses for customers and third parties injured in motor vehicle accidents involving MTA vehicles. These medical bills are paid on behalf of employees and customers under the Worker's Compensation, No Fault and Federal Employers Liability Act (FELA) laws. The Base Contract annual fee of \$917,140 totaling \$6,419,982 for the seven year period due to Corvel was based upon processing an average of 163,853 medical claims totaling \$44,192,660. Subsequently, an amendment was approved by the Board in November 2013 for additional funding totally \$4,200,000 from \$6,419,982 to \$10,619,982 due to increase of medical claims and increase of Corvel annual fee to \$1,400,000. To date, the annual fee has increased from \$1,400,000 to \$1,919,836 as CorVel has processed an increase of approximately 817,000 medical bills and claims totaling \$476,120,630. CorVel's bill review and processing produced an overall savings for the MTA in the amount \$247,875,006.

#### 5. **Sterling Infosystems, Inc.**

**\$1,163,500**

**Staff Summary Attached**

**Background Verification and Investigation Services**

(Not-to-exceed)

**Contract No. PSC-11-2893 (B&T)**

Base plus previous change orders = \$3,172,492.75

To recommend the Board: (i) approve an amendment to a previously approved B&T all-agency, competitively negotiated, personal services contract to Sterling Infosystems, Inc. to provide Background Verification and Investigation Services on an as-needed basis in an amount not-to-exceed \$1,163,500; and (ii) extend the contract by one year through August 27, 2017. This contract will now be administered by MTABSC as part of the all agency procurement consolidation. This amendment will allow sufficient time to complete a competitive RFP and allow a transition period to a new supplier(s), if required. The rates established in the base contract will remain the same and are deemed fair and reasonable.

# Staff Summary

## Schedule E: Miscellaneous Procurement Contracts

Page 1 of 1

### Item Number:

<b>Vendor Name (&amp; Location):</b> NYS Office of Information Technology Services (ITS)	<b>Contract Number:</b> 16263-0100	<b>Renewal?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Description:</b> Memorandum of Understanding for Data Center Co-Location	<b>Total Amount:</b> \$1,520,000	
<b>Contract Term (including Options, if any):</b> August 1, 2016 thru July 31, 2021	<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> BSC MTA IT/Wael Hibri/Sidney Gellineau	
<b>Procurement Type:</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	<b>Contract Manager:</b> Feroze Khan	
<b>Solicitation Type:</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: MOU		

### DISCUSSION:

To recommend that the Board approve a Memorandum of Understanding (MOU) with The Office of Information Technology (ITS) of New York State for Data Center Co-Location for a period of sixty (60) months from August 1, 2016 thru July 31, 2021 at a not-to-exceed amount of \$1,520,000 which includes a contingency of \$20,000. This will permit the MTA to utilize space in the Albany site for location of equipment to support Disaster Recovery operation for its PeopleSoft Applications and Middleware Technologies, if required. The New York State ITS location is a turn-key, lights out solution, which is fully supported with no allocation of personnel from the MTA.

Data Center Co-Location will reduce risk for the MTA as it will provide for the geographical separation of the MTA Production Data Center site, located in Manhattan, and the current Disaster Recovery facility located in Brooklyn. The current Brooklyn location at Livingston Plaza presents us with an increased level of risk due to the proximity of the locations. As recommended by ISO 27001/ISO 22301, recovery facilities should be physically separated by 30 to 100 miles, this distance is exceeded by the separation of the 2 Broadway and Albany locations as they are over 150 miles apart. Additionally the Livingston Plaza location is surrounded by flood zones and power to the facility is delivered from underground cable, which increases risk at the recovery site due to the probability of flooding.


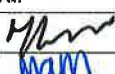




New York State ITS will provide the MTA with facility space and services at cost. In addition the Operating Costs to the MTA in Albany are approximately 50% of the New York City rates for both Real Estate and Power. Leveraging the Albany location will provide the additional benefit of allowing the MTA to eliminate the costs of the IBM Sterling Forest location for disaster backups at an annual cost of approximately \$600,000

NYS ITS will provide Co-Location space and related services at the leased facility located at the College of Nano-Scale Science and Engineering Facility located at 141 Fuller Road, Albany ("Data Center"). The MTA will also receive (15) hours per month of Equipment Support and Visitor Escort Services as part of the monthly Co-Location agreement. This MOU shall take effect upon execution of the parties and may be terminated by either party upon 180 days prior written notice to the other party. This MOU may be amended at any time by mutual written agreement of both parties.

The charges related to the equipment space for this MOU are based on monthly costs for each equipment "rack" at approximately \$2,000 per rack and an additional estimated electrical charge of approximately \$500 per rack each month. The total charge per month of approximately \$2,500 per rack for approximately ten racks over the sixty (60) months results in a not-to-exceed amount of \$1,520,000 which includes a contingency of \$20,000.

# Staff Summary

## Schedule F: Personal Service Contracts

<b>Item Number:</b>						<b>SUMMARY INFORMATION</b>	
<b>Dept &amp; Dept Head Name:</b> Capital Programs/Craig Stewart						<b>Vendor Name:</b> Various	
<b>Division &amp; Division Head Name:</b> Enterprise Asset Management/Michael Salvato						<b>Contract Number</b> 15135-0100 thru 1200	
<b>Board Reviews</b>						<b>Description:</b> Enterprise Asset Management (EAM) Integration Services	
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>	<b>Total Amount:</b> \$50,000,000	
1	Finance	7/25/2016	x			<b>Contract Term (including Options, if any):</b> August 1, 2016 through July 31, 2021	
2	Board	7/27/2016	x			<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
						<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Internal Approvals</b>						<b>Procurement Type:</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>				
1	Procurement 	4	DDCR 				
2	Capital Programs 	5	Legal 				
3	EAM 	6	CFO 				
						<b>Solicitation Type:</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
						<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

### Narrative

#### I. PURPOSE/RECOMMENDATION

To recommend that the Board approve the award of twelve (12) competitively negotiated, all-agency software integration contracts to support and implement the next stage of MTA's Enterprise Asset Management (EAM) Program on an as-needed basis for a period of five (5) years with two additional one-year options from August 1, 2016 through July 31, 2021 in the not-to-exceed amount of \$50 million, to the below firms.

There are multiple components to the EAM procurement process necessary to meet the new Federal requirements that support process improvements and the installation of an enterprise information systems for asset management. The first EAM procurement was the management consultancy retainer contract approved by the Board on February 2016 with a not to exceed \$115M threshold to support best practices. The second EAM procurement was the selection of the EAM software providers that was approved by the Board on March for \$26.9M to a team comprised of Sygma Technologies, Infor and Bentley. This retainer contract (RFP 15135) for the EAM information systems integration services complements and supports the design, development and deployment of the Infor-Bentley software solution throughout the MTA. Additional requirements for a cloud-based hosting services and specialty software will be part of a subsequent competitive RFP process that is scheduled to be presented for Board approval during Q1 2017.

Each contract will be awarded on a zero-dollar basis. Individual work assignments will be awarded through a mini-RFP competitive process among some or all firms.

The following is a list of the chosen vendors:

- |             |         |                         |
|-------------|---------|-------------------------|
| 1 ABSG      | 5 DTEC  | 9 INFOSYS               |
| 2 Accenture | 6 EAMS  | 10 INTERLOC             |
| 3 Bentley   | 7 IBM   | 11 Net Consulting Group |
| 4 CSC       | 8 INFOR | 12 Life Cycle           |

#### II. DISCUSSION

The EAM Program was initiated to enable all levels of the organization to make more informed, transparent and data-driven capital and operating decisions, to achieve better utilization of our resources and lower the cost of keeping our systems running while improving the safety and reliability of our operations. The purpose of undertaking an Enterprise Asset Management approach is to transition from a reactive maintenance and replace model to a model that promotes a more effective life cycle approach to maintaining MTA's nearly \$1 trillion asset base. By managing assets uniformly across the agencies MTA can, through common business practices, economies of scale, and data sharing: (i) improve asset utilization and performance, (ii) reduce asset related operating costs, (iii) reduce capital costs, (iv) optimize scheduled work, (v) reduce unscheduled work, etc.

In order to provide these services, a Request for Proposals (RFP) was publicly advertised and letters advising potential proposers of the RFP's availability were electronically sent to two hundred and eighty seven (287) firms. Sixteen (16) proposals were received and handed to a Selection Committee that consisted of representatives from MTA Headquarters, MTA New York City Transit, MTA Bus, MTA Long Island Rail Road, MTA Metro-North Railroad, MTA Bridges & Tunnels, and MTA Information and Technology. Based on the evaluation of proposals and oral presentations, the selection committee determined that the Software Implementation capacities provided by the before mentioned vendors listed above were the most qualified and best suited to perform the services identified in the RFP. The consultants will perform specific work assignments, on an as-needed basis, based on hourly rates established in the base contracts. Individual work assignments will be awarded through a mini-RFP competitive process among some or all firms.

MTA has conducted a responsibility review and other due diligence on all firms. Significant Adverse Information (SAI) were discovered concerning IBM and CSC. Procurement will not execute this contract where AI/SAI information is revealed unless the information is waived in accordance with the All-Agency Responsibility Guidelines and IBM and CSC have been determined to be responsible proposers.

The twelve (12) selected firms' average rates of \$203.70 were negotiated and are comparable to the EAM consulting average rates of \$209.89. Based on the above, these negotiated rates are considered fair and reasonable.

### **III. D/M/WBE INFORMATION**

MTA Department of Diversity and Civil Rights has assigned a 17% DBE goal. The DBE utilization plans for the selected firms are currently under review by DDCR. No awards will be made without DDCR's approval.

### **IV. IMPACT ON FUNDING**

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

### **V. ALTERNATIVES**

1. Perform all services in-house. This alternative is not feasible. The MTA and its agencies do not have the resources or the trained personnel to perform these services.
2. Do not approve award of the contracts. This is not practical. This would delay and compromise the MTA's ability to comply with Federal requirements, streamline its operations and realize recurring savings as a result of these services.

## Staff Summary

### Schedule F: Personal Service Contracts



Page 1 of 2

<b>Item Number:</b> <b>Dept &amp; Dept Head Name:</b> Department of Diversity & Civil Rights/Mike Garner						<b>SUMMARY INFORMATION</b> <b>Vendor Name:</b> TDX Construction Corporation		<b>Contract Number:</b> 16148-0100	
<b>Division &amp; Division Head Name:</b> DDCR/OCO – Mike Garner						<b>Description:</b> Small Business Development Program Business Development Mentoring Services			
<b>Board Reviews</b>						<b>Total Amount:</b> \$10,716,438.00			
Order	To	Date	Approval	Info	Other	<b>Contract Term (Including Options, If any):</b> <div style="text-align: right; margin-top: 10px;"> <input type="checkbox"/> </div>			
1	Finance	7/25/16	X			August 1, 2016 thru July 31, 2020 w/ 2 one yr. options			
2	Board	7/27/16	X			<b>Option(s) Included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
						<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Internal Approvals</b>						<b>Procurement Type:</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive			
Order	Approval		Order	Approval	<b>Solicitation Type:</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bld <input type="checkbox"/> Other:				
1	Procurement		3	DDCR	<b>Funding Source:</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:				
2	CFO		4	Legal					

#### I. PURPOSE/RECOMMENDATION

To recommend that the Board approve the award of a competitively negotiated, personal services contract to TDX Construction Corporation to provide mentoring services for the MTA's Small Business Mentoring Program (SBMP), for a four-year period, from August 1, 2016 through July 31, 2020, with options to renew for two additional one-year periods at MTA's sole discretion, at a not-to-exceed cost of \$10,716,438.00 for the initial four years. This contract is funded by each agency from within its capital program. The 2016-2019 Capital Program funds will be used to fund this contract.

#### II. DISCUSSION

The goal of the SBMP is to address the major impediments small businesses face in competing for MTA capital construction projects, and to expand the pool of qualified and diverse contractors who compete for MTA's business. The small businesses admitted into the program will receive training, technical assistance and mentoring assistance from TDX Construction Corporation.

The mentoring services manager will be responsible for:

- i) Providing mentoring and business development services to program participants that will ensure the SBMP contractors receive adequate training and hands-on business development assistance to improve the skills necessary to compete for and perform MTA construction contracts. The goal of the program is to develop a larger pool of diverse contractors who can complete MTA Capital projects.

Specific program elements include; Access to Capital, Surety Bonding Assistance; Business Development Training; Business Development Assessments and Corrective Action Plans; Business Plan Development; Back-Office Support, Recruitment of Program Participants, Marketing, and Direct Contract Opportunities up to \$3 million.

SBDP is co-directed by both the Department of Diversity & Civil Rights and the Office of Construction Oversight. DDCR will directly administer the contract and will work with OCO and with designated representatives at each operating agency to ensure that all program participants are adequately mentored and provided with business development supportive services.

In order to obtain the Mentoring Services and Business Development Services, a Request for Proposals (RFP) was conducted. The RFP was publicly advertised and letters advising potential proposers of the RFP's availability were sent to twenty-five (25) firms, of which (5) were M/WBE firms. Three (3) proposals were received. A Technical Committee comprised of representatives from MTAHQ, LIRR, and Capital Construction evaluated the proposals and unanimously recommended TDX as best qualified to perform the required Mentoring and Business Development services. TDX brings an impressive depth and experience in mentoring and implementing Small Business Mentoring Programs. MTA has conducted a responsibility review and other due diligence on TDX and has deemed them to be responsible for award.

The total not to exceed amount of \$10,716,438 proposed by TDX may be adjusted lower at the conclusion of the negotiations that are currently in progress.

### **III. MWDBE Information**

The MTA's Department of Diversity and Civil Rights established a 15% goal for MBE and 15% goal for WBE participation.

### **IV. IMPACT ON FUNDING**

The 2016-2019 capital program funds will be used to finance the costs of the Mentoring contract and other administrative training costs of the first year of the SBMP. Funding for years two through six will be obtained from the 2016-2019 capital program.

### **V. ALTERNATIVES**

1. Perform all services in-house. This alternative is not practical. The Authority does not have the resources or the trained personnel to perform (small) business development mentoring construction management (CM) mentoring services.
2. Do not approve award of this contract. This alternative is not feasible. MTAHQ will implement a Small Business Mentoring Program in accordance with the approved NYS Legislation.

# Staff Summary

## Schedule H: Modifications to Personal Service & Miscellaneous Service Contracts

Item Number:

Page 1 of 1

<b>Vendor Name (&amp; Location):</b> CorVel Healthcare Corporation		<b>Contract Number:</b> 08341-0100	<b>AWO/Modification # 1</b> 4
<b>Description:</b> All-Agency Medical Bill Review and Payment Services		<b>Original Amount:</b> \$6,419,982(including optional years)	
<b>Contract Term (including Options, if any):</b> August 1, 2016 thru July 31, 2017		<b>Prior Modifications:</b> \$4,200,000	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>Prior Budgetary Increases:</b> -	
<b>Procurement Type:</b> <input type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		<b>Current Amount:</b> \$10,619,982	
<b>Solicitation Type:</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		<b>This Request:</b> \$3,800,000	
<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		<b>% of This Request to Current Amount:</b> 35.78%	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Risk & Insurance Management / P. Rachmuth		<b>% of Modifications (including This Request) to Original Amount:</b> 124.61%	

### DISCUSSION:

To recommend that the Board approve an amendment to a previously Board-approved, competitively awarded, all-agency personal service contract with CorVel Healthcare Corporation for Medical Bill Review and Payment Services. To date, this service reduced medical bill payments by \$247,875,006. The amendment is to: (i) increase funding by \$3,800,000 from \$10,619,982 to \$14,419,982 to cover current invoices and thus realize additional savings; and (ii) extend the period of performance by twelve months from August 1, 2016 through July 31, 2017 to allow time to complete a new RFP process and a transition period to a new supplier, if necessary.

In July 2009, the Board approved a competitively awarded contract to CorVel Healthcare Corporation to perform medical bill review and payment services for the MTA and its agencies for a period of seven years from August 1, 2009 to July 31, 2016. MTA and its agencies are required to pay medical expenses for employees injured on duty and no fault medical expenses for customers and third parties injured in motor vehicle accidents involving MTA vehicles. These medical bills are paid on behalf of employees and customers under the Worker's Compensation, No Fault and Federal Employers Liability Act (FELA) laws. Under these laws, healthcare providers agree to accept pre-determined fees for specific medical services rendered based on State fee schedules. These medical bills are routinely submitted by providers in excess of the scheduled allowable amounts. Medical bill review vendors reduce and pay medical bills based on State schedules and negotiated Usual and Customary Review (UCR) through the use of proprietary systems as well as nurse and physician reviews on large or unusual bills.

The Base Contract annual fee of \$917,140 totaling \$6,419,982 for the seven year period due to Corvel was based upon processing an average of 163,853 medical claims totaling \$44,192,660. Subsequently, an amendment was approved by the Board in November 2013 for additional funding totally \$4,200,000 from \$6,419,982 to \$10,619,982 due to increase of medical claims and increase of Corvel annual fee to \$1,400,000. To date, the annual fee has increased from \$1,400,000 to \$1,919,836 as CorVel has processed an increase of approximately 817,000 medical bills and claims totaling \$476,120,630. CorVel's bill review and processing produced an overall savings for the MTA in the amount \$247,875,006.

# Staff Summary

## Schedule H: Modifications to Personal Service & Miscellaneous Service Contracts

Item Number:

Page 1 of 1

<b>Vendor Name (&amp; Location):</b> Sterling Infosystems, Inc.
<b>Description:</b> Background Verification and Investigation Services
<b>Contract Term (including Options, if any):</b> 48 Months
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Procurement Type:</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<b>Solicitation Type:</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:
<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> MTA HQ (Name TBD)

<b>Contract Number:</b> PSC-11-2893 (B&T)	<b>AWO/Modification #</b> 3
<b>Original Amount:</b>	\$3,172,492.75
<b>Prior Modifications:</b>	\$ 0
<b>Prior Budgetary Increases:</b>	\$ -
<b>Current Amount:</b>	\$3,172,492.75
<b>This Request:</b>	\$ 1,163,500
<b>% of This Request to Current Amount:</b>	36.7%
<b>% of Modifications (including This Request) to Original Amount:</b>	36.7%

### DISCUSSION

To recommend the Board: (i) approve an amendment to a previously approved B&T all-agency, competitively negotiated, personal services contract to Sterling Infosystems, Inc. to provide Background Verification and Investigation Services on an as-needed basis in an amount not-to-exceed \$1,163,500; and (ii) extend the contract by one year through August 27, 2017.

In July 2013 (MTA B&T) Bridges and Tunnels presented to the Board an all-agency, competitively negotiated, personal services contract to Sterling Infosystems, Inc. to provide Background Verification and Investigation Services to conduct employment and education verification, background checks, criminal and other investigative services in connection with candidates seeking employment or promotions for a period of thirty-six (36) months, which totaled in the aggregate, \$3,172,492.75 (\$1,200,000 for MNR, \$1,081,147.50 for LIRR, \$544,324 for B&T, \$246,481.25 for NYCT, \$48,510 for MTAHQ, \$35,860 for BSC and \$16,170 for Capital Construction). This contract will now be administered by MTABSC as part of the all agency procurement consolidation. This amendment will allow sufficient time to complete a competitive RFP and allow a transition period to a new supplier(s), if required.

The rates established in the base contract will remain the same and are deemed fair and reasonable.

**JULY 2016**  
**MTA REAL ESTATE**  
**LIST OF REAL ESTATE ACTION ITEMS FOR BOARD APPROVAL**

**MTA NEW YORK CITY TRANSIT**

Lease with Abdul A. Nahshal (or entity to be formed) for a coffee and baked goods shop at East 180 Street Station, White Plains Road Line, Bronx

**MTA METRO-NORTH RAILROAD**


Lease with Hudson Hospitality Group LLC (or entity to be formed) for a restaurant/café and welcome center at Peekskill station building in Peekskill

Lease with Locali – 2 Forest LLC (or entity to be formed) for an Italian/pizza restaurant and bar at Mt. Kisco station building in Mt. Kisco

**MTA CAPITAL CONSTRUCTION**




Lease with BDG Gotham Plaza, LLC for a Second Avenue Subway community information center at 151 East 125<sup>th</sup> Street in Manhattan

# Staff Summary

Subject <b>Lease Agreement</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JEFFREY B. ROSEN</b>
Department Head Signature 
Project Manager Name <b>ARTURO ESPINOZA</b>

Date <b>July 25, 2016</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	7/25/16	X		
2	Board	7/27/16	X		

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

AGENCY: MTA New York City Transit ("NYCT")  
 LESSEE: Abdul A. Nahshal (or corporation to be formed)  
 LOCATION: East 180<sup>th</sup> Street Station, White Plains Road Line, Bronx  
 ACTIVITY: Sale of coffee and baked goods  
 ACTION REQUESTED: Approval of terms  
 TERM: 10 years; plus a 5-year renewal option  
 SPACE: Approximately 750 square feet  
 RENT: \$24,750 in Year 1 with 3% annual escalations thereafter

## COMMENTS:

The renovated East 180<sup>th</sup> Street Station features a fully-restored, historic headhouse. The renovation created two large retail spaces along a central hallway leading to Morris Park Avenue. One space is occupied by a newsstand operated by Mr. Felix Selvaratnam, a longtime tenant.

The remaining available retail space was marketed via Request for Proposals and four responses were received. The present values of the proposed rental payments (calculated on a present value basis using a 7% discount rate) are listed below:

Proposer	Use	1 <sup>st</sup> Year Rent	Present Value
Michael Roa	Delicatessen	\$34,608	\$274,115
Abdul A. Nahshal	Coffee and baked goods	\$24,750	\$196,699
Michael Binyaminov	Barber shop, shoe repair, jewelry	\$24,000	\$190,428
Antu Banik	Pizzeria	\$18,000	\$136,947

Michael Roa's proposal was the highest, but he did not demonstrate direct experience with planning, building or operating a delicatessen. Nor did he substantiate adequate resources to build or fund the operation of his business. Mr. Roa's proposal was therefore deemed not responsible.

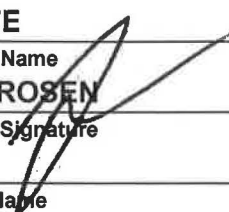
# Staff Summary

## **FINANCE COMMITTEE MEETING Abdul A. Nahshal (Cont'd.)**

The second highest proposer, Mr. Nahshal, is an experienced local businessperson who has built and currently operates a deli in the same community. He has adequate financial resources and excellent credit to fund the proposed improvements and successfully launch this new business venture.


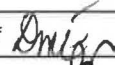
Based on the foregoing, MTA Real Estate requests authorization to enter into a lease agreement with Mr. Abdul A. Nahshal on the above-described terms and conditions.

# Staff Summary

Subject <b>LEASE AGREEMENT</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JEFFREY B. ROSEN</b>
Department Head Signature 
Project Manager Name <b>ALICIA BIGGS</b>

Date <b>July 25, 2016</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	7/25/16	X		
2	Board	7/27/16	X		

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

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

LESSEE: Hudson Hospitality Group LLC ("HHG") (or entity to be formed)

LOCATION: Peekskill Station, Hudson Line, Westchester County

ACTIVITY: Restaurant/café in conjunction with visitor information center and tour-booking office

ACTION REQUESTED: Approval of terms

TERM: 15 years with an adjustment for fair market value in lease year 11

SPACE: Peekskill station building; including office loft and partial basement, measuring approximately 5,825 sq. ft. (±) along with outdoor plaza, approximately 1,630 sq. ft. (±)

RENT: \$30,000 for Year 1 with 3% annual increases through Year 10  
Fair market value for Year 11 with 3% annual increases through Year 15

## COMMENTS:

Pursuant to Metro-North and MTA Real Estate's net leasing program, a request for proposals ("RFP") was issued seeking offers to utilize and maintain the entire Peekskill Station Building ("Building"), consisting of a restaurant area, kitchen, former ticket office, concession space, waiting room, bathrooms and a portion of the outdoor plaza area.

In response to the RFP, five proposals were received. After conducting proposer interviews, a request for best and final offers ("BAFO") was issued. In response to the BAFO, the highest proposal received was from HHG and Brian Butera withdrew his proposal.

Proposer	1 <sup>st</sup> Year Rent	Estimated Value of Proposed Improvements	Present Value (10-Year Term; 7% Discount Rate)
Hudson Hospitality Group LLC	\$30,000	\$140,000	\$377,616
Sharon Aakjar	\$24,000	\$50,000	\$290,729
Dobbs Ferry HG LLC	\$18,000	\$100,000	\$254,758
Mohammed Rahman	\$14,400	---	\$120,870
Brian Butera	Withdrawn		

# Staff Summary

## **FINANCE COMMITTEE MEETING Hudson Hospitality Group LLC (Cont'd.)**

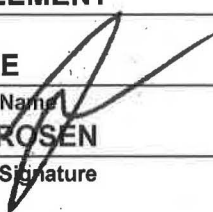
While HHG's proposal is lower than the fair market value as initially estimated by MTA Real Estate's independent consultant, HHG will be making a significant investment to improve the Building.

HHG is headed by Louis Lanza, who has owned and operated several restaurants in New York City over the last 24 years. He currently owns and operates two restaurants and a farm in Peekskill. Mr. Lanza's vision is to convert the current waiting room into a tourist welcome center run by the Hudson Valley Chamber of Commerce along with a retail concept providing local product. Mr. Lanza is also seeking approval from New York State Department of Agriculture and Markets to be designated as a Taste of New York location. The remainder of the building and outdoor plaza area will be used as a restaurant/café.

Proposed improvements include installing a commercial air conditioning system for the Building, renovating the kitchen with updated fixtures and appliances, upgrading the bathroom and refurbishing the floors and ceiling. Mr. Lanza has sufficient capital available and will provide a limited personal guaranty and construction completion guaranty.



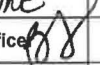
Based on the foregoing, MTA Real Estate requests authorization to enter into a lease agreement with HHG (or a newly formed entity owned and controlled by HHG) on the above-described terms and conditions.

# Staff Summary

Subject <b>LEASE AGREEMENT</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JEFFREY B. ROSEN</b>
Department Head Signature 
Project Manager Name <b>ALICIA BIGGS</b>

Date <b>July 25, 2016</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	7/25/16	X		
2	Board	7/27/16	X		

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

AGENCY: MTA Metro-North Commuter Railroad ("Metro-North")  
 LESSEE: Locali – 2 Forest LLC (or entity to be formed)  
 LOCATION: Mount Kisco Station, Harlem Line, Westchester County  
 ACTIVITY: Italian/pizza restaurant and bar  
 ACTION REQUESTED: Approval of terms  
 TERM: 10 years  
 SPACE: 2,890 sq. ft. (+/-) station building, including office loft and basement, with outdoor plaza adjacent to building  
 RENT: \$80,810 for 1<sup>st</sup> year with 3% annual increases thereafter

## COMMENTS:

Pursuant to Metro-North and MTA Real Estate's net leasing program, a request for proposals ("RFP") was issued seeking offers to utilize and maintain the entire Mount Kisco Station Building ("Building"), consisting of a restaurant, kitchen, former ticket office, waiting area, bathrooms, office loft and an outdoor plaza.

In response to the RFP, the following two proposals were received:

Proposer	1 <sup>st</sup> Year Rent	Present Value (10-Year Term; 7% Discount Rate)
Locali – 2 Forest LLC	\$80,810	\$614,681
Via Vanti! MKNY (incumbent)	\$58,800	\$465,727

# Staff Summary

## FINANCE COMMITTEE MEETING Locali – 2 Forest LLC (Cont'd.)

The higher of the two proposers, Locali, operated by Joe Bueti, currently controls three food and beverage operations: Village Social Kitchen and Bar in Mount Kisco, Locali Pizza Bar in New Canaan, Connecticut and a wood-fired pizza truck that operates at various locations in the Tri-State area. Mr. Bueti plans to bring the same specialty wood-fired pizza and northern Italian cuisine to the Mount Kisco station. He has proposed improvements to the Building that include a new kitchen, upgrading the bathrooms and renovating the basement and office loft. Mr. Bueti will provide a limited personal guaranty and a construction completion guaranty. Locali's proposal exceeds the fair market value for this property as determined by MTA Real Estate's independent consultant.




Based on the foregoing, MTA Real Estate requests authorization to enter into a lease agreement with Locali – 2 Forest LLC (or a newly formed entity owned and controlled by Mr. Bueti) on the above-described terms and conditions.

# Staff Summary

<b>Subject</b> <b>New Lease</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>JEFFREY B. ROSEN</b>
<b>Department Head Signature</b>
<b>Project Manager Name</b> <b>Andrew D. Greenberg</b>

<b>Date</b> <b>July 25, 2016</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	7/25/16	X		
2	Board	7/27/16	X		

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

AGENCY: MTA Capital Construction ("MTACC") – Second Avenue Subway Project ("SAS")  
 LANDLORD: BDG GOTHAM PLAZA, LLC, an affiliate of Blumenfeld Development Group  
 LOCATION: 151 East 125<sup>th</sup> Street, New York, New York  
 ACTIVITY: Phase II - Second Avenue Subway community information center  
 ACTION REQUESTED: Approval of terms  
 POSSESSION: Upon substantial completion of Landlord's alterations and improvements and receipt of non-disturbance agreements from mortgagee and fee owner  
 SPACE: Approximately 2,120 sq. ft. comprising a portion of ground floor  
 RENT: Five months from date of possession  
 COMMENCEMENT:  
 TERM: 10 years commencing on date of possession  
 COMPENSATION: Yrs. 1-10: \$243,800 per yr. - \$115 per sq. ft. per year – subject to 3% per annum increases  
 REAL PROPERTY TAXES: Proportionate share of increases over 2016/17 fiscal base year; however, no escalation will accrue or become due prior to first anniversary of possession date  
 OPERATING EXPENSE ESCALATIONS: None  
 ELECTRICITY: Directly metered  
 MAINTENANCE & REPAIRS: Landlord will provide at its sole cost and expense snow removal, all structural repairs including HVAC repairs and maintenance and repairs to the sidewalk and storefront. Tenant responsible for HVAC maintenance and non-structural repairs, which Landlord will perform at Tenant's expense.  
 LANDLORD'S WORK: Landlord will provide at its sole cost and expense turn-key alterations and improvements to the existing buildout of the premises to accommodate Tenant's requirements, including all architectural and engineering and filing costs.  
 SECURITY DEPOSIT: None

# Staff Summary

## FINANCE COMMITTEE MEETING Phase II SAS office (cont'd.)

### COMMENTS:

As Phase I of the SAS project nears completion, MTACC plans upon lease expiration (12/31/16) to close its current Information Center at 1628 Second Avenue, New York, New York. With the commencement of Phase II, MTACC plans to open a new SAS Information Center in Harlem along the 125<sup>th</sup> Street retail corridor to disseminate project information, and provide space for public meetings and access to project staff. Cushman & Wakefield ("C&W") assisted with the search for suitable retail locations. Tours of four locations were conducted and 151 East 125<sup>th</sup> Street was determined to be the only suitable location to accommodate MTACC's requirement.

C&W advises that the rent is within market range for similar spaces. Based on the foregoing, MTA Real Estate requests authorization to enter into a lease with Landlord on the above-described terms and conditions.

## **SERVICE CHANGES: M5 SERVICE REVISIONS**

### **Service Issue**

The M5 is a 12-mile, north-south route that provides local and limited-stop bus service in Manhattan between the George Washington Bridge Bus Terminal (at West 178<sup>th</sup> Street) and the South Ferry Terminal, serving approximately 11,700 daily riders. The M5 is consistently one of the worst performing bus routes in Manhattan and is plagued by operational issues that lead to many buses being short turned by field managers. These short turns and frequent delays result in uneven and unreliable service. Splitting the M5 route into two shorter routes would help to mitigate the effects of delays along the route while allowing for better recovery from delays and providing more even and reliable service for customers.

A proposal to split the route at 37<sup>th</sup> Street was presented at a public hearing on April 20, 2016. One of the main comments received from the public through the hearing and from other comments was a desire for a greater overlap between the north and south portions of the route that would cover more of the Midtown area and would reduce the number of customers requiring a transfer between routes. This proposal has been modified and would split the M5 into two routes: the northern route would operate between the George Washington Bridge Bus Terminal and West 31<sup>st</sup> Street and 6<sup>th</sup> Avenue. A new southern route (M55) would operate between West 44<sup>th</sup> Street and 6<sup>th</sup> Avenue and the South Ferry Terminal. The two routes would overlap for 13 blocks between West 31<sup>st</sup> Street and West 44<sup>th</sup> Street.

These Midtown terminal locations were chosen based on the combination of customer impact, the ability to effectively operate buses, the availability of layover space and the desired destinations expressed by the public. Many customers expressed an interest in being able to reach Midtown when traveling from the southern portion of the route. Many customers from the northern portion of the route expressed a desire for service to the 34th Street/Penn Station area. By splitting the route in Midtown with a 13-block overlap between the routes, the vast majority of customers, 88%, would experience improved reliability without having to transfer between routes. Approximately 300 fewer daily customers would have to transfer than in the previous proposal.

### **Recommendation**

Split the M5 into two routes. The north route would retain the M5 label and the south route would be relabeled the M55. Provide a 3-leg transfer on both routes.

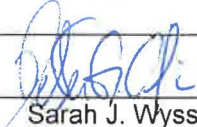
### **Budget Impact**

The net cost is estimated to be \$1,131,000. Terminating the M5 at 31<sup>st</sup> Street is estimated to save \$2,833,000 and the M55 route would cost \$3,964,000.

### **Proposed Implementation Date**



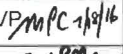
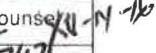

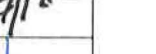


January 2017.

# Staff Summary

Subject	M5 Service Revisions
Department	Operations Planning
Department Head Name	Peter G. Cafiero
Department Head Signature	
Project Manager Name	Sarah J. Wyss

Date	July 7, 2016
Vendor Name	N/A
Contract Number	N/A
Contract Manager Name	N/A
Table of Contents Ref #	N/A

Board Action					
Order	To	Date	Approval	Info	Other
1	President		X		
2	Chairman		X		
3	Board		X		

Internal Approvals			
Order	Approval	Order	Approval
8	President 	4	Director OMB 
7	Executive VP  MPC 7/19/16 ACTION	3	VP General Counsel  7/11/16
6	SVP Buses 	2	VP GCH 
5	VP Corp. Comm  7/14/16	1	Chief OF 

## Purpose

To obtain approval from the MTA Board of a proposal to split the M5 route into two routes.

## Discussion

The M5 is a 12-mile, north-south route that provides local and limited-stop bus service in Manhattan between the George Washington Bridge Bus Terminal (at West 178<sup>th</sup> Street) and the South Ferry Terminal via Broadway, Riverside Drive, 5<sup>th</sup> Avenue, 6<sup>th</sup> Avenue and Church Street. The M5 operates daily from approximately 5:30 am to 1 am. The M5 operates as a limited service only weekdays from approximately 6:30 am to 6:30 pm, and as a local service only in early morning, evening hours, and all day weekends. The M5 is the longest route in Manhattan and faces reliability issues due largely to the length of the route. The M5 is consistently one of the worst performing bus routes in Manhattan and is plagued by operational issues that lead to many buses being short turned by field managers. These short turns and frequent delays result in uneven and unreliable service. Ridership on the M5 has been steadily declining since 2011, losing nearly 1,000 riders annually; it now serves approximately 11,700 daily riders.

Splitting the M5 route into two shorter routes would help to mitigate the effects of delays along the route while allowing for better recovery from delays and would provide more even and reliable service for customers.

NYCT presented an alternate split proposal to the seven affected Manhattan community boards (1, 2, 4, 5, 7, 9, and 12) in November and December 2015 and held a public hearing on that proposal on April 20, 2016. Under that plan, the M5 and M55 would have been split at West 37<sup>th</sup> Street and there would not have been any overlap between the routes. Many of the public comments centered on a desire for overlap between the routes and a desire for the southern route to serve more of Midtown. Therefore, NYCT has revised its proposal to respond to these comments.

The revised proposal would split the M5 into two routes: the northern route would operate between the George Washington Bridge Bus Terminal and West 31<sup>st</sup> Street and 6<sup>th</sup> Avenue. This route would

travel south on 5<sup>th</sup> Avenue, west on 31<sup>st</sup> Street to terminate near side of 6<sup>th</sup> Avenue. The 31<sup>st</sup> Street south terminal would bring customers to the Penn Station area.

The southern route (M55) would operate between West 44<sup>th</sup> Street and 6<sup>th</sup> Avenue and the South Ferry Terminal. The two routes would overlap for 13 blocks between West 31<sup>st</sup> Street and West 44<sup>th</sup> Street. The northern route would continue to operate Limited-stop service during the daytime hours and local stops nights. The M55 would operate local service all day.

These Midtown terminal locations were chosen based on the combination of customer impact, the ability to effectively operate buses, the availability of layover space and the desired destinations expressed by the public. Many customers expressed an interest in being able to reach Midtown when traveling from the southern portion of the route. Many customers from the northern portion of the route expressed a desire for service to the 34th Street/Penn Station area. By splitting the route in Midtown with a 13-block overlap between the routes, the vast majority of customers, 88%, would experience improved reliability without having to transfer between routes. Approximately 300 fewer daily customers would have to transfer than in the previous proposal.

A service equity analysis, conducted in accordance with Title VI of the Civil Rights act of 1964 and related Federal Transit guidance materials, found that the M5/M55 Split Service implementation would not result in a disproportionate impact on either minority or below-poverty populations.

## **Recommendation**

Split the M5 into two routes. Provide a 3-leg transfer.

## **Alternatives to the Split Proposal**

1. *Do Nothing* - NYCT would lose the opportunity to address significant reliability issues on the longest bus route in Manhattan.
2. *Split the route at Columbus Circle or increase the overlap* – A split at Columbus Circle option would greatly increase the number of customers who would have to transfer between routes. Increasing the overlap would require a greater number of bus vehicles to provide the service levels needed, however, there is insufficient bus vehicle availability.

## **Budget Impact**

The net cost is estimated to be \$1,131,000. Terminating the M5 at 31<sup>st</sup> Street is estimated to save \$2,833,000 and the M55 route would cost \$3,964,000.

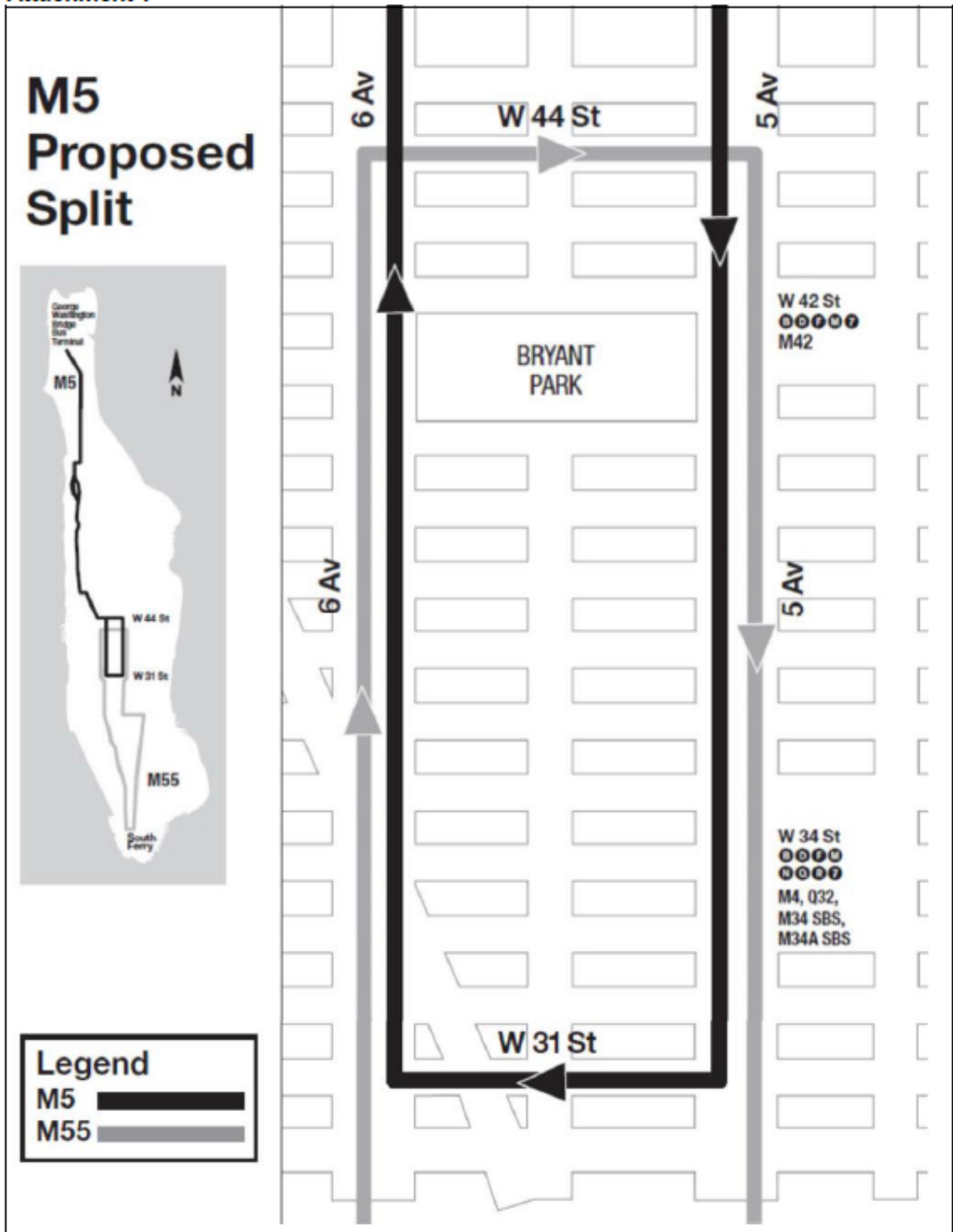
## **Proposed Implementation Date**

January 2017.

Approved:

  
Veronique Hakim  
President

Attachment 1



## Attachment 2

### Summary of Community Board, Public Hearing and Online Comments Regarding M5 Split

In November and December 2015, MTA NYC Transit presented the preliminary M5 split proposal to the seven Manhattan community boards through which the M5 operates and to the Senior Citizens Advisory Committee. A public hearing was held on April 20, 2016 with 23 registered speakers and a total of 58 comments were submitted online via the MTA website. Below is a summary of the main comments and concerns expressed by the public.

- **Restore pre-2010 service where the M5 terminated at Houston St and the M6 route ran between 59<sup>th</sup> Street and South Ferry.**

This is a proposal to improve service on the M5, not a restoration of previous service cut. This is the plan that the MTA believes will best help improve M5 service for all M5 customers given current bus constraints.

- **Split the route somewhere other than 37<sup>th</sup> Street. The primary alternative split points suggested were: Columbus Circle, 59<sup>th</sup>, 57<sup>th</sup>, 42<sup>nd</sup>, 34<sup>th</sup>, 23<sup>rd</sup>, and Houston Streets.**

The MTA considered several factors in determining a split point for the M5 and M55: customer convenience, number of customers that have to transfer, availability of layover space, availability of buses, ability to deliver reliable service. After taking into account the public comments to the proposed split, the proposal was modified to provide some overlap between the routes and split at locations that are more convenient and desirable to customers.

- **Mitigate the inconvenience of a route split by having more of an overlap between the routes**  
The ability to provide a greater overlap between the routes is limited by the availability of resources, but the modified plan responds directly to this request.

- **Split the route but have some buses run the full length of the route**

This would result in a confusing service pattern for customers and might ultimately result in longer travel times and/or in more customers having to transfer if they are looking to travel the entire route and they board a bus that is only traveling the shorter route.

- **Implement a three-leg transfer so that customers having to transfer between M5 and M55 will not lose their free transfer to another bus or subway route.**

A three-leg transfer will be provided to M5/M55 customers.

- **Make the transfer between routes at the split point seamless; schedule M5 and M55 routes to meet at the terminals so that customers can easily transfer between the two. There should be a shelter with the proper amenities at the transfer location. Buses should be scheduled to meet so that people transferring will not have to wait for the next bus**

Bus stop locations are determined by the New York City Department of Transportation (DOT). MTA NYC Transit will work with DOT on the siting of bus stops at the transfer points in order to facilitate transfers between the M5 and M55. Because the M5 and M55 will be two separate routes with separate schedules, it will not be possible to schedule the routes such that there will always be a bus waiting for customers transferring between routes.

- **Provide additional northbound travel options south of 8<sup>th</sup> Street, as traveling the distance between northbound service options on 6<sup>th</sup> Avenue and on Bowery is a hardship for residents in the Village.**

The number of streets on which buses can safely and reliably operate north/south service is limited by the lower Manhattan street network. The MTA is currently investigating bus service options on these streets.

- **Convert M5 route to a Select Bus Service (SBS) route.**

The M5 is not currently being considered for Select Bus Service (SBS), but as the SBS program continues to expand, the feasibility of converting the M5 to an SBS route will be reevaluated.

- **Leave route as is/ do no split route. Either run more buses on the route or better manage those that are allocated to the route**

Leaving the route as it is would not allow the MTA to address the reliability issues currently experienced by the M5.

- **Do not split route, just run more Limited service on the route**

Running more Limited service might speed up rides for some customers but would not help address the reliability problems that the route is currently experiencing.

- **Use the M6 route designation instead of M55**

The M6 route previously ran between the South Ferry Terminal and 59<sup>th</sup> Street and was discontinued as part of the June 2010 Service Reductions. Because the M55 route differs from the previous M6 route, a different route designation was chosen.

- **Increase the frequency of the M5 and M55 during rush hour – 8-10 min headways**

Bus service frequencies are scheduled according to MTA guidelines on ridership.

- **Expand span of service to 24-hours on M5 and M55**

Similar to headways, the span of service is also determined based on ridership and demand and, as such, the M5 and M55 are not currently eligible for 24-hour service.

### PROCUREMENTS

The Procurement Agenda this month includes 19 actions for a proposed expenditure of \$96.7M.

<b>Subject</b>	Request for Authorization to Award Various Procurements				
<b>Department</b>	Materiel – NYCT				
<b>Department Head Name</b>	Stephen M. Plochochi				
<b>Department Head Signature</b>					
<b>Project Manager Name</b>	Rose Davis				
<b>Board Action</b>					
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>
1	Committee	7/25/16			
2	Board	7/27/16			

July 20, 2016	
<b>Department</b>	Law and Procurement – MTACC
<b>Department Head Name</b>	Evan Eisland
<b>Department Head Signature</b>	
<b>Internal Approvals</b>	
<b>Approval</b>	<b>Approval</b>
President NYCT	President MTACC
Executive VP (ACTING)	President MTA Bus
Capital Prog. Management	Subways
Law	Diversity/Civil Rights

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

**PURPOSE:**

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

**DISCUSSION:**

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

Procurements Requiring Two-Thirds Vote:

	<u># of Actions</u>	<u>\$ Amount</u>
Schedule A: Noncompetitive Purchases and Public Work Contracts	1	\$ 9.0 M
• Cubic Transportation Systems		\$ 9.0 M

Schedules Requiring Majority Vote:

Schedule H: Modifications to Personal/Miscellaneous Service Contracts	1	\$ 2.4 M
• Boyce Technologies, Inc.		\$ 2.4 M

SUBTOTAL 2 \$ 11.4 M

MTA Capital Construction proposes to award Noncompetitive procurements in the following categories: NONE

MTA Bus Company proposes to award Noncompetitive procurements in the following categories: NONE

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

<u>Procurements Requiring Two-Thirds Vote:</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule B:	Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)	1	\$ TBD M
Schedule C:	Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	6	\$ 30.0 M
<u>Schedules Requiring Majority Vote:</u>			
Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	4	\$ 31.4 M
SUBTOTAL		11	\$ 61.4 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:**

Schedules Requiring Majority Vote:

Schedule K:	Ratification of Completed Procurement Actions	1	\$ 1.3 M
SUBTOTAL		1	\$ 1.3 M

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

Schedules Requiring Majority Vote:

Schedule K:	Ratification of Completed Procurement Actions	5	\$ 22.6 M
SUBTOTAL		5	\$ 22.6 M
TOTAL		19	\$ 96.7 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 noncompetitive 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 noncompetitive 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.

**JULY 2016**

**LIST OF NONCOMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Two-Thirds Vote:**

**A. Noncompetitive Purchases and Public Work Contracts**

(Staff Summaries required for all items greater than: \$100K Sole Source; \$250K Other Noncompetitive.) Note – in the following solicitations, NYC Transit attempted to secure a price reduction. No other substantive negotiations were held except as indicated for individual solicitations.

- |   |                           |                                      |
|---|---------------------------|--------------------------------------|
| 1. <b>Cubic Transportation Systems, Inc.</b><br><b>Sole Source – Three-year omnibus</b> | <b>\$9,000,000 (Est.)</b> | <b><u>Staff Summary Attached</u></b> |
| Purchase of inventory replacement parts for the Automated Fare Collection System.       |                           |                                      |

**Procurements Requiring Majority Vote:**

**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.)

- |   |                           |                                      |
|---|---------------------------|--------------------------------------|
| 2. <b>Boyce Technologies, Inc.</b><br><b>Contract# 07C9666A.8</b>   | <b>\$2,395,696 (Est.)</b> | <b><u>Staff Summary Attached</u></b> |
| Modification to the contract to provide maintenance of the Emergency Booth Communication System (EBCS) computer hardware and software at the Rail Control Center, related work in station booths, removal, relocation and installation of EBCS components to support the Station Rehabilitation Program and enhancements to the Mass Call System, in order to extend the contract term. |                           |                                      |

Item Number: 1

<b>Vendor Name (Location)</b> Cubic Transportation Systems, Inc. (New York, New York)	<b>Contract Number</b> NONE	<b>Renewal?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Description</b> Purchase of inventory replacement parts used for the Automated Fare-Collection System	<b>Total Amount:</b> \$9,000,000 (Est.)	
<b>Contract Term (including Options, if any)</b> August 1, 2016 – July 31, 2019	<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Department of Materiel, Stephen M. Plochochi	
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive		
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Omnibus Sole-Source Approval		

**Discussion:**

This is an omnibus approval request for items identified as obtainable only from Cubic Transportation Systems, Inc. ("Cubic"), and will eliminate the need to advertise and prepare individual procurement staff summaries for Board approval for each procurement over the small purchase threshold. NYC Transit is not obligated to generate any purchase orders pursuant to an omnibus approval. Any purchases made under this approval will be made pursuant to paragraph 9(b) of Public Authorities Law Section 1209, which allows for purchases of items that are available from only a single responsible source to be conducted without competitive bidding.

There are approximately 1,616 items covered by this approval for the purchase of replacement parts used for the Automated Fare-Collection System ("AFC"). These items are identified as obtainable only from Cubic for the following reasons: sole pre-qualified item on the Qualified Products List and not available from any distributor or other source; publicly advertised within a twelve-month period without an acceptable alternate supplier; or proprietary to Cubic. These items are advertised a minimum of once every twelve months to seek competition. A list of Cubic's sole-source replacement parts, as well as NYC Transit's intention to buy items on the list without competitive bidding, is available for download from the NYC Transit website at any time by any prospective vendor. These sole-source replacement parts will be used by the Electronic Maintenance Division ("EMD") and Division of Revenue Control ("RC") to repair AFC equipment no longer covered under the original Cubic installation warranty. This approval also includes replacement parts to maintain and repair turnstiles, token booth equipment, MetroCard readers, integrated farebox units, high production encoders, and all related equipment.

The existing Cubic Omnibus approval for \$6,000,000 was approved by the Board in July 2014 and will expire on July 22, 2017. There is a remaining balance of \$2,527,503 of unexpended funds on the existing Omnibus approval. The balance of the existing Omnibus approval will be expended in order to satisfy awards pending approval, therefore, Board approval is being sought early. The greater-than-anticipated spend is attributed to equipment being purchased for State of Good Repair ("SOGR") which includes purchasing replacement parts such as ticket processing units, coin modules, master controller boards, and memory boards.

Procurement performed an analysis on the 35 contracts issued during the term of the existing Omnibus approval that exceeded the small purchase threshold, which represents a total contract value of \$3,472,497. Of the 35 contracts, 29 have comparative history and represent 50%, or \$1,720,346, of the total dollar value of the contracts. A comparative price analysis of 28 (an outlier was excluded) of the 29 contracts revealed an annual weighted average price increase of 1.06%, which compares favorably to an average of the relevant Producer Price Indices of 1.29%.

Separately, NYC Transit has Contract A-33778 with Cubic for computer programming and software development, furnishing and delivering AFC equipment (turnstiles, integrated farebox units, etc.), and providing engineering services for updating AFC equipment configurations. A modification to extend Contract A-33778 will be the subject of a future Board action.

Based on forecasts and projections for the upcoming SOGR, it is anticipated that EMD and RC will require approximately \$9,000,000 of sole-source replacement parts from Cubic during the term of this new omnibus approval request. Procurement believes that the amount requested will be sufficient to procure all sole-source replacement parts from Cubic for the next three-year period. Procurement, EMD and RC will continue to research alternate sources of supply wherever possible. Under this new omnibus approval, pricing for any procurement is established by requesting a quotation for each item from Cubic on an as-required basis. Each item to be purchased under this new approval will be subject to a cost and/or price analysis and determination that the price is found to be fair and reasonable.

**Item Number: 2**

<b>Vendor Name (Location)</b> Boyce Technologies, Inc. (New York, New York)
Preventive and Remedial Maintenance of the Emergency Booth Communication System
<b>Contract Term (including Options, if any)</b> January 1, 2009 – August 31, 2016
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Department of Subways, Wynton Habersham

<b>Contract Number</b> 07C9666A	<b>AWO/Mod.#:</b> 8
<b>Original Amount:</b>	\$ 3,729,516
<b>Prior Modifications:</b>	\$ 1,228,806
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 4,958,322
<b>This request:</b>	\$ 2,395,696 (Est.)
<b>% of This Request to Current Amount:</b>	48.3%
<b>% of Modifications (including This Request) to Original Amount:</b>	97.2%

**Discussion:**

This modification is to extend the contract term for four years from September 1, 2016 through August 31, 2020. This noncompetitive contract is for maintenance of the Emergency Booth Communication System (“EBCS”) computer hardware and software at the Rail Control Center and the backup Control Center; related work in station booths; and removal, relocation, and installation of EBCS components to support the Station Rehabilitation Program. The original contract work also included enhancements to the Mass Call System, which is part of the EBCS system. The EBCS is a safety sensitive system that handles emergency communications with 461 station booths.

In December 2008, the Board approved the award of this five-year (January 1, 2009–December 31, 2013) contract to EA Technologies, Inc. (“EA”) in the amount of \$3,729,516. After award, EA experienced financial and operational issues that ultimately culminated in cessation of operations by that firm. In order to ensure continued maintenance for the EBCS system, the contract was assigned to Boyce Technologies, Inc. (“Boyce”), effective June 1, 2013. Boyce agreed to the assignment of the contract at the existing rates, terms, and conditions.

Following the assignment, the contract was extended in order to continue maintenance of this critical system with no increase in the original contract rates. This four-year modification will provide support for the EBCS until its scheduled retirement in 2020, and will allow sufficient time for development of the replacement system. An RFP authorizing resolution for a contract to replace the EBCS system is included in this month’s Procurement Agenda. The request for proposals for the replacement system will be solicited later this year.

EA developed the EBCS system. Boyce employs former project personnel of EA who are experts in the work involved in EBCS maintenance. Further, the individuals who maintain EBCS under Boyce were closely involved with the development of EBCS, a complex system that utilizes intricate software. Due to its in-depth knowledge and experience maintaining the system, Boyce is the only firm with the expertise to provide this service.

The annual price for this modification has not increased since 2012. The rates have been found to be fair and reasonable.

**JULY 2016**

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Two-Thirds Vote:**

**B. Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)**

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

- |    |                                    |                              |                                      |
|----|------------------------------------|------------------------------|--------------------------------------|
| 1. | <b>Contractor To Be Determined</b> | <b>Cost To Be Determined</b> | <b><u>Staff Summary Attached</u></b> |
|    | <b>Thirty-two month contract</b>   |                              |                                      |
|    | <b>Contract# A-37628</b>           |                              |                                      |

RFP Authorizing Resolution for the Sandy Resiliency: Upgrade Emergency Booth Communication System (EBCS).

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

(Staff Summaries required for items requiring Board approval.)

- |   |                                 |                                      |
|---|---------------------------------|--------------------------------------|
| ETS Contracting, Inc.                         | <b>\$30 Million (Aggregate)</b> | <b><u>Staff Summary Attached</u></b> |
| PAL Environmental Services                    |                                 | ↓                                    |
| Pinnacle Environmental Corp.                  |                                 | ↓                                    |
| <b>Seven Proposals – Three-year contracts</b> |                                 |                                      |
- 2–7. **Contract#’s: C-31693, C-31694 and C-31695 (Federally Funded)**  
**Contract#’s: C-31696, C-31697 and C-31698 (State Funded)**

Indefinite quantity contracts for Asbestos Abatement and Other Environmental Remediation Services.

**JULY 2016**

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Majority Vote:**

**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.)

**8. Medical Transportation Management      \$26,950,945 (Est.)**

**Staff Summary Attached**

**9. Corporate Transportation Group  
RFP# 20733.1 & 2**



Modification to the contract for Broker Car Services for the Paratransit Division, in order to exercise the option to extend the contract terms.

**10. International Business Machines      \$3,489,402  
Corp. (IBM)  
Contract # 03A8602-1.118**

**Staff Summary Attached**

Modification to the contract to Provide Data Center IT Support Services, in order to provide consultant services in support of NYC Transit's Unified Timekeeping System.

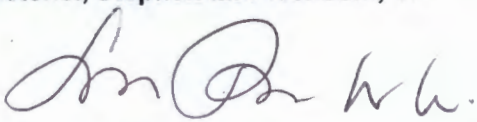
**11. Parsons Brinckerhoff, Inc.      \$1,000,000  
Contract # CM-1050.2**

**Staff Summary Attached**

Modification to the contract for the Indefinite Quantity Functional Planning and Conceptual Engineering Services for Miscellaneous Capital Projects, in order to add funding.

# Staff Summary



<b>Item Number</b> 1			
<b>Department, Department Head Name:</b> Materiel, Stephen M. Plochochi, VP			
			
<b>Internal Approvals</b>			
<b>Order</b>	<b>Approval</b>	<b>Date</b>	<b>Approval</b>
1	Materiel	6	President
2 X	Law	7	
3 X	Budget	8	
4 X	Subways	9	
5	EVP (ACTING)	10	

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> RFP Authorizing Resolution	<b>Contract No.</b> A-37628
<b>Description</b> Sandy Resiliency: Upgrade Emergency Booth Communication System	
<b>Total Amount</b> TBD	
<b>Contract Term (including Options, if any)</b> 32 months	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

## PURPOSE:

To request that the Board adopt a resolution declaring that competitive bidding is impractical or inappropriate, and that, pursuant to Subdivision 9(f) of Section 1209 of the Public Authorities Law, it is in the public interest to issue a competitive Request for Proposal ("RFP") for the Sandy Resiliency: Upgrade Emergency Booth Communication System with Mass Call functionality ("EBCS"). This project will be managed by NYC Transit's Department of Capital Program Management ("CPM").

## DISCUSSION:

The EBCS is an emergency safety framework used by station agents to notify the Rail Control Center ("RCC") of emergency and safety-related incidents. It is based on technology that needs to be replaced to meet the needs of NYC Transit and its users. The existing architecture employs analog call transmissions for Mass Call announcements that are issued from the RCC to station agents. The analog system has protracted call set-up times, which affects the speed of communications between the RCC and a preset number of booths.

This project is federally funded under Superstorm Sandy Resiliency Funding. The purpose of the EBCS upgrade is to modernize the communication systems between the RCC and the station agents, by upgrading from the use of analog call transmissions technology to a digital technology, which will improve communication effectiveness. Upon completion, the enhanced EBCS will be integrated in a unified platform along with other communication systems such as the Help Point and Customer Assistance Intercom. This integration will provide a better response for customers and station agents. The successful delivery of the enhanced systems will provide improved service, a better management of the emergency communication systems, including consolidating steps in emergency call logging and reporting procedures through report generation and customization, and will allow for simpler and automatic diagnostics, testing and maintenance.

Utilizing the RFP process will allow NYC Transit to evaluate alternatives as well as take into account proposals that can possibly shorten the project duration, and introduce innovations. Compliance with the enhanced EBCS and Mass Call System specifications as well as project schedule will be important requirements. Proposers will also be required to provide prices for an optional maintenance agreement (hardware and software) to cover the useful life of the system.

Given the complex nature of this project, it is in the best interest of NYC Transit to be able to consider factors such as technical expertise and alternative approaches to the work as well as past performance and experience on similar projects in addition to cost in order to determine which proposal offers the best overall value. In addition, unlike a bid, the RFP process will allow NYC Transit flexibility to negotiate alternative contract terms and conditions that could potentially result in a lower overall cost for the project while still achieving NYC Transit's requirements.

## **ALTERNATIVES:**

The use of a sealed bid process in which factors other than cost cannot be considered is not recommended as it does not provide the best flexibility in assessing the alternative means towards accomplishing this complex project. An RFP is a better means to evaluate different technical approaches and to enable the best consideration of alternative proposals. A negotiated procurement in the context of a complex project would better serve the public interest and offer NYC Transit the best overall value.

## **IMPACT ON FUNDING:**

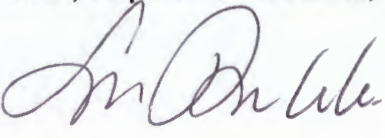
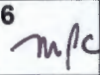

This project is federally funded under Superstorm Sandy Resiliency Funding.

## **RECOMMENDATION:**

That the Board adopt a resolution declaring that competitive bidding is impractical or inappropriate, and that, pursuant to Subdivision 9(f) of Section 1209 of the Public Authorities Law, it is in the public interest to issue a competitive Request for Proposal for the Sandy Resiliency: Upgrade Emergency Booth Communication System with Mass Call functionality ("EBCS").

# Staff Summary



Item Number 2-7			
Department, Department Head Name Materiel, Stephen M. Plochochi, VP 			
Internal Approvals			
Order	Approval	Date	Approval
1	Materiel	6	EVP (ACTING)  1/15/16
2 X	Law	7	President 
3 X	Budget	8	
4 X	DDCR	9	
5 X	CPM	10	

<b>SUMMARY INFORMATION</b>	
<b>Vendor Names</b> ETS Contracting, Inc. PAL Environmental Services. Pinnacle Environmental Corp	<b>Contract Nos.</b> C-31693/94/95 C-31696/97/98
<b>Description</b> Indefinite Quantity Asbestos Abatement and Other Environmental Remediation Services	
<b>Total Amount</b> \$30 million (Aggregate)	
<b>Contract Term (including Options, if any)</b> Three years	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

## PURPOSE:

To obtain approval of the Board to award six Indefinite Quantity ("IQ") contracts to three contractors to perform Asbestos Abatement and Other Environmental Remediation Services at various NYC Transit facilities. Two contracts will be awarded to each firm, one federally funded and one state funded, within a total estimated aggregate budget of \$30 million over a three-year duration. These will be zero dollar based contracts with no minimum guarantee of any assignments. The three firms and their respective contracts are:

### Contractors

1. ETS Contracting, Inc. ("ETS")
2. PAL Environmental Services ("PAL")
3. Pinnacle Environmental Corp. ("Pinnacle")

### Contract Nos.

- C-31693 (Federal) / C-31696 (State)  
C-31694 (Federal) / C-31697 (State)  
C-31695 (Federal) / C-31698 (State)

## DISCUSSION:

NYC Transit is seeking to award up to six IQ contracts for asbestos abatement, lead disturbance, battery removal, mercury-containing bulb removal, PCB-containing fluorescent light fixture ballast removal, and other environmental remediation services. Asbestos and other hazardous contamination in NYC Transit facilities represent a risk to the health and safety of the general public as well as NYC Transit employees. In order to minimize that risk, Capital Program Management ("CPM") has had qualified contractors on call for abatement and disposal of asbestos and other hazards when found at NYC Transit sites.

In the past, the federally and state-funded Request for Proposals ("RFP") were solicited separately and up to six different contractors could be retained. However, by now combining the requirements into one solicitation, three contractors will be retained that can perform all services. This will provide for a more efficient task order management and issuance process. Three contracts will be federally funded and three state-funded. The federal contracts will also support Superstorm Sandy-Related Repair and Resiliency Projects. Work orders under these IQ contracts will be managed by CPM and Procurement and assigned on the basis of price, contractor staff availability at the time of assignment and performance on current and prior work orders. The cost of each work order will be based on the unit prices established in the respective contracts. These contracts will replace six previous contracts issued for these services.

In May 2015, the Board approved an Authorizing Resolution to issue a RFP. Past experience has shown that it takes significantly longer to find qualified asbestos abatement contractors through the bidding process due to the number of firms that fail to meet NYC Transit's requirements.

To avoid this delay, the Board has approved award of asbestos abatement contracts through the competitive RFP process for many years. By issuing an RFP, NYC Transit will be able to ensure that only responsible and qualified proposers are considered for contract award. In response to the RFP, seven firms submitted technical and cost proposals: Coastal Environmental Group (“Coastal”); ETS; Gem Quality Corporation (“Gem”); Indian Arrow Industries Co; PAL; Pinnacle; and Trio Asbestos Abatement (“TRIO”). The Selection Committee (“SC”) reviewed the technical proposals based on the established criteria, including overall asbestos abatement and environmental remediation experience with NYC Transit and other agencies, business experience and stability, past performance, qualifications and availability of proposed personnel and overall approach to the work. As a result of the review of the technical proposals, five firms, Coastal, ETS, PAL, Pinnacle, and TRIO were invited for oral presentations. Gem and IAI lacked sufficient environmental experience. After oral presentations, four of the five firms (ETS, PAL, Pinnacle, and TRIO) were recommended for negotiations based on their technical qualifications, extensive relevant experience, understanding of the scope requirements, quality of their technical proposals, oral presentations, and demonstrated overall understanding of the required services. Coastal was not selected for negotiations mainly due to performance issues on prior NYC Transit contracts.

Initial cost proposals were based on estimated quantities of various tasks/materials and received as follows: ETS – \$3,926,985, PAL – \$4,666,560, Pinnacle – \$5,247,680, Trio – \$5,589,440. NYC Transit’s in-house estimate is \$4,991,292 per contract. Negotiations were held with the four selected firms, focusing on unit prices and total cost. Cost proposals were also evaluated based on a comparison with previous contracts, the Bureau of Labor Statistics Employment Index for waste management and remediation services, and the current market for these services. NYC Transit’s estimated quantities were based on workload projections and are for evaluation purposes only.

Best and Final Offers (“BAFO”) were received as follows: ETS – \$3,910,160; PAL – \$4,558,785; Pinnacle – \$4,357,585, TRIO – \$4,490,315. The overall escalation in pricing from the old contract to the new for like items is approximately 2.4% per year. Although TRIO’s BAFO was lower than PAL’s, the SC chose PAL for the award. The SC’s decision was based on the fact that of the two firms, PAL’s technical expertise was preferable. Therefore, the slight difference in price between TRIO and PAL did not justify awarding TRIO the contract. Since all BAFOs are deemed to be fair and reasonable based on the competitive nature of the RFP and comparison to the in-house estimate, the SC focused on the other evaluation criteria to arrive at their subsequent recommendation of ETS, PAL, and Pinnacle for award. These three firms have extensive satisfactory work performance at NYC Transit.

Background investigations and materials submitted by these firms disclosed no Significant Adverse Information (“SAI”) within the meaning of the All-Agency Responsibility Guidelines. These contractors have been found fully responsible for award.

#### **M/W/DBE INFORMATION:**

The Department of Diversity and Civil Rights (“DDCR”) has established a goal of 10% DBE for the federal contracts. Goals of 4% MBE and 4% WBE were established for the State contracts. DDCR has approved the M/W/DBE Utilization Plans for all three recommended contractors. ETS and PAL have achieved their M/W/DBE goals on previous completed MTA Contracts. Pinnacle has two contracts with MTA, one contract had no goals assigned and the other contract is currently active; therefore, no assessment of the firm’s M/W/DBE performance can be determined at this time.

#### **IMPACT ON FUNDING:**

These contracts will be funded with both federal and MTA funds on a task order basis by the individual capital project requiring these services. Task orders will not be issued until an approved War Certificate is received.

#### **ALTERNATIVES:**

Perform the work using in-house personnel. Currently, NYC Transit lacks available in-house personnel to perform this work.

#### **CAPITAL PROGRAM REPORTING:**

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

#### **RECOMMENDATION:**

That the Board approve the award of six IQ contracts to perform Asbestos Abatement and Other Environmental Remediation Services at various NYC Transit facilities to ETS, PAL, and Pinnacle within a total estimated aggregate budget of \$30 million over a three-year contract duration.

# Schedule H: Modifications to Personal Service & Miscellaneous Contracts

**Item Number: 8-9**

<b>Vendor Name (Location)</b> Corporate Transportation Group, Ltd. (Brooklyn, New York) Medical Transportation Management, Inc. (Lake Saint Louis, Missouri)		<b>Contract Number</b> RFP 20733 RFP 20733	<b>AWO/Mod. #</b> 1 (CTG) 2 (MTM)
<b>Description</b> Broker-based Car Services for Paratransit		<b>Original Amount:</b> \$ 179,074,760	
<b>Contract Term (including Options, if any)</b> September 1, 2013 – August 31, 2016 (CTG) November 20, 2013 – November 19, 2016 (MTM)		<b>Prior Modifications:</b> \$ 0	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a		<b>Prior Budgetary Increases:</b> \$ 7,516,373	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		<b>Current Amount:</b> \$ 186,591,133	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification		<b>This Request:</b> \$ 26,950,945 (Est.)	
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		<b>% of This Request to Current Amount:</b> 14.5%	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Department of Buses, Darryl C. Irick		<b>% of Modifications (including This Request) to Original Amount:</b> 19.3%	

## Discussion:

This modification will exercise the option to extend two contract terms under Contract RFP 20733 with Corporate Transportation Group Ltd. (“CTG”), from September 1, 2016 to August 31, 2018, and Medical Transportation Management Inc. (“MTM”), from November 20, 2016 to November 19, 2018, to continue broker-based car services for Paratransit’s Access-A-Ride (“AAR”) customers.

Following the competitive solicitation of Request for Proposal (“RFP”) 20733 for broker-based car services, the Board approved the award of two miscellaneous service, estimated-quantity contracts in July 2013—both with three-year terms and an option to extend the terms for up to two additional years. NYC Transit awarded these contracts in August 2013 to MTM for an estimated \$106.2 million and CTG for an estimated \$72.8 million. The Broker model utilizes a contractor to schedule and dispatch prearranged trips for Paratransit’s ambulatory passengers (persons who do not require a wheelchair or a lift) through a non-dedicated subcontractor network of livery and black car service providers. The use of non-dedicated AAR service provides a cost benefit to NYC Transit in that service providers use their own vehicles to perform AAR trips in concert with their normal commercial business. As a result, Paratransit does not bear the direct responsibility for maintenance of the vehicles and other operating costs, as is the case with the dedicated Primary Carrier service for Paratransit. Historically, broker pricing for ambulatory trips has been on average 47% lower than the Primary Carrier service, with average per-trip pricing of \$30 and \$57, respectively.

NYC Transit structured RFP 20733 to make multiple awards in order to provide and expand broker-based car services and cultivate competition for future procurements. As a split award, MTM received 60% of the total estimated broker-trip volume at a weighted average cost per trip (“WACPT”) of \$29.62 and CTG received 40% of the total estimated broker-trip volume at a WACPT of \$30.49. It should be noted that CTG was the incumbent for this contract. In January 2011, NYC Transit awarded a pilot contract to CTG to test and evaluate whether the Broker model could provide the vehicle capacity to perform a high volume of ambulatory AAR trips. The pilot contract was considered successful in that it supplemented the Primary Carrier service with additional capacity, achieved significant cost savings for Paratransit, and established a basis for long-term broker contracts.

At the start of these new broker contracts, MTM experienced extended challenges in securing a sizable network of service providers to address the higher percentage of the broker-trip volume. This necessitated a greater number of trips being assigned to CTG than originally anticipated and resulted in a funding shortfall in CTG’s contract. In May 2016, the Board approved a budget adjustment in the estimated amount of \$7.5 million to cover the funding shortfall and estimated costs for the projected increase in CTG’s trip volume through the end of its base term, August 31, 2016.

It should be noted that these broker contracts contemplate the use of wheelchair-accessible vehicles to service non-ambulatory passengers (persons requiring a wheelchair or a lift). As such, since February 2016, Paratransit has utilized MTM to perform non-ambulatory trips under Modification No. 1. This has allowed Paratransit to supplement non-ambulatory trips under the Broker model to meet capacity needs and test the concept of whether the Broker model could sustain additional trip capacity.

During the option period, Paratransit will roll out a pilot initiative with both CTG and MTM to continue testing, evaluating, and streamlining the use of the Broker model to service non-ambulatory passengers. This expansion of the Broker model will establish an alternative mode of transportation that provides additional vehicle capacity for non-ambulatory AAR trips at a lower cost. An analysis of non-ambulatory trip pricing from CTG and MTM determined that the WACPT for a broker-based non-ambulatory trip is approximately \$49.50, which is 13.2% lower than the cost for Primary Carrier service. If this pilot is considered successful, the renewal RFP for broker-based car services will include both ambulatory and non-ambulatory AAR trips. Procurement intends to solicit the renewal RFP in early 2017.

Procurement conducted a market survey to determine if the negotiated rates for ambulatory trips for these broker contracts were still advantageous to NYC Transit, as the rates were fixed for the base term and option period. The range of pricing from the market survey determined that the WACPT rates for CTG and MTM are approximately 10% to 95% lower than the average market trip rates received from companies participating in the survey. Pricing for ambulatory trips will remain as specified in the price schedule for the option period. The Cost/Price Analysis Unit found the current contractual rates for ambulatory trips and pricing for broker-based non-ambulatory trips to be fair and reasonable.

The estimated expenditure for exercising this option is \$114.7 million, with the anticipated allocations between CTG and MTM to be \$89.1 million and \$25.6 million, respectively. As the base contracts did not utilize all available funding, approximately \$87.8 million will remain at the end of the base contract terms. Therefore, an additional \$26.9 million is required to cover costs for the option period. Savings achieved to date and projected through the end of the base terms for these broker contracts is an estimated \$124.2 million, as compared to the cost of Primary Carrier service. The approval of this modification will yield an additional \$92.2 million (estimated) in savings through the end of the option period.

**Item Number: 10**

<b>Vendor Name (Location)</b> International Business Machines Corp. (Albany, NY)	
Data Center IT Support Services	
<b>Contract Term (including Options, if any)</b> February 1, 2005 – May 31, 2018	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> MTA-IT, Sidney Gellineau	

<b>Contract Number</b> 03A8602-1	<b>ASWO/Mod.#:</b> 118
<b>Original Amount:</b>	\$ 65,228,757
<b>Option Amount:</b>	\$ 35,711,692
<b>Total Amount:</b>	\$ 100,940,449
<b>Prior Modifications:</b>	\$ 82,043,134
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 182,983,583
<b>This request:</b>	\$ 3,489,402
<b>% of This Request to Current Amount:</b>	1.9%
<b>% of Modifications (including This Request) to Total Amount:</b>	84.7%

**Discussion:**

This modification is to obtain 17 software application development consultants to perform work on NYC Transit's Unified Timekeeping System ("UTS"). This contract is for Data Center IT services that include mainframe and midrange server processing for all MTA agencies. The base contract was awarded with labor rates for various software developer titles in order to enable the agency to quickly mobilize resources for critical software development projects such as this one.

In February 2005, the Board approved the award of the base contract to IBM for a term of five years in the estimated amount of \$65,228,757. The contract included a two-year option. In March 2010, the Board approved the exercise of the two-year option in modified form including a one-year contract extension in the amount of \$35,711,692 for a total of three years from June 1, 2010 to May 31, 2013. In March 2013, the Board approved another contract extension which included, among other things, the migration of IBM's Staten Island Data Center ("SIDC") to NYC Transit Data Center locations at 2 Broadway and 130 Livingston Street, replacement of the mainframe, a new automated tape library, and a new virtual tape server in the amount of \$68,821,119 for a period of five years from June 1, 2013 to May 31, 2018. The five-year extension was necessary because a scope of work for a replacement contract could not be completed until (1) the technical approach for the New Fare Payment System was established, and (2) the impact of the SIDC migration and data center consolidation on the scope of work for the replacement contract could be assessed. In addition, vendor stability was necessary for a period after the migration of the SIDC to NYC Transit Data Center locations.

This modification was requested by MTA-IT for IBM to provide consultant software application developers to support NYC Transit's UTS. NYC Transit's UTS IT support unit has a severe issue with staffing, resulting in a significant backlog of software maintenance requests. UTS is a mission-critical application that is necessary to ensure that approximately 30,000 hourly employees are paid correctly and on time. In order to reduce or eliminate the current backlog of UTS maintenance requests, MTA-IT requires 17 Oracle software application development consultants. Of the 17 consultants, there are 13 Oracle forms/reports application developers, two advanced application developers, and two database administrators. This modification is the most expeditious way to obtain the necessary software developers, and has been structured as a drawdown that will allow the 17 consultants to be utilized for approximately one year.

The fully loaded weighted average hourly rate for this modification is 21% less than rates available through New York State Office of General Services contracts and 9% less than rates available through Federal GSA contracts. The price has been found to be fair and reasonable.

**Item Number: 11**

<b>Vendor Name (Location)</b> Parsons Brinckerhoff, Inc. (New York, New York)	
<b>Description</b> Indefinite Quantity Functional Planning and Conceptual Engineering Support for Miscellaneous Capital Projects	
<b>Contract Term (including Options, if any)</b> March 20, 2013 – March 19, 2017	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Capital Planning and Budget, Robert Cumella	

Contract Number	AWO/Mod. #
CM-1050	2
<b>Original Amount:</b>	\$ 2,000,000
<b>Option Amount:</b>	\$ 1,000,000
<b>Total Amount:</b>	\$ 3,000,000
<b>Prior Modifications:</b>	\$ 0
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 3,000,000
<b>This Request:</b>	\$ 1,000,000 (NTE)
<b>% of This Request to Current Amount:</b>	33.4%
<b>% of Modifications (including This Request) to Total Amount:</b>	33.4%

**Discussion:**

This modification will add funding to the contract for the performance of additional functional planning and conceptual engineering studies to support in-house staff in the planning and development of miscellaneous capital projects. There is no change to the contract duration.

Functional Planning and Conceptual Engineering provide the building blocks and information necessary to guide NYC Transit on how to approach its projects in evaluating its technical, time, and budgetary choices by addressing the following areas: transportation planning; industrial engineering; facilities planning and design; transit operations planning and analysis; feasibility studies; design studies; conceptual scopes of work; alternative analysis, cost benefit analysis, and preliminary cost estimates. The work is awarded and performed “as needed” by Task Order.

On March 20, 2013, NYC Transit awarded this Board-approved, competitively solicited consultant contract, CM-1050, to Parsons Brinckerhoff, Inc. (“PB”) for a not-to-exceed (“NTE”) amount of \$2 million with a contract duration of 36 months and an option for an additional 12 months in the amount of \$1 million. This option was exercised and extended the term to March 19, 2017 and increased the total contract amount to \$3 million.

Under this modification, PB will continue to provide planning services and studies as requested by NYC Transit. The Office of Capital Planning and Budget is requesting an increase to the budget of the current Indefinite Quantity contract by an additional \$1 million. Additional funding is required due to greater than anticipated requests for various studies, predominantly in the following areas: transit operations and Americans with Disabilities Act planning and feasibility studies, facilities planning and design, structural reconfiguration, and passenger circulation studies to improve access and flow. Nine task orders have been awarded to date with an approximate aggregate value of \$2.9 million.

Current contract rates shall be maintained throughout the remainder of the contract term. Procurement has determined that the current average hourly rates in the contract are competitive and the NTE amount of \$1 million is fair and reasonable.

**JULY 2016**

**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.)

- |  |                    |                                      |
|--|--------------------|--------------------------------------|
| <b>1. Judlau Contracting, Inc.</b>   | <b>\$1,295,297</b> | <b><u>Staff Summary Attached</u></b> |
| <b>Contract# A-37593.36</b>  |                    |                                      |
| Modification to the contract for South Ferry Terminal Complex Rehabilitation, in order to repair two station escalators. |                    |                                      |

**Item Number: 1**

<b>Vendor Name (Location)</b> Judlau Contracting, Inc. (Flushing, New York)	
<b>Description</b> South Ferry Terminal Complex Rehabilitation	
<b>Contract Term (including Options, if any)</b> November 26, 2014 – June 26, 2017	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Capital Program Management, John O'Grady	

<b>Contract Number</b> A-37593	<b>AWO/Mod. #</b> 36
<b>Original Amount:</b>	\$ 193,800,000
<b>Prior Modifications:</b>	\$ 2,468,544
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 196,268,544
<b>This Request:</b>	\$ 1,295,297
<b>% of This Request to Current Amount:</b>	0.6%
<b>% of Modifications (including This Request) to Original Amount:</b>	1.9%

**Discussion:**

This retroactive modification is for the major refurbishment of two escalators located at Entrance No. 1 of the South Ferry Terminal Complex ("SFTC"). The SFTC sustained severe saltwater damage as a result of Superstorm Sandy.

The work performed under this contract consists of (1) architectural finishes, civil work, structural steel work, (2) HVAC work, new ventilation system installation, new pumping equipment, (3) major refurbishing of two elevators and five escalators, minimal repairs of two other escalators, (4) installation of new electrical equipment, (5) installing communications and fiber optic equipment, (6) fire protection, (7) new traction power system, signal work, track work, and (8) leak mitigation, grouting, and surface coating. The contract also calls for miscellaneous electrical work at two circuit breaker houses and one ventilation plant.

The contract calls for major refurbishment of five escalators located within the complex, and minimal repairs for two escalators located at Entrance No.1. The minimal repairs for these two escalators required installing new escalator handrails and relocating escalator stanchions. These escalators provide access from the street level to the concourse level of the SFTC.

As a result of concerns expressed by Department of Subways ("Subways") regarding deteriorating escalator performance at Entrance No. 1, in July 2015, a survey was conducted by NYC Transit and Judlau Contracting, Inc. ("Judlau") to determine the full extent of damage to the escalators. The survey revealed extensive corrosion and deterioration on all conduits, safety switches, sprinkler system components, steps, and the emergency brake system. Accordingly, a scope for a more extensive refurbishment of these two escalators was developed.

On December 17, 2015, a Request for Proposal was issued to fully refurbish these two escalators under this modification. The work required includes the installation of new equipment and the overhauling of existing equipment for the escalators. New equipment includes emergency brakes, main drive chains, handrail drive trains, emergency stop switches, rigid galvanized steel conduit wiring, guide rollers, tension rollers, and a new control panel.

The SVP approved a retroactive memo on January 8, 2016. The contractor was directed to proceed. A separate modification for the procurement of long lead items, valued at \$348,499, was issued to minimize impact to the contract schedule. Judlau submitted a final proposal of \$1,355,646. NYC Transit's estimate was \$1,297,936. Negotiations resulted in the agreed-upon lump-sum price of \$1,295,297. Savings of \$60,349 were achieved. The negotiated price was found to be fair and reasonable.

**JULY 2016**

**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. | <b>AECOM*Arup, JV</b><br><b>Contract# CM-1188.116</b>  | <b>\$8,934,202 (NTE)</b> | <u>Staff Summary Attached</u>                |
|    | Modification to the contract for Preliminary and Final Engineering Services for the Second Avenue Subway Project, in order to provide additional consultant support and to extend the contract term.   |                          |  |
| 2. | <b>Hill International, Inc.</b><br><b>LiRo Engineering, Inc.</b><br><b>Henningson, Durham &amp; Richardson</b><br><b>Architecture and Engineering, P.C. JV</b><br><b>Contract# CM-1311.16</b>  | <b>\$4,263,765</b>       | <u>Staff Summary Attached</u><br>↓<br>↓<br>↓ |
|    | Modification to the contract for Consultant Construction Management Services for the No. 7 (Flushing) Subway Line Extension Project, in order to extend the term of the contract and provide additional Consultant Construction Management services. |                          |  |
| 3. | <b>Parsons Brinckerhoff, Inc.</b><br><b>Contract# CM-1189R.36</b>  | <b>\$1,850,555</b>       | <u>Staff Summary Attached</u>                |
|    | Modification to the contract for Engineering Design Services for the No. 7 (Flushing) Subway Line Extension Project, in order to extend the term of the contract.  |                          |  |
| 4. | <b>John P. Picone, Inc.</b><br><b>Contract# C-26512.20</b>   | <b>\$4,050,000</b>       | <u>Staff Summary Attached</u>                |
|    | Modification to the contract for the construction of a Station Entrance at Site P, No. 7 (Flushing) Subway Line Extension Project, in order to construct a groundwater discharge line.   |                          |  |
| 5. | <b>Judlau Contracting, Inc.</b><br><b>Contract# C-26011.23</b>   | <b>\$3,535,000</b>       | <u>Staff Summary Attached</u>                |
|    | Modification to the contract for the construction of the Second Avenue Subway – 72nd Street Station Finishes, in order to implement changes to the construction of the architectural, mechanical, electrical and plumbing at Entrance 1.             |                          |  |

## Item Number: 1

<b>Vendor Name, Location</b> AECOM*ARUP, Joint Venture (New York, New York)		<b>Contract Number</b> CM-1188	<b>AWO/Mod. #:</b> 116
<b>Description</b>  Preliminary and Final Engineering Services for the Second Avenue Subway Project		<b>Original Amount:</b> \$ 200,478,227 <b>Option Amount:</b> \$ 137,061,887 <b>Total Amount:</b> \$ 337,540,114	
<b>Contract Term (including Options, if any)</b> December 20, 2001 – December 31, 2016		<b>Prior Modifications:</b> \$ 100,885,944	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a		<b>Prior Budgetary Increases:</b> \$ 0	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		<b>Current Amount:</b> \$ 438,426,058	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification		<b>This Request:</b> \$ 8,934,202 (NTE)	
<b>Funding Source(s)</b> <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: Local Funding		<b>% of This Request to Current Amount:</b> 2.0%	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> MTA Capital Construction, Dr. Michael Horodniceanu		<b>% of Modifications (including This Request) to Total Amount:</b> 32.5%	

**Discussion:**

This retroactive modification will add funding to the contract for the performance of Consultant Support During Construction (“CSDC”) provided by AECOM\*Arup, Joint Venture (“AAJV”) through the end of 2016. In addition, the contract duration will be extended by an additional three months from January 1, 2017 to March 31, 2017.

On November 28, 2001, the MTA Board approved the competitive award of Contract CM-1188 to AAJV to provide Preliminary Engineering for the entire Second Avenue Subway (“SAS”) corridor in the not-to-exceed amount of \$200,478,227 for a duration of 72 months with an option for the completion of Final Design and CSDC on the Phase 1 segment. Modification No. 19 exercised the option and increased the contract term by 72 months. Subsequent modifications added 36 months to the contract term.

Under this modification, AAJV will provide ongoing CSDC services resulting from the construction acceleration effort. These services include review of submittals, requests for information, waivers, nonconformance reports, information technology services to support the Construction Management System and the specialty technical services to support the NYC Transit Code Compliance team in the review of the construction work and preparing of reports to federal and state agencies.

Contract funding was exhausted on March 31, 2016 due to an increase in submittals and field requests by the SAS construction team that far exceeded the estimated amount previously forecast. The increase in submittals (5,500 more than forecast) results primarily from a series of design and construction changes due to additional Con Edison protection requirements imposed on commercial clients, operational requirements and enhanced Code Compliance support. Retroactive approval was received from the MTACC president.

AAJV submitted a cost proposal of \$10,773,194. After negotiations AAJV submitted a Best and Final Offer (“BAFO”) in the amount of \$8,934,202 which reflects a decrease of 17.1% from their original proposal and is 1.1% less than the revised MTACC estimate of \$9,036,703. The BAFO shows \$8.3 million for work in 2016 and \$600,000 for the work that will be performed in 2017. The BAFO reflects \$1,838,992 in negotiated savings from reduced labor hours and AAJV’s agreeing to maintain the 2016 contractual labor rates for the three month contract extension. Based on the above, this is considered fair and reasonable.

Item Number: 2

<b>Vendor Name (Location)</b> Hill International, Inc., LiRO Eng., Inc., and Henningson, Durham & Richardson, Architecture and Engineering, P.C., JV (New York, New York)	
<b>Description</b> Consultant Construction Management (CCM) Services for the No. 7 Line Extension Project	
<b>Contract Term (including Options, if any)</b> April 23, 2007 – December 31, 2015	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
<b>Procurement Type</b>	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
<b>Solicitation Type</b>	<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> MTA Capital Construction, Dr. Michael Horodniceau	

Contract Number	AWO/Mod. #
CM-1311	16
<b>Original Amount:</b>	\$ 35,842,302
<b>Prior Modifications:</b>	\$ 26,617,009
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 62,459,311
<b>This Request:</b>	\$ 4,263,765
<b>% of This Request to Current Amount:</b>	6.8%
<b>% of Modifications (including This Request) to Original Amount:</b>	86.2%

**Discussion:**

This retroactive modification will extend the contract term by 12 months from January 1, 2016 to December 31, 2016 to perform additional Consultant Construction Management (“CCM”) services.

This contract is for CCM services for the No. 7 Subway Line Extension (“No. 7”) project. This project is key to the development of the Hudson Yards area in Manhattan. The Hudson Yards Development Corporation (“HYDC”) and NYC Transit are the co-lead agencies for this project. This modification will be funded by HYDC.

In April 2007, the contract for CCM services was awarded to Hill International, Inc., LiRo Engineers, Inc., and Henningson Durham & Richardson Architecture and Engineering P.C., Joint Venture (“HLH7”). Under this Modification No. 16, HLH7 will continue to provide CCM services for the remaining two No. 7 construction contracts: C-26505 (Systems & Finishes) and C-26512 (Site P). Contract C-26505 achieved substantial completion in the second quarter of 2016. Site P substantial completion is planned for the third quarter 2017 with close-out activities continuing through the end of 2017. As a result of unanticipated inquiries during the testing and commissioning of various systems and system integration in advance of the opening of the station in September 2015, CCM funding was exhausted by November 1, 2015, approximately two months sooner than planned. Accordingly, retroactive approval, effective as of November 1, 2015, for a not-to-exceed amount of \$1,000,000 was approved by the MTACC President to continue CCM services pending Board approval of this modification. The Board was advised in a previous modification that a subsequent request for an extension would be forthcoming for 2016 CCM services.

A total of 22 Full Time Employees (“FTEs”) were working on CCM services as of November 30, 2015, which was reduced to 20 FTEs by December 31, 2015. By December 31, 2016, this staffing will be further reduced to 13 FTEs focusing on closing out C-26512. Accordingly, expenses for CCM services in 2016 will be reduced by approximately 40% from 2015. Although CCM services will most likely continue through 2017, this modification only covers the existing contract term extension from January 1, 2016 to December 31, 2016. A subsequent modification will be issued for 2017 CCM services when more precise staffing projections can be made.

HLH7’s initial proposal was in the amount of \$4,725,526; MTACC’s revised estimate was \$4,435,897. Negotiations with HLH7 focused on labor hours, hourly rates, and other direct costs. HLH7 submitted a Best and Final Offer (“BAFO”) in the amount of \$4,263,765. HLH7’s BAFO is \$461,761 or 9.8% lower than their initial proposal. HLH7’s BAFO of \$4,263,765 was deemed fair and reasonable and reflects an overall 8.8% decrease in contract rates from the prior modification.

Item Number: 3

<b>Vendor Name (Location)</b> Parsons Brinckerhoff, Inc. (New York, New York)
<b>Description</b> Preparation of Environmental Impact Statement, Design and Consultant Support During Construction for the No. 7 Subway Line Extension Project
<b>Contract Term (including Options, if any)</b> September 30, 2002 – June 30, 2016
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: NYC/HYDC
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> MTA Capital Construction, Dr. Michael Horodniceanu

Contract Number	AWO/Mod. #
CM-1189R	36
<b>Original Amount:</b>	\$ 40,784,046
<b>Option Amount:</b>	\$ 45,806,163
<b>Total Amount:</b>	\$ 86,590,209
<b>Prior Modifications (excluding options):</b>	\$ 87,609,762
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 174,199,971
<b>This Request:</b>	\$ 1,850,555
<b>% of This Request to Current Amount:</b>	1.1%
<b>% of Modifications (including This Request) to Total Amount:</b>	103.3%

**Discussion:**

This retroactive modification is for additional Consultant Support During Construction (“CSDC”) services on the No. 7 (Flushing) Subway Line Extension Project. The contract will also be extended an additional 18 months from July 1, 2016 to December 31, 2017.

This contract is for the preparation of a draft and final environmental impact statement (“D/FEIS”) and engineering design and CSDC services for the No. 7 Subway Line Extension (“No.7”) project. In September 2002, Parsons Brinckerhoff (“PB”) was awarded the contract for these services. This project is key to the development of the Hudson Yards area in Manhattan. The Hudson Yards Development Corporation (“HYDC”) and NYC Transit are the co-lead agencies for this project. This modification will be funded by HYDC.

Under this retroactive modification, PB will continue to provide CSDC services for the No. 7 project through close-out and will address the two remaining construction contracts: C-26505 (Systems & Finishes) and C-26512 (Site P). Contract C-26505 achieved substantial completion in the second quarter of 2016. Site P substantial completion is planned for the third quarter 2017 with close-out activities continuing through the end of 2017. As a result of project acceleration to commence revenue service in September 2015, CSDC services funding was exhausted by April 18, 2015, approximately 14 months sooner than planned. Accordingly, CSDC services have continued retroactively pending Board approval of this modification.

The additional CSDC services include: (1) interface with various State and Local governmental entities concerning the Site P canopy construction, (2) interface with MTA representatives regarding the implementation of station kiosks and wireless service in the station, (3) integration of communications and other systems, (4) as-needed design services resulting from unforeseen circumstances, and (5) assistance in the resolution of closeout activities.

PB’s initial proposal was \$2,587,696. MTACC’s revised estimate was \$1,842,963. Negotiations with PB focused on the labor required to complete the scope of work. PB submitted a Best and Final Offer (“BAFO”) in the amount of \$1,850,555. PB’s BAFO is \$737,141 or 28.5% less than their original proposal. The BAFO includes annual escalation of 2.0% beginning on January 1, 2017. There is no change to overhead and profit. This is considered fair and reasonable.

Item Number: 4

<b>Vendor Name (Location)</b> John P. Picone, Inc. (Lawrence, New York)	
<b>Description</b> Construction of Station Entrance at Site P – No.7 Line Extension	
<b>Contract Term (including Options, if any)</b> September 14, 2012 – April 13, 2016	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: HYDC	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> MTA Capital Construction, Dr. Michael Horodniceanu	

<b>Contract Number</b> C-26512	<b>AWO/Mod. #</b> 20
<b>Original Amount:</b>	\$ 83,866,000
<b>Prior Modifications:</b>	\$ 1,888,468
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 85,754,468
<b>This Request:</b>	\$ 4,050,000
<b>% of This Request to Current Amount:</b>	4.7%
<b>% of Modifications (including This Request) to Original Amount:</b>	7.1%

**Discussion:**

This retroactive modification is for the construction of a groundwater discharge line. Funding for this modification will be provided by HYDC.

This contract provides for the Construction of a Station Entrance at Site P, east of 11th Avenue between 34th and 35th streets. Work includes (1) excavation, mining, and lining of inclined tunnel, (2) furnishing and installing the civil improvements, (3) utility connections, architectural finishes, structural work, escalators, (4) heating, ventilation, and air conditioning, (5) fire protection, plumbing, electrical power and lighting, (6) instrumentation and controls, communication systems, and (7) all incidental work required for the utilization and occupancy of the Station entrance to the new 34th Street Station. The work also includes construction of the entrance canopy structures and all associated work at Sites J and P.

During the design phase of the overall Number 7 Extension project, it was anticipated that the NYC Department of Environmental Protection (“DEP”) would grant approval to discharge the groundwater from the station cavern, along with the track drainage water, into the city sewer system. The design was finalized based upon this assumption. Following the award of the Number 7 Systems and Finishes contract, DEP ultimately disapproved this plan, allowing only the track drainage water to be discharged into the city sewer system. As an alternative solution, MTACC sought, and subsequently obtained, NYS Department of Environmental Conservation approval to discharge the groundwater from the station cavern into the Hudson River.

This modification provides for the groundwater discharge line to tie into the nearby LIRR storm sewer outfall, which in turn discharges into the Hudson River. This modification includes extending the existing cavern groundwater discharge line from Site J at West 33rd Street and 11th Avenue, through the LIRR yard, and discharging into the existing storm sewer outfall that exits the LIRR yard between West 30th and West 31st streets at 12th Avenue, and empties into the Hudson River. This modification also includes maintenance of the three new track drainage pumps in the 34th Street Pump Room at Site J (installed under Systems and Finishes Contract C-26505) from the time the pumps pass acceptance testing under contract C-26505 until the discharge line work outlined above is completed. The contractor, John P. Picone, Inc., (“Picone”) will also be required to furnish and deliver three additional pumps to NYC Transit after completion of the work.

In order to mitigate potential delays to the extent possible, it was necessary to proceed with the work immediately. Approval to process this modification on a retroactive basis was obtained from the MTACC president on April 8, 2016. Picone’s proposal was \$5,108,156. MTACC’s revised estimate was \$3,799,719. Negotiations resulted in a lump sum price of \$4,050,000, which was found to be fair and reasonable. Savings of \$1,058,156 were achieved.

The impact of this modification on the project schedule is being reviewed in combination with other delays. Any resulting time extension will be addressed in a subsequent modification.

Item Number: 5

<b>Vendor Name (Location)</b> Judlau Contracting, Inc. (College Point, New York)
<b>Description</b> Second Avenue Subway – 72nd Street Station finishes; mechanical, electrical and plumbing systems, ancillary buildings and entrances
<b>Contract Term (including Options, if any)</b> February 14, 2013 – November 13, 2015
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> MTA Capital Construction, Dr. Michael Horodniceanu

<b>Contract Number</b> C-26011	<b>AWO/Mod. #</b> 23
<b>Original Amount:</b>	\$ 247,048,405
<b>Option 1:</b>	\$ 3,934,595
<b>Option 2:</b>	\$ 1,270,000
<b>Option 3:</b>	\$ 6,100,000
<b>Total Amount:</b>	\$ 258,353,000
<b>Prior Modifications:</b>	\$ 33,942,584
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 292,295,584
<b>This Request:</b>	\$ 3,535,000
<b>% of This Request to Current Amount:</b>	1.2%
<b>% of Modifications (including This Request) to Total Amount:</b>	14.5%

**Discussion:**

This retroactive modification is for additional labor, materials, and equipment associated with the construction of the Second Avenue Subway 72nd Street Station's Alternative Entrance 1 Design (street entrance) finishes.

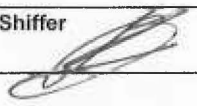
This contract work, awarded to Judlau Contracting, Inc. ("Judlau"), involves (1) the installation of mechanical systems including HVAC in the station and ancillary facilities, (2) tunnel ventilation systems in the adjacent tunnels, (3) electrical medium voltage and 120V systems, (4) plumbing for track, sanitary, and storm drainage, hot and cold water supply, pump systems, and fire suppression, (5) escalators and elevators in the station entrances, (6) construction of the station platform and mezzanine levels, ancillary facilities, and entrances, (7) construction of interior walls and rooms; architectural finishes including floors, ceilings, wall treatments, signage, stairs, handrails, guardrails, and station elements including the Station Service Center and Concession Booth, (8) building exteriors including walls, roofing, glass storefronts, and canopies at station entrances and ancillary facilities, and (9) restoration of Second Avenue and adjacent streets impacted by construction.

Entrance 1 of the 72nd Street station was originally intended to occupy part of an East 69th Street building. The excavation and structural shell work for this entrance was originally included in Cavern Excavation Contract C-26007. To avoid risks in relocating utilities in and around the East 69th Street building, mitigate delays in the contract's completion, and facilitate the necessary construction and maintenance agreements with the building owners, work involving Entrance 1 was transferred to this contract, C-26011. Subsequent to the award of Contract C-26011, and as a result of the continuing effort to mitigate risk, the configuration of Entrance 1 was revised from a building entrance to a sidewalk entrance that included a street bump-out structure. Several AWOs were initiated to implement the Alternative Entrance 1 construction. Work under this modification includes (1) changes to the architectural, mechanical, and plumbing configuration of Entrance 1 from within the footprint of the mix-use high-rise building located at East 69th Street to the street bump-out on Second Avenue, (2) granite flooring and cladding inside and out, (3) two glass and steel canopies over the double entrance, (4) ceiling and wall coverings, and (5) all mechanical, electrical, and plumbing features of Entrance 1. Retroactive approval was received from the MTACC President on February 16, 2016. The contractor was directed to proceed with the work immediately.

Judlau submitted a revised proposal of \$4,626,971. MTACC's revised estimate was \$3,321,005. Negotiations resulted in the agreed-upon price of \$3,535,000. Savings of \$1,091,971 was achieved. The final price was found to be fair and reasonable.

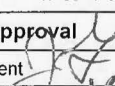


# Staff Summary



Page 1 of 2

<b>Subject</b>	Public Hearing For New Haven Line Connecticut Fare Increase
<b>Department</b>	Operations Planning & Analysis
<b>Department Head Name</b>	Michael Shiffer 
<b>Department Head Signature</b>	
<b>Project Manager Name</b>	Thomas Marchwinski

<b>Date</b>	July 25, 2016
<b>Vendor Name</b>	
<b>Contract Number</b>	
<b>Contract Manager Name</b>	
<b>Table of Contents Ref#</b>	

Board Action					
Order	To	Date	Approval	Info	Other
1	M-N Comm. Mtg.	7/25	X		
2	MTA Fin. Comm.	7/25	X		
3	MTA Board Mtg.	7/27	X		

Internal Approvals			
Order	Approval	Order	Approval
5	President 		Budget
4	Executive VP 		VP Capital Programs
3 	VP Financial & IT		Engr/Const
	SVP Operations		Project Reporting

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	VP Planning 		Government Relations		Labor Relations	2 	General Counsel
	Press		VP Human Resources		Personnel		Other

## Narrative

### Purpose:

In response to a written request from the Connecticut Department of Transportation (CTDOT), to authorize Metro-North and MTA staff to participate in one or more public hearings with regard to proposed increases in Metro-North New Haven Line fares for travel to or from Connecticut stations.

### Discussion:

Metro-North operates New Haven Line service within the State of Connecticut pursuant to the Amended and Restated Service Agreement (ARSA) with CTDOT. CTDOT has formally notified us that they are proposing a 6% fare increase for travel between Connecticut stations (on the New Haven Line and the New Canaan, Danbury, and Waterbury Branch Lines) and New York Stations, as well as for travel within Connecticut. The increase would become effective on or after December 1, 2016 and is proposed to help close a CTDOT budget shortfall. (The range of individual fare increases may vary because of rounding). This proposed 6% fare increase includes CTDOT's previously approved 1% fare increase that was scheduled for January 1, 2017 to fund the acquisition of the new M8 rail cars. There will be no changes in fares charged on the New Haven Line for travel taking place wholly within New York State as a result of this action.

In addition to the fare increase, CTDOT is also proposing the following changes: elimination of the "WebTicket" program after full implementation of the eTix mobile ticketing app for all stations on the New Haven, New Canaan, Danbury, and Waterbury Lines; elimination of the 2% discount on "Mail and Ride" tickets; and reduction of the discount on joint monthly ticket/unlimited MetroCard packages from 4% to 2%. Equivalent changes have already been implemented for New York State fares.

The last fare increases on the Connecticut portion of the Metro-North system occurred on January 1, 2016 and January 1, 2015 when Connecticut fares were increased by 1% on each occasion. In addition, a 5.04% increase was implemented on January 1, 2014. Under the terms of the ARSA, a joint approval by the MTA Board and CTDOT is needed for New Haven Line fare changes (but not for changes limited to the New Canaan, Danbury and Waterbury Branch Lines).

# Staff Summary

Page 2 of 2

Section 1266 of the New York Public Authorities Law requires that MTA conduct a public hearing prior to Board approval of any fare changes. Conducting joint hearings with Connecticut will fulfill Section 1266 requirements. The time and location of any hearings has yet to be determined.

**Recommendation:**

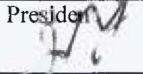

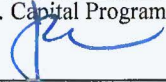
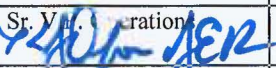


That the MTA Board authorizes participation in public hearing(s) with regard to increases in Metro-North New Haven Line fares for travel to or from Connecticut stations proposed by CTDOT. CTDOT will conduct a robust public process compliant with state and federal requirements.

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



**Metro-North Railroad**

# **Procurements**

<b>Date</b> July 11, 2016			
<b>Vendor Name</b> Various			
<b>Contract Number</b> Various			
<b>Contract Manager Name</b> Various			
<b>Table of Contents Ref #</b>			
<b>Internal Approvals</b>			
	<b>Approval</b>		<b>Approval</b>
X	President 		
X	Executive V.P. 	X	V.P. Capital Programs 
X	Sr. V.P. Corporation 	X	V.P. & General Counsel 
X	VP Marketing & IT 		

Approvals (cont.)			
Order	Approval	Order	Approval
_____	_____	_____	_____

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.

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

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule A:	Non-Competitive Purchases and Public Work Contracts	2	\$317,117
	• Railway Technology, Inc.		\$213,000
	• Schneider Electric		\$104,117
<u>Schedules Requiring Majority Vote</u>			
Schedule G:	Miscellaneous Service Contracts	1	\$1,227,969
	• Ansaldo STS USA, Inc.		\$1,227,969
Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	1	\$75,000
	• Electronic Security & Control Systems, Inc.		\$75,000
Schedule J:	Modifications to Miscellaneous Procurement Contracts	1	\$22,479,871
	• General Electric Transportation Parts, LLC (GE)		\$22,479,871
SUB TOTAL:		5	\$24,099,957

**MNR proposes to award competitive procurements in the following categories:**

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule B:	Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts) Request to Use RFP Process	1	TBD
	TBD		
<u>Schedules Requiring Majority Vote</u>			
Schedule G:	Miscellaneous Service Contracts	5	\$3,463,371
	<ul style="list-style-type: none"> <li>Sherwood Electromotion, Inc. \$334,770</li> <li>Dunbar Armored, Inc. \$440,976</li> <li>Rapid Armored Corp. \$1,772,425</li> <li>Empire Consulting, LLC \$500,000</li> <li>Ensco Rail, Inc. \$415,200</li> </ul>		
Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	1	\$1,044,905
	<ul style="list-style-type: none"> <li>Jacobs Civil Consultants, Inc. \$1,044,905</li> </ul>		
SUB TOTAL:		7	\$4,508,276

**MNR presents the following procurement actions for Ratification:**

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		NONE	
<u>Schedules Requiring Majority Vote</u>			
Schedule K:	Ratification of Completed Procurement Actions	3	\$11,878,334
	<ul style="list-style-type: none"> <li>SNT Bus, Inc. \$8,561,334</li> <li>Cubic Transportation Systems, Inc. \$22,000</li> <li>Ecco III Enterprises, Inc. \$3,295,000</li> </ul>		
SUB TOTAL:		3	\$11,878,334
TOTAL:		15	\$40,486,567

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.

JULY 2016

METRO-NORTH RAILROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Two-Thirds Vote:

**A. Non-Competitive Purchases and Public Work Contracts**

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

**1.   Railway Technology, Inc.                   \$213,000 (not-to-exceed)                   Staff Summary Attached**  
**Purchase and Upgrade of OEM Wheel Counter Equipment**

Approval is requested to award a non-competitive purchase contract for the upgrade of the existing Wheel Counter Equipment to Railway Technology, Inc. (RTI). RTI is the Original Equipment Manufacturer (OEM) for the supply of Wheel Counter Equipment which is comprised of sensors, cabling, adapters and control modules installed in the New Haven and Croton Harmon Rail Yards.

During the process of testing the PTC track transponders, it was determined that the existing RTI wheel counter system is vulnerable to radio frequency interference (RFI) from the onboard (PTC) transponder scanners. This interference causes system fault lockups and requires manual intervention by MNR personnel to reset the system. This material is required to upgrade the existing wheel counter equipment with technology that will preclude RFI and be compatible with the PTC radio frequency scanner system.

In requesting Board authorization, MNR has complied with the public advertisement requirements of PAL§ 1265-a (3) and PAL§ 1265-a (4) (b) and with MTA All-agency General Contract Procurement for the procurement of sole source items. An advertisement notice was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was posted on the MNR website.

The estimated cost for the upgraded RTI equipment is \$70,000 for the Croton Harmon Rail Yard and \$143,000 for the New Haven Rail Yard. The total cost of this material upgrades is deemed fair and reasonable. This procurement is to be funded by the MNR Operating Budget.

**2.   Schneider Electric                   \$104,117 (not-to-exceed)                   Staff Summary Attached**  
**Purchase of OEM TH1 RTU Control Panel Replacement**

Approval is requested to award a non-competitive purchase contract for the Transformer House (TH1) Remote Terminal Unit (RTU). The RTU cabinet contains all of the critical electrical components that provide communication and control of the transformer house along with critical hardware and software components that control emergency generator backup systems of Grand Central Terminal, (GCT). Because of the critical nature of this RTU cabinet, it will need to be replaced as soon as possible to ensure the reliability of the power feed to GCT.

The existing TH1 RTU cabinet assembly failed due to damage sustained from a failed overhead water line in the Grand Central Terminal Train Shed. Water rose into the transformer house causing all of the circuit breakers to fail. A significant power outage occurred in GCT causing the Terminal's emergency back-up generator system to pick up the critical loads.

Schneider Electric is the Original Equipment Manufacturer (OEM) for the TH1 RTU cabinet. The components of this RTU cabinet are manufactured by Schneider Electric which has the sole-source contract through the New York Power Authority (NYPA) of providing all of the Programmable Logic Controller (PLC) System hardware to operate and control power to GCT.

In requesting Board authorization, MNR has complied with the public advertisement requirements of PAL§ 1265-a (3) and PAL§ 1265-a (4) (b) and with MTA All-agency General Contract Procurement for the procurement of sole source items. An advertisement notice was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was posted on the MNR website.

Negotiations for this material resulted in a 5% discount (\$5,480) from Schneider Electric's quoted pricing. The total cost of this material is not-to-exceed \$104,117 and a review of the pricing has found costs to be fair and reasonable. This procurement is funded by the MNR Operating Budget.

**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.)

**3.     **Ansaldo STS USA, Inc.**                                     **\$1,227,969 (not-to-exceed)**                                     **Staff Summary Attached**  
**Purchase and Repair/Return of OEM Ansaldo Components and Equipment****

Approval is requested for a non-competitive miscellaneous three year service agreement in the amount of \$1,227,969 to Ansaldo STS USA, Inc. (Ansaldo) for the purchase, repair/return, and replacement of cab signal parts, components and assemblies for the MNR M-7 Railcar Fleet, as well as wayside signaling and communication equipment for the Maintenance of Way Department (MofW).

The scope of work includes, but is not limited to the repair and return of inoperative cab signal components and assemblies and the purchase of new material deemed unrepairable. This agreement will support the Maintenance of Equipment Department's Return Material Authorization ("RMA") program. These services shall also be used in support of maintaining the Railroad's Ansaldo wayside signal equipment. These repairs ensure the efficient, timely and safe operation of the on-board and wayside signal equipment. MNR does not have in-house capability to perform this work.

In requesting Board authorization, MNR has complied with the public advertisement requirements of PAL§ 1265-a (3) and PAL§ 1265-a (4) (b) and with MTA All-agency General Contract Procurement for the procurement of sole source items. An advertisement notice was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was posted on the MNR website.

The total average prices increased by 7.2% (2.4% per annum) from the previous contract (2013-2016) and are deemed to be fair and reasonable for the level of services required. The total cost is not-to-exceed \$1,227,969 and 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)

##### **4. Electronic Security & Control Systems, Inc. \$75,000 (not-to-exceed)**

###### **Additional Funding and Time Extension for Apollo Access Control Systems**

Approval is requested for additional funding in the not-to-exceed amount of \$75,000 and an 18-month time extension for a contract modification to an existing, non-competitive miscellaneous service contract with Electronic Security & Control Systems, Inc. (ESCS). The Apollo Access Control system is a security based card swipe system used to manage access to critical Railroad locations.

Fifteen Metro-North facilities throughout New York and Connecticut are currently protected by a group of stand-alone "Apollo" electronic access control systems. MNR maintenance forces do not possess the knowledge to make the necessary software repairs and or perform maintenance on the systems. As the Apollo system has reached the end of its useful life and new technology is being introduced into the industry, the Apollo system is being systematically phased out. This agreement shall bridge the time period where the Railroad will be converting to a new state-of-the-art Lenel access-control system which is being deployed throughout all MTA agencies. During the transition the maintenance and support of the current security system is vital to ensure safety and security

ESCS has agreed to honor their current maintenance cost of \$25,000 per six-month period. These costs have been reviewed and found to be fair and reasonable. All other contract terms and conditions remain the same. At this time, MNR is requesting Board approval for an additional \$75,000 and an 18-month time extension. The additional funding will be provided by the MNR Operating Budget.

#### **J. Modifications to Miscellaneous Procurement Contracts**

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

##### **5. General Electric Transportation Parts, LLC (GE) \$22,479,871 (not-to-exceed) *Staff Summary Attached*** **Purchase OEM GE Components, Parts, Assemblies and Equipment for the MNR Rolling Stock Fleet**

Approval is requested for a two-year time extension and additional funding in the not-to-exceed amount of \$22,479,871 to an existing non-competitively solicited miscellaneous purchase agreement with General Electric Transportation Parts, LLC (GE). This agreement is for various Original Equipment Manufacturer (OEM) standard stock, and repair and replacement parts for MNR's Locomotive Fleet. MNR awarded a non-competitively solicited miscellaneous procurement for a three year period in the total amount of \$15,000,000 in 2015. The current agreement will expire in March 2018.

Subsequent to the 2015 award, MNR's Mechanical Department identified additional materials required to perform an in-house overhaul of its entire P32 Locomotive fleet. This overhaul is needed to ensure continued good service and extend the service life of these Locomotives beyond 2020. The replacement of these locomotives is scheduled for the next Capital Program (2020-2025).

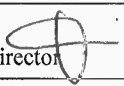
The Maintenance of Equipment (MofE) and Procurement and Material Management Departments have re-analyzed the current and future demand for GE components and assemblies to meet this objective The

overhaul of these locomotives will be accomplished in multiple phases using existing MNR workforce. The work will include, but not be limited to the replacement or overhaul of the Main Engines, Main Alternators, Air Boxes, Blowers and Radiators. As part of the current contract, GE will continue to maintain their tooling and manufacturing capabilities necessary to produce these parts, which are not available from other sources. The contract will be extended to March 2020 and the total amount of the additional funds required by MNR is not-to-exceed \$22,479,871. This procurement is to be funded by the MNR Operating Budget.

## Schedule A: Non-Competitive Purchases and Public Work Contracts

Item Number: A

<b>Vendor Name (&amp; Location)</b> Railway Technology, Inc. (RTI)
<b>Description</b> Purchase Agreement for OEM Wheel Counter Equipment
<b>Contract Term (including Options, if any)</b> Immediate Requirement
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source/OEM

<b>Contract Number</b>	<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Total Amount:</b> \$213,000	
<b>Funding Source</b> X Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director 	
<b>Contract Manager:</b> Paul Kennedy – Manager, Operations Procurement	

### Discussion:

Approval is requested to award a non-competitive purchase contract for the upgrade of the existing Wheel Counter Equipment to Railway Technology, Inc. (RTI). RTI is the Original Equipment Manufacturer (OEM) for the supply of Wheel Counter Equipment which is comprised of sensors, cabling, adapters and control modules installed in the New Haven and Croton Harmon Rail Yards.

During the process of testing the PTC track transponders, it was determined that the existing RTI wheel counter system is vulnerable to radio frequency interference (RFI) from the onboard (PTC) transponder scanners. This interference causes system fault lockups and requires manual intervention by MNR personnel to reset the system. This material is required to upgrade the existing wheel counter equipment with technology that will preclude RFI and be compatible with the PTC radio frequency scanner system.

In requesting Board authorization, MNR has complied with the public advertisement requirements of PAL§ 1265-a (3) and PAL§ 1265-a (4) (b) and with MTA All-agency General Contract Procurement for the procurement of sole source items. An advertisement notice was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was posted on the MNR website.

The estimated cost for the upgraded RTI equipment is \$70,000 for the Croton Harmon Rail Yard and \$143,000 for the New Haven Rail Yard. The total cost of this material upgrades is deemed fair and reasonable. This procurement is to be funded by the MNR Operating Budget.

## Schedule A: Non-Competitive Purchases and Public Work Contracts



Item A

<b>Vendor Name (&amp; Location)</b> Schneider Electric
<b>Description</b> Purchase Agreement for OEM RTU TH1 Control Panel Replacement
<b>Contract Term (including Options, if any)</b> Immediate Requirement
<b>Option(s) included in Total Amount?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Procurement Type</b> Competitive <input type="checkbox"/> Non-competitive <input checked="" type="checkbox"/>
<b>Solicitation Type</b> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Sole Source/OEM <input checked="" type="checkbox"/>

<b>Contract Number</b>	<b>Renewal?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Total Amount:</b> \$104,117	
<b>Funding Source</b> X Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other: <input type="checkbox"/>	
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director	
<b>Contract Manager:</b> Paul Kennedy – Manager, Operations Procurement	

### Discussion:

Approval is requested to award a non-competitive purchase contract for the Transformer House (TH1) Remote Terminal Unit (RTU) to Schneider Electric. The RTU cabinet contains all of the critical electrical components that provide communication and control of the transformer house along with critical hardware and software components that control emergency generator backup systems for Grand Central Terminal, (GCT). This critical component must be replaced as soon as possible to ensure the reliability of the power feed to GCT.

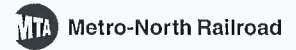
The existing TH1 RTU cabinet assembly failed due to damage sustained from a failed overhead water line in the Grand Central Terminal Train Shed. Water rose into the transformer house causing all of the circuit breakers to fail. A significant power outage occurred in GCT causing the Terminal's emergency back-up generator system to pick up the critical loads.

Schneider Electric is the Original Equipment Manufacturer (OEM) for the TH1 RTU cabinet. The components of this RTU cabinet are manufactured by Schneider Electric which has the sole-source contract through the New York Power Authority (NYPA) for providing all of the Programmable Logic Controller (PLC) System hardware to operate and control power at GCT. The Schneider PLCs are required to interface the new generators with the existing PLC controls system in GCT. The Schneider system provides intensive control and monitoring functions requiring highly complex software programming and sophisticated network integration engineering. As there is a critical need for compatibility with the existing equipment, MNR requests Board approval for a non-competitive purchase agreement for the procurement of the TH1 RTU Control Panel replacement.

In requesting Board authorization, MNR has complied with the public advertisement requirements of PAL§ 1265-a (3) and PAL§ 1265-a (4) (b) and with MTA All-agency General Contract Procurement for the procurement of sole source items. An advertisement notice was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was posted on the MNR website.

Negotiations for this material resulted in a 5% discount (\$5,480) from Schneider Electric's quoted pricing. The total cost of this material is not-to-exceed \$104,117 and a review of the pricing has found costs to be fair and reasonable. This procurement is funded by the MNR Operating Budget.

## Schedule G: Miscellaneous Service Contracts



Item Number: G

<b>Vendor Name (&amp; Location)</b> Ansaldo STS USA, Inc. (Pittsburgh, PA)	<b>Contract Number</b>	<b>AWO/Modification #</b>
<b>Description</b> Repair and Return of Signal and Communication Equipment	<b>Renewal?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Contract Term (including Options, if any)</b> Three Years	<b>Total Amount:</b>	\$1,227,969
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Funding Source</b>	<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source		

### Discussion:

Approval is requested for a non-competitive miscellaneous three year service agreement in the amount of \$1,227,969 to Ansaldo STS USA, Inc. (Ansaldo) for the purchase, repair/return, and replacement of cab signal parts, components and assemblies for the MNR M-7 Railcar Fleet, as well as wayside signaling and communication equipment for the Maintenance of Way Department (MofW).

The scope of work includes but is not limited to the repair and return of inoperative cab signal components and assemblies and the purchase of new material deemed unrepairable. This agreement will support the Maintenance of Equipment Department's Return Material Authorization ("RMA") program. These services shall also be used in support of maintaining the Railroad's Ansaldo wayside signal equipment. These repairs ensure the efficient, timely and safe operation of the on-board and wayside signal equipment. MNR does not have in-house capability to perform this work.

In requesting Board authorization, MNR has complied with the public advertisement requirements of PAL§ 1265-a (3) and PAL§ 1265-a (4) (b) and with MTA All-agency General Contract Procurement for the procurement of sole source items. An advertisement notice was placed in the New York State Contract Reporter, New York Post, El Diario and the Daily Challenge and was posted on the MNR website.

The total average prices increased by 7.2% (2.4% per annum) from the previous contract (2013-2016) and are deemed to be fair and reasonable for the level of services required. The total cost is not-to-exceed \$1,227,969 and is to be funded by the MNR Operating Budget.

## Schedule J: Modifications to Miscellaneous Procurement Contracts

Item Number: J

<b>Vendor Name (&amp; Location)</b> General Electric Transportation Parts, LLC (Hanover Park, IL)		<b>Contract Number</b> 0100000000000577 & 597	<b>AWO/Modification #</b> 1
<b>Description</b> Purchase Agreement for OEM Replacement Parts			
<b>Contract Term (including Options, if any)</b> Three Years		<b>Original Amount:</b> \$ 15,000,000	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>Prior Modifications:</b> \$ 0.00	
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive		<b>Prior Budgetary Increases:</b> \$ 0.00	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source		<b>Current Amount:</b> \$ 15,000,000	
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		<b>This Request:</b> \$22,479,871	
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director		<b>% of This Request to Current Amount:</b> 149.86%	
		<b>% of Modifications (including This Request) to Original Amount:</b> 149.86%	

### Discussion:

Approval is requested for a two-year time extension and additional funding in the not-to-exceed amount of \$22,479,871 to an existing non-competitively solicited miscellaneous purchase agreement with General Electric Transportation Parts, LLC (GE). This agreement is for various Original Equipment Manufacturer (OEM) standard stock, and repair and replacement parts for MNR's Locomotive Fleet. MNR awarded a non-competitively solicited miscellaneous procurement for a three year period in the total amount of \$15,000,000 in 2015. The current agreement will expire in March 2018.

Subsequent to the 2015 award, MNR's Mechanical Department identified additional materials required to perform an in-house overhaul of its entire P32 Locomotive fleet. This overhaul is needed to ensure continued good service and extend the service life of these Locomotives beyond 2020. The replacement of these locomotives is scheduled for the next Capital Program (2020-2025).

The Maintenance of Equipment (MofE) and Procurement and Material Management Departments have re-analyzed the current and future demand for GE components and assemblies to meet this objective. The overhaul of these locomotives will be accomplished in multiple phases using existing MNR workforce. The work will include, but not be limited to the replacement or overhaul of the Main Engines, Main Alternators, Air Boxes, Blowers and Radiators. As part of the current contract, GE will continue to maintain their tooling and manufacturing capabilities necessary to produce these parts, which are not available from other sources. The contract will be extended to March 2020 and the total amount of the additional funds required by MNR is not-to-exceed \$22,479,871. This procurement is to be funded by the MNR Operating Budget.

**JULY 2016**

**METRO-NORTH RAILROAD**

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Schedules Requiring Two-Thirds Vote:**

**B. Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)**

(Staff Summaries only required for items estimated to be greater than \$1 million)

<b>1. Request to Use RFP Process</b>	<b>TBD</b>	<b><u>Staff Summary Attached</u></b>
<b>Various Design Build Projects</b>		

Metro-North Railroad (MNR), for itself and on behalf of Long Island Rail Road, is seeking Board approval under the All Agency General Contract Procurement Guidelines to utilize a competitive Request for Proposal (RFP) process for Design/Build Services in lieu of sealed competitive bids for various contracts.

Governor Andrew Cuomo has challenged the MTA to use innovative alternative procurement methods to deliver capital projects more quickly and efficiently. Accordingly, MNR and LIRR have identified the projects listed below as appropriate for award using a design build methodology. In order to ensure the selection of a contractor with the necessary experience and expertise, it is in the public interest to use the RFP process to properly evaluate the technical capabilities of prospective proposers. The Contractors will be selected based on an evaluation of technical capability, past performance, organization resources, and cost. MNR requests that the Board approve a resolution authorizing the use of the competitive RFP process to award design/build contracts for the following capital projects:

- Prospect Hill Bridge Replacement, Southeast, New York
- 14<sup>th</sup> Avenue Bridge (NH13.10) Replacement, Mt. Vernon, New York
- MTA Priority Projects, Station Enhancements at various Metro-North/Long Island Rail Road stations

In order to ensure the selection of the contractor with the necessary experience and expertise, it is in the public interest to use the RFP process to properly evaluate the technical capabilities of prospective proposers. The contractor for each of the above projects will be selected based on an evaluation of technical capability, past performance, organization resources, and cost. These procurements will be funded by the 2015-2019 Capital Program.

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.)

**2. Sherwood Electromotion, Inc. \$334,770 (not-to-exceed)**

**Repair and Return and Overhaul of Single Ended Blower Assemblies**

Approval is requested to award a competitively solicited (two bids received) three-year miscellaneous service contract in the not-to-exceed amount of \$334,770 to Sherwood Electromotion, Inc. (Sherwood) to provide repair and return of the single ended blower motor sets used on the M-3 Railcars.

These repairs ensure the reliable and safe operation of the M-3 Fleet. MNR does not have the equipment or in-house capabilities to perform the work.

In accordance with MNR and MTA procurement guidelines, an advertisement for these services was placed in the New York State Contract Reporter, New York Post, the minority publications, El Diario and Daily Challenge, and posted on the MMR website.

The unit prices contained with this agreement are fixed for the three year term. Sherwood's bid price was 22.86% lower than then next low bidder (RAM Industries), a savings of \$99,249 and is deemed fair and reasonable for the work to be performed. This procurement is to be funded by the MNR Operating Budget.

**3. Dunbar Armored, Inc. -- NYS & CT Ticket Offices \$440,976 (not-to-exceed)**

**Rapid Armored Corp. -- GCT 125th Street Stations & TVM's \$1,772,425 (not-to-exceed)**

Approval is requested to award two, five-year (three year base with two, one year options), competitively solicited miscellaneous service contracts (two bids received) to Dunbar Armored, Inc. and Rapid Armored Corp. for Armored Car services. Armored car services are required by MNR for four distinct areas: Ticket Offices in NY (excluding GCT and 125<sup>th</sup> St), Ticket Offices in CT, Ticket Offices in GCT and 125<sup>th</sup> Street, and the Ticket Vending Machines (TVMs) Revenue Pick Up and Delivery Service.

In accordance with MNR and MTA procurement guidelines, an advertisement for these services was placed in the New York State Contract Reporter, New York Post, the minority publications, El Diario and Daily Challenge, and posted on the MMR website.

The solicitation and award was based on an all-inclusive price per pick-up applied to the estimated number of pick-ups by area. The awards are made to the low bidder for each of the four areas based on the scope of services which include armored car service for pickup and delivery of various currency, coin, checks, and associated money room services for MNR's NYS and CT Ticket Offices, GCT and 125<sup>th</sup> Street Ticket Offices, and the NYS and CT TVMs and the MNR TVM Service Facility. The solicitation for potential bidders included both advertisements placed in required publications as well as direct outreach to vendors known to provide this type of service.

The awardees for each of the four areas outlined are as follows: a) Dunbar Armored, Inc. will service the New York State and Connecticut Ticket Offices (excluding GCT & 125<sup>th</sup> St. Station); and, b) Rapid Armored Corp. will service GCT and 125<sup>th</sup> St. Stations, as well as the TVM Revenue Service. Both intended awardee firms possess the necessary resources, technical expertise and capacity required to

fulfill MNR's requirements.

A comparison of bid prices to be paid in the new contracts to the prices paid in the present contracts reflect no overall increase and will be fixed during the five year term of the contract. The competitively solicited pricing received for these contracts has been deemed fair and reasonable. The total not-to-exceed amount of these two contracts is \$2,213,401. This procurement is to be funded by the MNR Operating Budget.

**4. Empire Consulting, LLC \$500,000 (not-to-exceed)**

**Specimen Collection & Alcohol Testing Services at Various Locations throughout MNR Territory**

Approval is requested to award a competitively solicited (one bid received), five year miscellaneous service contract (three year base with two year option) in the not-to-exceed amount of \$500,000 to Empire Consulting, LLC (Empire) for Specimen Collection and Alcohol Testing Services at various locations throughout MNR's territory in both NY and CT.

The MNR Operating Department requires the on-site scheduled and unscheduled specimen collection and alcohol testing services within MNR's service territory 24 hours a day, seven days a week including all holidays. Empire shall provide specimen collection, alcohol testing, hospital and medical facility services, and expert witness testimony services. Empire will be responsible for providing services along all four MNR Rail Lines (Hudson, Harlem, New Haven and West of Hudson).

In accordance with MNR and MTA procurement guidelines, an advertisement for these services was placed in the New York State Contract Reporter, New York Post, the minority publications, El Diario and Daily Challenge, and posted on the MNR website.

A review of Empire's bid found cost to be fair and reasonable. The average price per unit is 12 % less than those paid to the previous vendor and less than our own in-house estimate. Pricing is to remain firm and fixed through the life of the contract, which is to be five years from the date of award. At this time, MNR requests Board approval of \$500,000 for the five year contract amount, but shall initially award \$100,000 for the first year. This procurement is to be funded by the MNR Operating Budget.

**5. Ensco Rail, Inc. \$415,200 (not-to-exceed)**

**Track Geometry Inspection Services**

Approval is requested to award a competitively solicited (three bids received) three-year miscellaneous service contract in the not-to-exceed amount of \$415,200 to Ensco Rail, Inc. (Ensco) to provide automated track geometry inspection services on the MNR East of Hudson Lines.

As part of the ongoing maintenance requirements set by Maintenance of Way (MofW) Department and to comply with FRA regulations, these services include testing several geometric parameters of the track without obstructing normal railroad operations. Some of the parameters generally measured include position, curvature, alignment of the track, smoothness, and the cross-level of the two rails. The specific equipment uses a variety of sensors, measuring systems, and data management systems to create a profile of the track being inspected and allows MofW to schedule preventative maintenance. MNR does not currently have the equipment required or in-house capabilities to perform the work. Inspections will occur twice a year and cover all main lines east of the Hudson (Harlem, Hudson, New Haven, Danbury, Waterbury and New Canaan).

In accordance with MNR and MTA procurement guidelines, an advertisement for these services was placed in the New York State Contract Reporter, New York Post, the minority publications, El Diario and Daily Challenge, and posted on the MTA website.

The unit prices contained with this agreement are fixed for the three year term. Ensco's bid price was \$270 lower than then next low bidder (Mermec), and is deemed fair and reasonable for the work to be performed. This 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 monetary or durational threshold required for Board approval)

**6.    Jacobs Civil Consultants, Inc.                      \$1,044,905                      Staff Summary Attached  
**Design of Upper Harlem Line Substations****

Approval is requested for additional funding in the amount of \$1,044,905 for a contract modification to an existing, competitively solicited personal service contract with Jacobs Civil Consultants, Inc. (Jacobs); and to extend the contract period of performance by twenty-two months. This contract, which was competitively solicited and awarded in August 2007, is for engineering and design services required for the ten new traction power substations on the upper Harlem Line and the Harlem River Lift Bridge Circuit Breaker Houses.

The design of the City Water Substation was completed in 2009. However, Superstorm Sandy resulted in changes to standards in relation to flood hardening, track crossing clearance, sizing and other feeder modifications. This redesign also includes but is not limited to raising the substation higher than at-grade elevation, providing a cable vault and a complete reconfiguration of the electrical substation components pursuant to new codes and standards. These additional requirements necessitate a substantial redesign of the substation. In addition to the design, Jacobs will provide construction support services during the construction phase of the City Water Substation. The new substation shall be located strategically in a weaker part of the existing power supply system, providing improved resiliency and redundancy in case of a future substation failure.

Negotiations resulted in Jacobs reducing their overhead rate from 109% to 102.78%. A review of all other costs has shown they are fair and reasonable for the services being performed. The contract completion date will be extended from March 31, 2017 through January 31, 2019. The additional funding will be provided by the MNR 2015-2019 Capital Program.

# Staff Summary

<b>Item Number</b> B					
<b>Dept. &amp; Dept. Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director					
<b>Division &amp; Division Head Name:</b> Executive Vice President, Catherine Rinaldi					
<b>Board Reviews</b>					
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>
1	MNR Comm. Mtg.	7-25-16	x		
2	MTA Board Mtg.	7-27-16	x		
<b>Internal Approvals</b>					
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>		
X	President	X	V.P. & General Counsel		
X	Sr. V.P. Operations		V.P. Planning		
X	V.P. Finance & Admin				
X	V.P. Capital Programs				

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> TBD	<b>Contract Number</b> Various
<b>Description</b> Request to use the RFP Process- Various Contracts	
<b>Total Amount</b> TBD	
<b>Contract Term (including Options, if any)</b> Various	
<b>Option(s) included in Total Amount?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Renewal?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative

### I. PURPOSE/RECOMMENDATION

Metro-North Railroad (MNR), for itself and on behalf of Long Island Rail Road, is seeking Board approval under the All Agency General Contract Procurement Guidelines to utilize the competitive Request for Proposal (RFP) process for Design/Build Services in lieu of sealed competitive bids for various contracts.

### II. BACKGROUND & DISCUSSION

Governor Andrew Cuomo has challenged the MTA to use innovative alternative procurement methods to deliver capital projects more quickly and efficiently. Accordingly, MNR and LIRR have identified the projects listed below as appropriate for award using a design build methodology. In order to ensure the selection of a contractor with the necessary experience and expertise, it is in the public interest to use the RFP process to properly evaluate the technical capabilities of prospective proposers. The Contractors will be selected based on an evaluation of technical capability, past performance, organization resources, and cost. MNR requests that the Board approve a resolution authorizing the use of the competitive RFP process to award design/build contracts for the following capital projects:

#### **Prospect Hill Bridge Replacement, Southeast, New York**

This contract will include the removal and replacement of a wooden and asphalt deck truss bridge at the southerly end of the Southeast Station, Harlem Line, New York

#### **14<sup>th</sup> Avenue Bridge Replacement, Mount Vernon**

This contract will include the replacement of the superstructure and rehabilitation of the substructure of the 14<sup>th</sup> Avenue Bridge. The work will also consist of the removal and replacement of the City of Mt. Vernon water line and removal and replacement of the Con Edison gas line located on the bridge.

#### **MTA Priority Station Projects at selected Metro-North stations and Long Island Rail Road stations.**

Metro-North and Long Island Rail Road have retained a design firm and architect in order to identify best practices in commuter rail station design. Based upon the outcome of this best practice review, Metro-North and Long Island Rail Road will be pursuing separate contracts to undertake improvement projects at the stations identified below.

# Staff Summary

The projects will consist of station enhancements that will improve the appearance and public perception of the selected stations (e.g., artistic station lighting, and remodeled entrances and canopies).

**Metro-North:** Harlem-125<sup>th</sup> St., Riverdale, Crestwood, White Plains and Port Chester.

**Long Island Rail Road:** Bayside, Stewart Manor, East Hampton, Port Jefferson and Wyandanch.

## III. D/M/WBE INFORMATION

MTA DDCR will be consulted in order to establish MBE/WBE goals for these contracts.

## IV. IMPACT ON FUNDING

These procurements will be funded by the 2015-2019 Capital Program including the Prospect Hill Road Bridge replacement which will be advanced under a new task in the Overhead Bridge Project in the 2015-2019 Capital Program.

## V. ALTERNATIVES

MNR and Long Island Rail Road do not have the available in-house design or construction ability to complete the scope of the specified work; therefore, there are no recommended alternative approaches.

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

Item Number: H

<b>Vendor Name (&amp; Location)</b> Jacobs Civil Consultants, Inc.		<b>Contract Number</b> 41088A	<b>AWO/Modification #</b> 11
<b>Description</b> Design and Engineering: Traction Power Substations, HRLB Circuit Breaker Houses			
<b>Contract Term (including Options, if any)</b> 137 months			
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>Original Amount:</b> \$1,729,717	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		<b>Prior Modifications:</b> \$ 1,697,774	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		<b>Prior Budgetary Increases:</b> \$	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		<b>Current Amount:</b> \$3,427,460	
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director		<b>This Request:</b> \$ 1,044,905	
		<b>% of This Request to Current Amount:</b> 31%	
		<b>% of Modifications (including This Request) to Original Amount:</b> 259%	

### Discussion:

Approval is requested for additional funds in the amount of \$1,044,905 and a 22 month time extension for a contract modification to a competitively solicited, personal services contract with Jacobs Civil Consultants, Inc. (Jacobs) to provide engineering, design and construction support services for the City Water Substation. This contract was competitively solicited and awarded in August, 2007, to prepare plans and specifications for ten new DC-substations on the Upper Harlem Line, and the replacement of two circuit breaker houses for the Harlem River Lift Bridge (HRLB).

One of the substations included in the original contract was the design of the City Water Substation. The design was completed in 2009; however, Superstorm Sandy resulted in changes to standards in relation to flood hardening, track crossing clearance, sizing and other feeder modifications. The redesign also includes, but not limited to raising the substation higher than at-grade elevation, providing a cable vault where none had existed previously and a complete reconfiguration of the electrical substation components pursuant to new codes and standards. These additional requirements necessitate a substantial re-design of the substation.

The new contract deliverables are independent from the ten new Traction Power Substation design package and will be reissued as a new design package with a separate set of drawings and specifications. In addition to the design, Jacobs will provide construction support services during the construction phase of the City Water Substation. This new substation will be between Chappaqua and Mount Kisco stations on the Harlem Line, at the "City Water" site. It is needed to support service resiliency in the electrified portion of the Upper Harlem Line (between North White Plains and Brewster). The new substation will be located strategically in a weaker part of the existing power supply system, approximately half way between two existing substations (B-32 at Milepost 32.2 and B-36 at Milepost 36.6), providing improved resiliency and redundancy by allowing two segments to be "bridged" in case of a substation failure.

Negotiations resulted in Jacobs reducing their overhead rate from 109% to 102.78%. A review of all other costs has shown that they are fair and reasonable for the services being performed. The contract completion date will be extended from March 31, 2017 through January 31, 2019. The additional funding will be provided by the MNR 2015-2019 Capital Program.

**JULY 2016**

**METRO-NORTH RAILROAD**

**LIST OF RATIFICATIONS FOR BOARD APPROVAL**

**Schedules Requiring Majority Vote:**

**K. Ratification of Completed Procurement Actions**

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

- |           |  |                                    |                                      |
|-----------|--|------------------------------------|--------------------------------------|
| <b>1.</b> | <b>SNT Bus, Inc.</b>                       | <b>\$8,561,334 (not-to-exceed)</b> | <b><u>Staff Summary Attached</u></b> |
|           | <b>Hudson Rail Link Feeder Bus Service</b> |                                    |                                      |

Competitively solicited ten year (4-yr base + two 3-yr renewal options), miscellaneous service contract (RFP process/2 proposals received) to provide a fixed route, scheduled feeder bus service (known as the Hudson Rail Link Bus Service) to MTA Metro-North Railroad's Spuyten Duyvil and Riverdale Stations located in the West Bronx on MNR's Hudson Line.

A Request for Proposal was issued and two proposals were received. SNT's proposal indicated that they were qualified to perform these services and that their proposal price was 5% lower than the incumbent's total proposal price. A review of their costs indicates they are fair and reasonable for the services being provided. The total cost for these services for the four-year base period is a not to exceed cost of \$8,561,334 and. funding will be provided by the MNR Operating Budget.

- |           |   |                 |
|-----------|---|-----------------|
| <b>2.</b> | <b>Cubic Transportation Systems, Inc.</b>                           | <b>\$22,000</b> |
|           | <b>Hudson Rail Link Bus Service-Relocation of Farebox Equipment</b> |                 |

Non-competitive, miscellaneous service contract to provide relocation services for computer equipment related to the fare boxes for the Hudson Rail Link Bus Service. As part of the transfer of the operations of the Hudson Rail Link Bus Service, there is a requirement to relocate computer equipment from the incumbent bus operator's depot to the new operator's (SNT) depot. The relocation also requires the placement of communications equipment and training for SNT's personnel.

This computer equipment is owned by MNR and interfaces with MTA New York City Transit's Metrocard database. Thru the use of electronic probes, this equipment is used to update the bus fare boxes daily to ensure the proper Metrocards are accepted and to tabulate certain required statistics, including cash collected.

Cubic Transportation Systems, Inc. is the sole provider for the MTA's Automated Fare Collection System. Cubic's software is proprietary and no other vendors can provide the required services. The total cost of \$22,000 for these services has been reviewed and found to be fair and reasonable. Funding will be provided by the MNR Operating Budget.

**3. Ecco III Enterprises, Inc.      \$3,295,000      Staff Summary Attached**  
**Design and Construction for Repairs to Park Ave. Viaduct at 118<sup>th</sup> Street**

Competitively solicited, 4 ½ month Design-Build Contract (limited RFP process, 3 proposals received) to Ecco III Enterprises, Inc. to provide design and construction services for permanent repairs to the Park Avenue Viaduct at 118<sup>th</sup> St.

A fire at 118<sup>th</sup> Street seriously damaged part of the structure of the Park Avenue Viaduct. To restore a limited level of service, the Metro-North Track and Structures Department immediately mobilized to the site that night and installed steel shoring columns around the buckled column to support the loads carried by the floor beams and girders. The temporary columns were installed within twenty four hours of the fire being extinguished. While the temporary support has been working effectively, allowing safe operation of the Railroad, train speed has been reduced on two tracks from 60 mph to 30 mph due to continued settlement of the structure.

Under a “Declaration of Emergency”, expedited procurement actions were initiated in order to provide permanent repairs to the Viaduct. On June 20<sup>th</sup>, Metro-North solicited proposals from three contractors with the requisite expertise and experience, all of whom are presently mobilized at other Railroad locations. As the three proposers were required to perform design work for a more robust temporary support structure, the RFP included a \$25,000 stipend for the unsuccessful proposers. The use of stipends was added to the new All Agency Procurement Guidelines as a way of encouraging contractor participation in Design Build Contracts.

The Metro-North Selection Committee unanimously selected ECCO III Enterprises, Inc. (ECCO) to perform the work. ECCO submitted a temporary design that best instilled confidence in the Committee. ECCO’s scheduled completion date for the more robust temporary supports is August 29, 2016, at which point all speed restrictions may be removed. Final completion of all work, including painting, will be done by November 30, 2016. ECCO’s price of \$3,245,000 was the lowest submitted by the proposers. On July 15, a Notice of Award was issued to ECCO in the amount of \$3,245,000.

The awarded, 4 ½ month contract in the amount of \$3,245,000 is to be funded by the MNR Capital Budget. In addition, MNR will issue stipends to Ad Tech Enterprises, Inc. and Tully Construction in the amount of \$25,000 each as compensation for their design work. The total value of this procurement is \$3,295,000.

## Schedule K: Ratification

Item Number: K

<b>Vendor Name (&amp; Location)</b> SNT Bus, Inc.		<b>Contract Number</b> 52537		<b>AWO/Modification #</b>	
<b>Description</b> Hudson Rail Link Bus Service		<b>Renewal?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
<b>Contract Term (including Options, if any)</b> Four-Year Base (plus 2 Three-Year Options)		<b>Total Amount:</b> \$8,561,334 (not-to-exceed, base only)			
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:			
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> Procurement & Material Management, Al Muir, Sr. Director			
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:					

### Discussion:

Competitively solicited, ten year (4 year base + two 3 year renewal options) miscellaneous service contract (RFP process, two proposals received) to SNT Bus, Inc. ("SNT") to provide a fixed route, scheduled feeder bus service (known as the Hudson Rail Link Bus Service) to MNR's Spuyten Duyvil and Riverdale Stations located in the West Bronx on the Hudson Line.

The Hudson Rail Link has operated for almost 25 years and provides feeder service for an annual ridership of approximately 376,000 passengers using a fleet of fourteen MNR owned buses. Through this service, MNR provides fixed-route, scheduled feeder bus service to the Spuyten Duyvil and Riverdale Stations. Passengers rely on this service because of difficult station access due to the limited amount of available parking at these stations. Prior to MNR initiating this service, most residents in the service area used other means for travel into Manhattan including express buses, private autos and private van services.

A Request for Proposal (RFP) for the Hudson Rail Link Bus Service was solicited in February 2016. Twelve vendors were provided an RFP and two proposals were received (one of which was from the incumbent vendor).

A Selection Committee consisting of representatives from the Procurement & Material Management and Operations Planning & Analysis Departments evaluated the proposals based on the criteria set forth in the RFP. Proposers submitted fully loaded hourly rates with fixed hours as estimated by MNR. SNT submitted the lowest average hourly rate and total proposal price of the two responding proposers. After reviewing all information in the proposals, the Selection Committee unanimously selected SNT as the best firm to perform these services. MNR conducted a responsibility review and other due diligence reviews on SNT and has deemed the firm responsible for award. Several weeks prior to the current contract expiring, there was a change in labor rates as a result of a new Collective Bargaining Agreement entered into by the incumbent vendor, who was also a proposer under the RFP. After negotiations with SNT, SNT's overall cost of \$23,762,357 for the full ten-year term (including options) was still 5% lower than the current incumbent's total proposal price. A further review of SNT's pricing by the MNR selection committee found all costs to be fair and reasonable.

This is being presented as a ratification as final negotiations were completed past the date of the June Board meeting and were only resolved days before the prior contract expired. MNR proceeded with the contract award to ensure continuity of this important commuter service. The new vendor SNT has successfully completed the transition with no inconvenience to the public.

At this time, MNR has awarded a total not-to-exceed contract of \$8,561,334 for the four year base contract which is to be funded by the MNR Operating Budget. If any option terms are elected, MNR will bring such options to the Board for approval.

## Schedule K: Ratification

**Item Number:** K

**Vendor Name (& Location)**

Ecco III Enterprises, Inc.

**Description**

Design and Construction for Repairs to Park Ave. Viaduct at 118<sup>th</sup> Street

**Contract Term (including Options, if any)**

4 1/2 months

**Option(s) included in Total Amount?**

☐ Yes ☒ No

**Procurement Type**

☒ Competitive ☐ Non-competitive

**Solicitation Type**

☒ RFP ☐ Bid ☐ Other:

**Contract Number**

1000071957

**AWO/Modification #**

**Renewal?**

☐ Yes ☒ No

**Total Amount:**

\$3,295,000

**Funding Source**

Operating ☒ Capital ☐ Federal ☐ Other:

Requesting Dept./Div. & Dept./Div. Head Name:  
Procurement & Material Management, Al Muir, Sr. Director

### Discussion:

Competitively solicited, 4 ½ month Design-Build Contract (limited RFP process, 3 proposals received) to Ecco III Enterprises, Inc. to provide design and construction services for permanent repairs to the Park Avenue Viaduct at 118<sup>th</sup> St.

On the night of May 17<sup>th</sup>, a fire at 118<sup>th</sup> Street seriously damaged part of the structure of the Park Avenue Viaduct, such that the center column was no longer able to fully support the weight of the trains passing along the viaduct, more specifically on the two center tracks, 1 and 2. The center girders and various floor beams supporting the tracks above were also damaged.

To restore a limited level of service, the Metro-North Track and Structures Department immediately mobilized to the site that night and installed steel shoring columns around the buckled column to support the loads carried by the floor beams and girders. The temporary columns were installed within twenty four hours of the fire being extinguished. The installation, while providing temporary support to the damaged portion of the viaduct, does not address all of the conditions found during the post-fire inspection, necessitating constant monitoring and improvement of the system by Track and Structures personnel. All work is being monitored by representatives from the Capital Engineering Department and by Ammann & Whitney, an engineering design consultant currently performing inspection and design at all bridges on Metro-North's New York State territory. While the temporary support has been working effectively, allowing safe operation of the Railroad, train speed has been reduced on two tracks from 60 mph to 30 mph due to continued settlement of the structure.

Under a "Declaration of Emergency", expedited procurement actions were initiated in order to provide permanent repairs to the Viaduct. On June 20<sup>th</sup>, Metro-North solicited proposals from three contractors with the requisite expertise and experience, all of whom are presently mobilized at other Railroad locations. A Request for Proposal was quickly developed and initial design plans were prepared by Ammann & Whitney. As the three proposers were required to perform design work for a more robust temporary support structure, the RFP included a \$25,000 stipend for the unsuccessful proposers. The use of stipends was added to the new All Agency Procurement Guidelines as a way of encouraging contractor participation in Design Build Contracts.

A Selection Committee consisting of representatives from the Procurement & Material Management, Capital Engineering and Track and Structures Departments evaluated the proposals based on the criteria set forth in the RFP. Proposers were evaluated on their design of temporary supports, schedule and cost. On July 8, 2016, proposals were received from the three selected contractors: Tully Construction, Ad Tech Enterprises, Inc. and Ecco III Enterprises, Inc. The Selection Committee convened and all three firms were invited to participate individually with the Selection Committee to review their proposals on July 11. As a result of those meetings additional questions were formulated by Metro-North's Capital Engineering and Structure Departments and forwarded to the contractors on July 13. Responses were received and the Committee reconvened on July 14<sup>th</sup>.

## Schedule K: Ratification

The Metro-North Selection Committee unanimously selected ECCO III Enterprises, Inc. (ECCO) to perform the work. ECCO submitted a temporary design that best instilled confidence in the Committee. ECCO's scheduled completion date for the more robust temporary supports is August 29, 2016, at which point all speed restrictions may be removed. Final completion of all work, including painting, will be done by November 30, 2016. ECCO's price of \$3,245,000 was the lowest submitted by the proposers. On July 15, a Notice of Award was issued to ECCO in the amount of \$3,245,000.

The awarded, 4 1/2 month contract in the amount of \$3,245,000 is to be funded by the MNR Capital Budget. In addition, MNR will issue stipends to Ad Tech Enterprises, Inc. and Tully Construction in the amount of \$25,000 each as compensation for their design work. The total value of this procurement is \$3,295,000.

**LONG ISLAND RAIL ROAD**

**PROCUREMENTS**

**FOR**

**BOARD ACTION**

**July 27, 2016**

# Staff Summary

Subject : Request for Authorization to Award Various Procurements						Date July 27, 2016			
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	7.25.16				X	President 		
2	MTA Board	7.27.16				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:**      # of Actions      \$ Amount

### Schedules Requiring Majority Vote

Schedule F:	Personal Service Contracts	1	\$108,696
		<b>SUBTOTAL:</b>	<b>1      \$108,696</b>

**LIRR proposes to award Competitive Procurements in the following categories:**      # of Actions      \$ Amount

### Schedules Requiring Two-Thirds Vote

Schedule B:	Competitive RFPs (Solic. of Purch. & Public Works Contracts)	2	\$TBD
		<b>SUBTOTAL:</b>	<b>2      \$TBD</b>

### Schedules Requiring Majority Vote

Schedule G:	Miscellaneous Service Contracts	1	\$1,491,886
		<b>SUBTOTAL:</b>	<b>1      \$1,491,886</b>

**LIRR proposes to award Ratifications in the following categories:**      # of Actions      \$ Amount

None

**TOTAL:      4      \$1,600,582**

**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.

**JULY 2016**

**MTA LONG ISLAND RAIL ROAD**

**LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

*Procurements Requiring Majority Vote*

**Schedule F: Personal Service Contracts**

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

- |           |   |  |                                      |
|-----------|---|--|--------------------------------------|
| <b>1.</b> | <b>EMCOM Systems, Inc.</b><br><b>Sole Source</b><br><b>Contract No. TBD</b> | <b>\$108,696</b><br><b>Not-to-Exceed</b> | <u><i>Staff Summary Attached</i></u> |
|-----------|---|--|--------------------------------------|

LIRR requests MTA Board approval to award a three-year sole source contract to EMCOM Systems Inc. ("EMCOM") in an amount not to exceed \$108,696 to provide Maintenance services and Software Updates for existing EMCOM Emergency Communications systems (Blue Light Phones) used in LIRR Atlantic Avenue tunnel.

## Staff Summary



Item Number: 1					
Dept & Dept Head Name: Procurement & Logistics, Dennis Mahon					
Department Head Signature & Date					
Division & Division Head Name: Engineering, Chris Calvagna					
Division Head Signature & Date					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	7.25.16			
2	MTA Board	7.27.16			
Internal Approvals					
Order	Approval	Order	Approval		
6	President	3	Sr. VP/Engineering		
5	Executive VP	2	VP/CFO		
4	Sr. VP/Operations	1	VP/Gen'l Counsel & Sec'y		

SUMMARY INFORMATION	
Vendor Name	Contract Number
EMCOM Systems, Inc.	TBD
Description	
Maintenance to support Blue Light Emergency Telephone systems in LIRR Atlantic Avenue Tunnel for 3 year period.	
Total Amount	
\$108,696 NTE	
Contract Term (including Options, if any)	
August 1, 2016 – July 31, 2019	
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 type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-Competitive	
Solicitation Type	
<input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative:

**I. PURPOSE/RECOMMENDATION**

LIRR requests MTA Board approval to award a three-year sole source contract to EMCOM Systems Inc. ("EMCOM") in an amount not to exceed \$108,696 to provide Maintenance services and Software Updates for existing EMCOM Emergency Communications systems (Blue Light Phones) used in LIRR Atlantic Avenue tunnel.

**II. DISCUSSION**

LIRR Operating Procedures and FRA Guidelines require regular inspection and maintenance of Emergency Communication Equipment in Tunnels. These systems (LIRR Atlantic Avenue Tunnel) include; Blue Light Emergency Telephone, Fire Alarm and 3<sup>rd</sup> Rail Power disconnect to LIRR Power Director and Transportation Tower Operators.

EMCOM Systems is the Original Equipment Manufacturer of: EMCOM System Maintenance Systems Station, Agent Station, Dialogic HMP, System Database and EmVista Central software which are all proprietary. These support services will include access to Vendor-supplied technical support services, system software modifications and software updates. EMCOM is the only known responsible source for these services. LIRR advertised its intent to award a sole-source contract to EMCOM and no other firm came forward offering equivalent products and services.

EMCOM provides maintenance for system and software maintenance and updates to MTA/NYCT at equally competitive prices per system. Accordingly, these prices have therefore been determined to be fair and reasonable.

## Staff Summary

### III. D/M/WBE INFORMATION

There are no D/M/WBE goals for this solicitation.

### IV. IMPACT ON FUNDING

This contract will be funded by LIRR's operating budget.

### V. ALTERNATIVES

EMCOM is the Original Equipment Manufacturer of: EMCOM System Maintenance Systems Station, Agent Station, Dialogic HMP, System Database and EmVista Central software which are all proprietary. EMCOM is the only known responsible source for these services.

JULY 2016

MTA LONG ISLAND RAIL ROAD

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote

**Schedule B: Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts;**

(Staff Summaries only required for items estimated to be greater than \$1 million)

- |    |  |              |                               |
|----|--|--------------|-------------------------------|
| 2. | <b>TBD</b><br><b>Competitive RFP</b><br><b>Contract No. TBD</b>  | <b>\$TBD</b> | <u>Staff Summary Attached</u> |
|    | <p>LIRR requests MTA Board approval to adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is therefore in the public interest to use the competitive Request for Proposal (RFP) procurement method, pursuant to Section 1265-a of the Public Authorities Law, to award a contract for the purchase of two (2) new or remanufactured Green Locomotives with an option to purchase up to 6 additional locomotives. These locomotives will be owned by the Long Island Rail Road and leased to New York and Atlantic Railway to support freight operations on Long Island.</p> |              |                               |
| 3. | <b>TBD</b><br><b>Competitive RFP</b><br><b>Contract No. 6241</b>   | <b>\$TBD</b> | <u>Staff Summary Attached</u> |
|    | <p>LIRR requests MTA Board approval to adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is in the public's best interest to use the Request for Proposal (RFP) procurement method pursuant to Section 1265-a of the Public Authorities Law to award a preliminary Design/Build construction contract for the New Morris Park Locomotive Shop and Employee Facility.</p>   |              |                               |

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)

- |    |   |   |
|----|---|---|
| 4. | <b>Fire Extinguisher Maintenance</b><br><b>3 -Year Contracts (w/2-Year Options)</b><br><b>Master Contract No.: 00001064</b> | <b>\$1,491,886.25</b><br><b>Not-to-Exceed (5-Years)</b> |
|----|---|---|

Total Fire Protection  
LIRR - \$596,202.50

Fire Command  
MTAPD - \$16,045.00

Campbell Fire Protection  
MNR - \$367,913.00  
B&T - \$511,725.75  
Total = \$879,638.75

Long Island Rail Road ("LIRR"), on behalf of itself, Metro-North Railroad ("MNR"), Tri-borough Bridge and Tunnel Authority ("B&T") and the Metropolitan Transportation Authority Police Department ("MTAPD") - collectively the "Agencies", requests MTA Board approval to award three individual five year, competitively solicited, miscellaneous service contracts in the aggregate amount of \$1,491,886.25, to Total Fire Protection, Inc., Fire Command, Inc., and Campbell Fire Protection, for as-needed inspection and testing, maintenance and repair, fill and recharge of fire extinguishers. The solicitation was structured to permit bids based on the Agencies' operating regions, wherein a contractor could elect to bid or not bid on specific territories. The IFB was advertised in the New York State Contract Reporter and in the New York Post on March 31, 2016, placed on the MTA Website, and mailed to twelve firms. A total of four firms bid on the Agencies' requirements, with each Agency receiving two bids per its operating region. LIRR's bid results yielded a low bid from Total Fire Protection (\$596,202.50), which is 12.7% less than the second low bidder. Fire Command's bid (\$16,045.00) for MTAPD's was 17.5% less than the second bidder, while Campbell's pricing for B&T and MNR resulted in a \$49,486.25 (8.81%) and \$10,315.00 (2.72%) savings for each agency respectively. Fixed Prices are based on independent agency Price Schedules for estimated quantities of services provided at various locations. The term of these contracts will be three years, plus one 2-year option. Pricing, which remains firm and fixed for the entire award period, is determined to be fair and reasonable. Funding is included in each Agency's operating budget.

The Department of Diversity and Civil Rights has assigned 15% MBE and 15% WBE goals on the Fire Extinguisher Maintenance and Repair Services. Contractor MBE/WBE submittals are with the Department of Diversity and Civil Rights for review and approval. Awards will not be made without the approval of these submittals by DDCR.

## Staff Summary



Long Island Rail Road

Page 1 of 2

Item Number: 2					
Dept & Dept Head Name: Procurement & Logistics, Dennis Mahon					
Division & Division Head Name: Sr. Vice President Operations - David J. Kubicek Chief Planning Officer - Donna Betty					
<b>Board Reviews</b>					
Order	To	Date	Approval	Info	Other
1	LIRR Committee	7.25.16			
2	MTA Board	7.27.16			
3					
<b>Internal Approvals</b>					
Order	Approval	Order	Approval		
6	President	3	Sr. VP/ Engineering		
5	Executive VP	2	VP/CFO		
4	Sr. VP/Operations	1	VP/Gen'l Counsel & Sec'y		

SUMMARY INFORMATION	
Vendor Name	Contract Number
TBD	TBD
Description	
Purchase two (2) Green Locomotives with an option to purchase (up to 6) additional locomotives.	
Total Amount	
\$TBD	
Contract Term (including Options, if any)	
TBD	
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	
Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: NYSDOT Grant Funds	

## Narrative:

**I. PURPOSE/RECOMMENDATION:**

LIRR requests MTA Board approval to adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is therefore in the public interest to use the competitive Request for Proposal (RFP) procurement method, pursuant to Section 1265-a of the Public Authorities Law, to award a contract for the purchase of two (2) new or remanufactured Green Locomotives with an option to purchase up to 6 additional locomotives. These locomotives will be owned by the Long Island Rail Road and leased to New York and Atlantic Railway to support freight operations on Long Island.

**II. DISCUSSION:**

The Green Locomotive Project is an initiative between the Governors' Office, the NYS Assembly, the NYS Department of Transportation (NYSDOT), the Long Island Rail Road (LIRR), and LIRR's freight operator New York and Atlantic Railway (NYA) to replace NYA's aging fleet of ten (10) EPA non-tier compliant leased locomotives with remanufactured or new clean emissions locomotives. LIRR leases 10 locomotives to NYA to operate the freight service in the Kings, Queens, Nassau and Suffolk Counties.

The NYS Assembly has successfully secured funding in the 2013, 2014, 2015, and 2016 state budgets in the amount of \$13.0M to procure "Green Locomotives", for the purpose of replacing the older leased locomotives. Additional funding in future state budgets is also anticipated. The LIRR has received a fully executed Grant Agreement for funding year 2013 and Supplemental Agreements for funding years 2014 and 2015 from NYSDOT to procure "Green Locomotives" (an agreement for 2016 is currently pending).

## Staff Summary



Page 2 of 2

To date, two (2) locomotives have been procured, delivered, and placed in service with eight (8) remaining to be replaced. The two locomotives already purchased offer significant environmental emissions improvements over NYA's existing leased locomotives and came equipped with the EPA certified "best available" Tier 3 with Tier 4 after treatment for Particulate Matter (PM) rating available in their horsepower range at the time of their purchase.

Building on the success of the first procurement, this new competitive procurement will also seek the "best available" EPA certified emissions technology applicable as of the date of contract award.

Some of the major environmental benefits of the "Green Locomotives" are that they are noticeably quieter, and will be equipped with engines certified by EPA as having the best available Tier rating for their horsepower range, thus significantly reducing air pollution emissions over the locomotives they replace. In addition, the "Green Locomotives" will be equipped with anti-idle technology (shuts down engine after 5 minutes of idling), resulting in lower fuel consumption and noise than NYA's existing fleet.

### **III. D/M/WBE INFORMATION:**

Goals for this Procurement will be determined by MTA Department of Diversity and Civil Rights.

### **IV. IMPACT ON FUNDING:**

The contract for procurement of the "Green Locomotives" is expected to be fully funded by a grant from the New York State Department of Transportation.

### **V. ALTERNATIVES:**

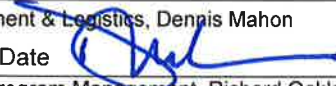

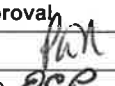

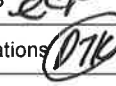



The alternative is to use the Invitation for Bid (IFB) procurement method. The IFB method limits the Railroad's ability to have pre-award discussions with manufacturers until after award, and as a result LIRR would lose the ability to negotiate life cycle costs and improvements to the fleet. The RFP process also allows the Railroad to consider factors such as proposer experience, plant capacity and locomotive reliability, in addition to price.

# Schedule B: Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)

## Staff Summary



Page 1 of 2

Item Number: 3					
Dept/Dept Head Name: Procurement & Logistics, Dennis Mahon					
Department Head Signature & Date 					
Division/Division Head Name: Program Management, Richard Oakley					
Division Head Signature & Date  7/13/16					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	7.25.16			
2	MTA Board	7.27.16			
Internal Approvals					
Order	Approval	Order	Approval		
1	President 	4	Sr. VP/Engineering 		
2	Executive VP 	5	VP/CFO 		
3	Sr. VP/Operations 	6	VP/Gen'l Counsel/ Sec'y 		

SUMMARY INFORMATION	
Vendor Name	Contract Number
TBD	6241
Description	
New Morris Park Locomotive Shop and Employee Facility	
Total Amount	
\$TBD	
Contract Term (including Options, if any)	
TBD-Month	
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 checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

### Narrative:

#### I. PURPOSE/RECOMMENDATION

LIRR requests MTA Board approval to adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is in the public's best interest to use the Request for Proposal (RFP) procurement method pursuant to Section 1265-a of the Public Authorities Law to award a preliminary Design/Build construction contract for the New Morris Park Locomotive Shop and Employee Facility.

#### II. DISCUSSION

In its ongoing efforts to maintain its fleet of DE/DM Diesel locomotives, LIRR currently performs all maintenance activity within a 125-year old facility. While this facility minimally served its purpose when the Diesel fleet was first put into revenue service in 1998, it has become wholly inefficient as the fleet continues to age and maintenance requirements have increased. Therefore, LIRR seeks to award a Design/Build contract to construct a locomotive repair shop including: employee facility, storage warehouse, shop tracks, yard tracks and back shop. The new facility will help to provide more efficient maintenance practices and increase capacity which, in turn, will result in increased car availability to our customers.

Use of the Design/Build RFP procurement method will permit an earlier commencement and completion of the project resulting in cost and time savings benefits by allowing construction work to start prior to completion of final design and incentivizing the Design/Builder in proposing alternative construction methods that provide additional benefits and savings.

## **Staff Summary**

### **III. D/M/WBE INFORMATION**

15%MBE and 15%WBE participation goals have been assigned to this Contract by the MTA Department of Diversity and Civil Rights.

### **IV. IMPACT ON FUNDING**

Funding for the third party Design/Build construction of the New Morris Park Locomotive Shop and Employee Facility is included in LIRR's 2015 – 2019 Capital Plan.

### **V. ALTERNATIVES**

The alternative is to use the Invitation for Bid (IFB) procurement method. The IFB procurement method does not allow the LIRR to negotiate costs or select a Contractor based upon best experience, technical capability and/or proposed work completion schedule. In addition, an IFB would (i) require design drawings and specifications to be at the 100% level, thus potentially delaying the start of construction, and(ii) delay meaningful dialogue with the Contractor until after award, thereby preventing the LIRR from being able to negotiate improvements to the construction schedule and incorporate more efficient means and methods for construction.

**LONG ISLAND RAILROAD COMMITTEE**

**MTA BOARD**

**PROCUREMENT PACKAGE**

**July 2016**

Staff Summary



<b>Subject</b>	Request for Authorization to Award Various Procurements				
<b>Department</b>	Law and Procurement				
<b>Department Head Name</b>	Evan M. Eisland				
<b>Department Head Signature</b>					
<b>Board Action</b>					
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>
1	Long Island Rail Road Joint Committee	7/25/16	X		
2	Board	7/27/16	X		

<b>Date:</b> July 14, 2016			
<b>Vendor Name</b> Various			
<b>Contract Number</b> Various			
<b>Contract Manager Name</b> Various			
<b>Internal Approvals</b>			
	<b>Approval</b>		
4	President 	3	Executive Vice President 
2	Vice President, Program Controls 	1	Chief Procurement Officer 

**PURPOSE**

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

**DISCUSSION**

MTA Capital Construction proposes to award Competitive Procurements in the following category:

Schedules Requiring Majority Vote:

Schedule I Modifications to Purchase and Public Work Contracts

	# of Actions	\$ Amount
	2	\$ 1,682,438
<b>SUBTOTAL</b>	2	\$ 1,682,438

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

Schedules Requiring Majority Vote:

Schedule K Ratification of Completed Procurement Actions

	# of Actions	\$ Amount
	2	\$ 3,801,960
<b>SUBTOTAL</b>	2	\$ 3,801,960
<b>TOTAL</b>	4	\$ 5,484,398

**Budget Impact:**

The approval of the modifications and ratifications will obligate MTA Capital Construction capital funds in the respective amounts listed. Funds are available in the capital budget for this purpose.

**Recommendation:**

That the modifications and ratifications be approved as proposed. (The items are 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.

JULY 2016

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Majority Vote:**

**Schedule I. Modifications To Purchase and Public Work Contracts**

(Staff Summaries required for individual change orders greater than \$750K. Approval without Staff Summary required for change orders greater than 15% of the adjusted contract amount which are also at least \$250K)

<b>1 &amp; 2.</b>	<b>GCT Constructors Joint Venture</b>	<b>\$ 1,682,438</b>	<b><u>Staff Summary Attached</u></b>
	<b>Contract No. CM014B</b>		
	<b>Modification Nos. 21 and 35</b>		

In accordance with Article VIII of the All-Agency General Contract Guidelines, MTACC seeks Board approval to modify the contract to provide for the demolition of existing crash walls and for the remediation of the shaft for Elevator EL-09.

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

**Item Numbers 1 & 2**

<b>Vendor Name (&amp; Location)</b> GCT Constructors Joint Venture (Secaucus, NJ)	<b>Contract Number</b> CM014B	<b>AWO/Modification #</b> 21 and 35
<b>Description</b> GCT Concourse and Facilities Fit-Out for the ESA Project	<b>Original Amount:</b> \$ 404,622,096	
<b>Contract Term (including Options, if any)</b> 1,726 Days	<b>Prior Modifications:</b> \$ 4,775,807	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<b>Exercised Options:</b> \$ 20,184,943	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	<b>Current Amount:</b> \$ 429,582,846	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	<b>This Request</b> \$ 1,682,438	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	<b>% of This Request to Current Amount:</b> .4%	
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> East Side Access, W. Goodrich, P.E.	<b>% of Modifications (including This Request) to Original Amount:</b> 1.6 %	

**Discussion:**

This East Side Access (“ESA”) project Contract is for the architectural, structural, mechanical and electrical fit-out of the new Long Island Railroad (“LIRR”) Concourse and includes the installation of elevators and escalators. In accordance with Article VIII of the All-Agency General Contract Guidelines, MTACC seeks Board approval to modify the contract to provide for the demolition of existing crash walls and for the remediation of the shaft for Elevator EL-09.

**Modification No. 21**

There are concrete crash walls in approximately 36 locations within the former Madison Yard that must be demolished. This work was removed from the scope of a previous contract and must be added to this contract to accommodate construction of the new LIRR Concourse.

The Contractor submitted a cost proposal of \$808,917. MTACC’s estimate was \$943,744. Negotiations were held and the parties agreed to \$792,438 which is considered fair and reasonable. There is no time impact to the Contract associated with this modification.

**Modification No. 35**

The shaft for Elevator EI-09, constructed under Contract CM013, does not meet the tolerances required for the installation of the elevator. As a result, remediation is required which will entail partial demolition and replacement of walls and encasements. Because the CM013 contractor is otherwise finished with its work and the CM014B contractor already occupying the work area, if the CM013 contractor is directed to perform the corrective work, the work will interfere with and delay the CM014B Contractor and subject the MTA to claims for impact cost from the CM014B contractor. The more efficient and effective approach is to have the CM014B contractor perform the corrective work and then install the elevator. MTACC intends to deduct the cost of the corrective work from the retainage that MTACC is holding for the CM013 contract.

The Contractor submitted a cost proposal of \$1,032,104. MTACC’s estimate was \$958,675. Negotiations were held and the parties agreed to \$890,000 for the work which is considered fair and reasonable. This work will impact Milestone No. 2 but will have no impact on Substantial Completion or the schedule of any other ESA Contracts.

JULY 2016

**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)**

- |    |   |                     |                                      |
|----|---|---------------------|--------------------------------------|
| 3. | <b>Tutor Perini Corporation</b><br><b>Contract No. CH057</b><br><b>Modification No. 6</b> | <b>\$ 1,895,000</b> | <b><u>Staff Summary Attached</u></b> |
|----|---|---------------------|--------------------------------------|

In accordance with Article VIII of the All-Agency General Contract Guidelines, MTACC seeks ratification by the Board of a modification to the contract to furnish and install additional catenary structures and miscellaneous catenary pole hardware.

- |    |  |                     |                                      |
|----|--|---------------------|--------------------------------------|
| 4. | <b>Tutor Perini Corporation</b><br><b>Contract No. CQ032</b><br><b>Modification No. 79</b> | <b>\$ 1,906,960</b> | <b><u>Staff Summary Attached</u></b> |
|----|--|---------------------|--------------------------------------|

In accordance with Article VIII of the All-Agency General Contract Guidelines, MTACC seeks ratification by the Board implement remediation measures to prevent water infiltration at the Plaza Interlocking Structure.

## Item Number 3

<b>Vendor Name (&amp; Location)</b> Tutor Perini Corporation (Long Island City)		<b>Contract Number</b> CH057	<b>AWO/Modification #</b> 6
<b>Description</b> Harold Structures Part 3 for the ESA Project			
<b>Contract Term (including Options, if any)</b> 19 Months		<b>Original Amount:</b> \$ 53,352,586	
		<b>Prior Modifications:</b> \$ 680,389	
		<b>Exercised Options:</b> \$ 2,160,000	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A		<b>Current Amount:</b> \$ 56,192,975	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive			
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification		<b>This Request</b> \$ 1,895,000	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		<b>% of This Request to Current Amount:</b> 3.4%	
<b>Requesting Dept./Div. &amp; Dept./Div. Head Name:</b> East Side Access, W. Goodrich, P.E.		<b>% of Modifications (including This Request) to Original Amount:</b> 4.8%	

**Discussion:**

The work under this Contract includes construction of the Track D Approach Structure and the 48th Street MM2 Bridge, installation of catenary structures, track work, sewers, and electrical and communication utilities, and demolition of the existing G02 Substation and Signal Bridges 18 and 22. In accordance with Article VIII of the All-Agency General Contract Guidelines, MTACC seeks ratification by the Board of a modification to the contract to furnish and install additional catenary structures and miscellaneous catenary pole hardware.

Construction of the Mid-Day Storage Yard under the CQ033 Contract is scheduled to begin in December 2016. The CQ033 Contractor will be required to demolish existing catenary structures that interfere with its construction. Before the existing structures can be demolished, new catenary structures must be installed outside of the CQ033 work area. Furnishing and installing the new catenary structures was planned as part of the CH058A Contract but that contract has been deferred as part of the ESA First program and this work must be added to this contract and performed now to facilitate construction of the Mid-Day Storage Yard. This modification also includes the requirement to furnish and install a catenary structure that was planned as part of the CH058A Contract but is required sooner to reroute trains during an upcoming track outage. Lastly, as a result of a minor design change with regard to three in-contract catenary poles, this modification includes the requirement to furnish miscellaneous hardware.

The Contractor submitted a cost proposal of \$2,064,077. MTACC's estimate was \$2,029,347. Negotiations were held and the parties agreed to a cost of \$1,895,000 which is considered fair and reasonable.

In order to not delay the start of construction of the Mid-Day Storage Yard, the President authorized a limited scope of the work to proceed and the Contractor was directed to proceed with the work up to the not-to-exceed amount of \$350,000. Authorization to proceed with the remainder of this work will be issued upon Board ratification of this Modification.

**Item Number 4**

<b>Vendor Name (&amp; Location)</b> Tutor Perini Corporation (Peekskill, New York)	<b>Contract Number</b> CQ032	<b>AWO/Modification #</b> 79
<b>Description</b> Plaza Substation and Queens Structures for the ESA Project		
<b>Contract Term (including Options, if any)</b> 2,289 days	<b>Original Amount:</b>	\$ 147,377,000
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<b>Prior Modifications:</b>	\$ 112,613,996
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	<b>Prior Budgetary Increases:</b>	\$ 0
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	<b>Current Amount:</b>	\$ 259,990,996
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	<b>This Request</b>	\$ 1,906,960
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> East Side Access, W. Goodrich, P.E.	<b>% of This Request to Current Amount:</b>	.7%
	<b>% of Modifications (including This Request) to Original Amount:</b>	77.7%

**Discussion:**

The work under this Contract is for the structural and architectural rehabilitation of existing facilities within the 63<sup>rd</sup> Street Tunnel as well as the construction of the Plaza Interlocking and Facility Power Substation B10 for the East Side Access (ESA) Project. In accordance with Article VIII of the All-Agency General Contract Guidelines, MTACC seeks ratification by the Board of a modification to the contract to implement remediation measures to prevent water infiltration at the Plaza Interlocking Structure.

Water is infiltrating the Plaza Interlocking structure in in the Early Access Chamber and in locations where the new structure meets existing structures. ESA's General Engineering Consultant (GEC) performed an investigation and developed a plan to remediate the water infiltration. That plan includes grouting to be performed by a specialty grouting subcontractor at specific locations in and around the Launch Block and the Early Access Chamber and applying a chemical sealant in the area of the Amtrak Bridge abutment.

The Contractor submitted a proposal for this Work in the amount of \$2,119,959. MTA's estimate is \$1,842,420. Due to the nature of the work, it is impossible to determine in advance of mobilization the specific type and exact quantities of grouting materials that will be required. Accordingly, the parties negotiated and agreed on unit prices for the various grouting materials and activities and agreed that the cost of the work would be based upon actual units used. In addition, the parties agreed to a maximum not-to exceed amount for the work of \$1,906,960 which is considered to be fair and reasonable. Based on MTACC's time impact analysis, there is no impact to the Substantial Completion date of the project as a result of this work. However, the contractor has reserved its right to claim time impacts if they arise.

In order not to impact the Substantial Completion date of the Contract, the President authorized the Work to proceed and the Contractor was directed to proceed with the work up to the not-to-exceed amount of \$1,250,000. Authorization to proceed with the remainder of this Work will be issued upon Board ratification of this Modification.



# Bridges and Tunnels

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## Procurements July 2016



# Staff Summary

<b>Subject:</b>	Request for Authorization to Award Various Procurements
<b>Department:</b>	Procurement
<b>Department Head Name</b>	M. Margaret Terry <i>mmt</i>
<b>Department Head Signature</b>	
<b>Project Manager Name</b>	Various

<b>Date</b>	07/08/2016
<b>Vendor Name</b>	
<b>Contract Number</b>	
<b>Contract Manager Name</b>	
<b>Table of Contents Ref #</b>	

Board Action					
Order	To	Date	Approval	Info	Other
1	President	07/08/2016			
2	MTA B&T Committee	07/25/2016			
3	MTA Board	07/27/2016			

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

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
	Chief Financial Officer <i>AF</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:

<u>Schedules Requiring Two-Thirds Vote:</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule B:	Request to Use RFP for Procurement of Purchase & Public Works in lieu of Sealed Bid	1	To be determined
<u>Schedules Requiring Majority Vote</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule F :	Personal Service Contracts	3	\$ 20.12 M
SUBTOTAL		3	\$ 20.12 M
MTA B&T presents the following procurement actions for Ratification: None.			
TOTAL		4	\$ 20.12 M

## 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.)

**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**  
**JULY 2016**

**MTA BRIDGES & TUNNELS**

**Procurements Requiring Two-Thirds 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. <b>Contractors to be Determined</b> | <b>Cost to be Determined</b> | <b><u>Staff Summary Attached</u></b> |
|--|------------------------------|--------------------------------------|

**Contract Nos. Various**

B&T is seeking Board approval under the All Agency General Contract Procurement Guidelines to authorize the Authority to enter into a competitive Request for Proposal (RFP) process for Design/Build Services in lieu of sealed competitive bids for various projects in the approved 2015-2019 Capital Program, as well as using alternate delivery methods for implementation of open road tolling projects at Authority facilities.

**Procurements Requiring Majority Vote:**

**F: Personal Service Contracts**

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

- |                                  |                         |                                      |
|----------------------------------|-------------------------|--------------------------------------|
| 1. <b>HNTB/WSP</b>               | <b>\$ 11,735,921.00</b> | <b><u>Staff Summary Attached</u></b> |
| <b>Parsons Brinckerhoff, A</b>   |                         |                                      |
| <b>Joint Venture</b>             |                         |                                      |
| <b>Contract No.: PSC-15-2984</b> |                         |                                      |

5 yr. contract - Competitive RFP - 4 Proposals

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for Design and Construction Support Services for Project No. VN-84, Reconstruction and Rehabilitation of the Upper Level Approach Decks at the Verrazano-Narrows Bridge (VNB) to the Joint Venture of HNTB and WSP | Parsons Brinckerhoff (HNTB/WSP | PB).

- |                                   |                        |                                      |
|-----------------------------------|------------------------|--------------------------------------|
| 2 <b>Thornton Tomasetti, Inc.</b> | <b>\$ 5,386,148.56</b> | <b><u>Staff Summary Attached</u></b> |
|-----------------------------------|------------------------|--------------------------------------|

**Contract No.: PSC-15-2977**

2 yrs & 3 months. contract - Competitive RFP - 5 Proposals

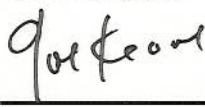

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for the design and construction support services for Project TN-53, Rehabilitation and Seismic Retrofit of the Approach Viaducts and Rehabilitation of the Lower Garage at the Throgs Neck

Bridge (TNB).

B&T is seeking Board approval in accordance with the All-Agency Service Contract Procurement Guidelines to award two personal service contracts to provide miscellaneous design services for Intelligent Transportation Systems (ITS) projects on an as-needed basis.

# Staff Summary

Page 1 of 3

<b>Item Number 1 (Final)</b>					
<b>Dept &amp; Dept Head Name:</b> Joe Keane, P.E. 					
<b>Division &amp; Division Head Name:</b> Various Engineering and Construction					
<b>Board Reviews</b>					
<b>Order</b>	<b>To</b>	<b>Date</b>	<b>Approval</b>	<b>Info</b>	<b>Other</b>
1	President	7/8/16			
2	MTA B&T Committee	7/25/16			
3	Board	7/27/16			
<b>Internal Approvals</b>					
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>		
1	Chief Financial Officer	4	Chief of Staff		
2	General Counsel	5	Executive Vice President		
3	Chief Procurement Officer	6	President		

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> N/A	<b>Contract Number</b> Various
<b>Description:</b> Competitive RFP process for various projects	
<b>Total Amount</b> TBD	
<b>Contract Term (including Options, if any)</b> Various	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative

### I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency General Contract Procurement Guidelines to authorize the Authority to enter into a competitive Request for Proposal (RFP) process in lieu of sealed competitive bids for various Design/Build and for Open Road Tolling projects under the 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. B&T's revised 2015-2019 Capital Program reflects anticipated efficiencies attributable to more streamlined design and construction of certain types of capital projects, through use of alternative project delivery and procurement methods. B&T is pursuing an aggressive Design-Build program consisting of seventeen (17) projects in the 2015-2019 Capital Program, which anticipates efficient and faster delivery of these projects, while achieving best value benefits. In November 2015 the Board approved B&T entering into a competitive RFP process to award Design/Build contracts for four of the seventeen Design-Build projects. An additional thirteen (13) B&T projects are targeted for design-build implementation which are planned to be initiated in the 2016-2019 period.

B&T also intends to leverage anticipated efficiencies produced by alternate project delivery methods as it begins to implement open road tolling systems across all facilities.

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:

# Staff Summary

Page 2 of 3

D704RK07	(RK-07) - Electrical and Mechanical Upgrades on the Harlem River Lift Span (HRLS) at the Robert F. Kennedy Bridge (RFKB) - Design and construction for mechanical and electrical upgrades on the HRLS, and associated work.
D701VN34	(VN-34) - Main Cable and Suspender Rope Testing at the Verrazano-Narrows Bridge (VNB) -- Design and construction for main cable unwrapping and suspender rope removal and replacement at the VNB. Work includes wedging, wire sampling, compaction and re-wrapping of selected main cable panels, and removal and replacement of selected suspender ropes, as well as testing of cable wires and suspender ropes, and associated work.
D701VN89/D704VN30	(VN-89/VN-30) - Repairs to Tower Piers, Relocation of New York City Fire Department (FDNY) Mooring Platform and Rehabilitation of the Elevators at the VNB: Design and construction of repairs to the tower pedestals including resetting the granite cladding, relocation of the FDNY mooring platform, and rehabilitation of the tower elevators, and associated work.
D704HC30/D704QM91	(HC-30/QM-91) - Installation of Smoke Detection/Alarm Systems at the Queens Midtown Tunnel (QMT) and the Hugh L. Carey Tunnel (HLCT) -- Design and Construction of Smoke Detection/Alarm Systems for the ventilation buildings and service buildings at the QMT and the HLCT.
D704HC64	(HC-64) - Electrical Rehabilitation at the HLCT -- Design and Construction of electrical upgrades at the Brooklyn Service Building at the HLCT including rehabilitation and upgrades to substation equipment, electrical feeders, and associated work.
D701BW07/D704BW32	(BW-07/32) - Installation of Tower Fender Protection and Fire Standpipe Connections at the Towers at the Bronx-Whitestone Bridge (BWB) - Design and construction of new marine fender protection around the BWB tower piers as well as a fire standpipe from the BWB tower pedestals to the roadway level to meet the latest FDNY requirements.
D704RK66	(RK-66) - Relocation of 13 KV Substations and other Utility Work at the RFKB -- Design and construction for the relocation of the 13KV electrical substation and Robert Moses Building substation and boilers, replacement of the Manhattan Plaza substation, and upgrades to the Bronx Meter Room at the RFKB.
D704HC07	(HC-07) - Rehabilitation of Ventilation Systems at the HLCT - Design and construction for the rehabilitation of the HLCT ventilation system including, replacement of ventilation fan motors, fire hardening of ventilation components, and installation of fire protection systems.
D701CB18	(CB-18) - Scour Protection and Fender Upgrade/Replacement at the Cross Bay Bridge (CBB) and Marine Parkway Bridge (MPB) - Design and construction of fenders at the MPB and the CBB including replacement of fender system ladders, platforms and railings, as well as scour protection at the CBB.
D704QM81	(QM-81) - Rehabilitation of Tunnel Controls and Communication Systems at the QMT -- Design and construction for the reconfiguration of the QMT central control room including replacement of obsolete equipment/systems, and installation of satellite control rooms for both the QMT and the HLCT in accordance with current fire safety standards.
D704HH19	(HH-19) - Replacement of the Dyckman Street and Kappock Street Substations at the Henry Hudson Bridge (HHB) - Design and construction for the replacement of two electrical substations at the HHB, to meet current codes and provide redundant power service for the operations at the HHB.
D705AW66	(AW-66) - Design and Construction of a Bridge & Tunnels Operations Central Command and Control Center (BTOCCC) at the RFKB -- The BTOCCC will provide incident response, information sharing, and monitoring during normal and major events and will function as a Command, Control and Communication Center with direct monitoring and control capabilities at each of B&T's facilities.
D702RK23	(RK-23) - New Harlem River Drive Ramp at the RFKB - Design and Construction of a new direct connector ramp from the RFKB to the North-bound Harlem River Drive.

# Staff Summary

Page 3 of 3

D703AW65/D703AW63

Construction and installation of Open Road Tolling gantries and associated structures, electrical, communication and power equipment, subsequent demolition of the existing tolling systems infrastructure, including but not limited to tollbooths, toll canopies, toll islands and legacy tolling system infrastructure at B&T facilities which include the Henry Hudson Bridge, Cross Bay Bridge, Marine Parkway Bridge, Robert F. Kennedy Bridge-Manhattan, Bronx Whitestone Bridge, Verrazano Narrows Bridge and Throgs Neck Bridge.

B&T plans to commence the procurement process for these projects with funding provided by the 2015–2019 Capital Program. B&T shall select the contractor(s) with the proposal offering the best value to B&T including proposed technical approach, technical ability, performance record, proposed schedule, cost and other relevant factors. B&T recommends using alternate delivery methods for these projects because it will advance the projects more expeditiously, help minimize disruption to customers and provide B&T with the best value for its investment.

In accordance with MTA policy, unsuccessful proposers for design-build projects will be eligible to receive a stipend.

## **III. D/M/WBE INFORMATION**

MTA DDCR will be consulted in order to establish MBE/WBE goals for these contracts.

## **IV. IMPACT ON FUNDING**

Funding is available in the 2015–2019 Capital Program under Projects D704RK07 (\$15,602,475), D701VN34 (\$43,130,298), D704VN30/D701VN89 (\$9,794,092/\$21,763,164), D704HC30/D704QM91 (\$10,577,411/\$7,049,714), D704HC64 (\$7,329,049), D701BW07/D704BW32 (\$20,700,000/\$7,283,816), D704RK66 (\$19,200,000), D704HC07 (\$85,475,761), D701CB18 (\$48,912,294), D704QM81 (\$42,196,192), D704HH19 (\$15,291,206), D705AW66 (\$25,508,446), D702RK23 (\$141,279,210), D703AW65 (\$67,450,071) and D703AW63 (\$21,263,266)..

## **V. ALTERNATIVES**

There are no recommended alternatives.



# Staff Summary

Page 1 of 2

Item Number 1 (Final)					
Dept & Dept Head Name: Joe Keane, VP and Chief Engineer <i>Joe Keane</i>					
Division & Division Head Name: Aris Stathopoulos, DCE, Project Mgt.					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	07/08/16			
2	MTA B&T Committee	07/25/16			
3	MTA Board	07/27/16			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Executive Vice President <i>[Signature]</i>		
2	Sr. V.P. and General Counsel <i>mmt</i>	5	President <i>AS</i>		
3	V.P. and Chief Proc. Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
Vendor Name HNTB/WSP   Parsons Brinckerhoff, A Joint Venture	Contract Number PSC-15-2984
Description: Design and Construction Support Services for Project No. VN-84, Reconstruction and Rehabilitation of the Upper Level Approach Decks at the Verrazano-Narrows Bridge	
Total Amount \$11,735,921.00	
Contract Term (including Options, if any) Five (5) Years	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative

### I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for Design and Construction Support Services for Project No. VN-84, Reconstruction and Rehabilitation of the Upper Level Approach Decks at the Verrazano-Narrows Bridge (VNB) to the Joint Venture of HNTB and WSP | Parsons Brinckerhoff (HNTB/WSP | PB), located at 350 Fifth Avenue, 57th Floor, New York, NY 10510, in the amount of \$11,735,921.00 for a duration of five (5) years. At a future date, the cost of construction support services (for Phase A) will be negotiated and presented to the Board for approval.

### II. DISCUSSION

B&T requires the services of a qualified consulting engineering firm to design the reconstruction of the Brooklyn and Staten Island upper-level approach decks of the Verrazano-Narrows Bridge (Phase A) and to prepare preliminary designs for: (i) the upper-level eastbound Brooklyn approach (Phase B); and (ii) the replacement and widening of the Belt Parkway ramps (Phase C). The scope of work includes, but is not limited to structural rehabilitation, deck replacement, utility relocation and rehabilitation, drainage, fire standpipe and lane signal usage systems replacement.

The service requirements were publicly advertised; seven (7) firms submitted qualification information. Based on a review of their qualifications, the following four (4) firms were selected to receive the RFP: Hardesty & Hanover LLC; HNTB/WSP | PB; Parsons Transportation Group of New York, Inc.; and Thornton Tomasetti Weidlinger Transportation (formally Weidlinger Associates, Inc.). All four (4) firms submitted proposals. The proposals were evaluated against established criteria set forth in the RFP, including an understanding of the technical requirements, proposed personnel, oral presentations and cost. The consensus recommendation of the Selection Committee was that B&T should enter into negotiations with HNTB/WSP | PB. The recommendation stressed that compared to the other firms, HNTB/WSP | PB's proposal represented the best value to the Authority. The JV's proposal demonstrated



## Staff Summary

a superior level of effort and understanding of the RFP requirements. It also provided specific additional concepts to facilitate and improve construction project staging. The Selection Committee reviewed the levels of effort reflected in HNTB/WSP|PB's cost proposal, and confirmed that their cost proposal represented the most realistic approach and best value to B&T.

The Engineer's estimate is \$16,220,000. HNTB/WSP|PB submitted a cost proposal in the amount of \$11,735,921 (approximately 27.6% under the Engineer's estimate). The variance between HNTB/WSP|PB's proposal and the estimate can be attributed to: (i) the estimate's use of higher hourly rates vs. HNTB/WSP|PB's use of a high percentage of engineers at lower rates; and (ii) lower proposed hours than estimated, which was determined to be due to their previous experience and extensive knowledge of the VNB facility. HNTB/WSP|PB is considered a responsible consultant. Based on comparison to the estimate, HNTB/WSP|PB's proposal is considered fair and reasonable.

### III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 15% MBE and 15% WBE for the referenced contract. HNTB, WSP and PB have achieved their M/WBE goals on previous MTA contracts.

### IV. IMPACT ON FUNDING

Funding is available in the 2015–2019 Capital Program under Project D702VN84.

### V. ALTERNATIVES

There are no recommended alternatives. B&T does not possess the resources required to perform these services

# Staff Summary

Page 1 of 2

Item Number 2 (Final)					
Dept & Dept Head Name: Engineering & Construction Department, Joe Keane, P.E. <i>Joe Keane</i>					
Division & Division Head Name: Engineering & Construction Department, Aris Stathopoulos, P.E. <i>Aris Stathopoulos</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	7/8/16			
2	MTA B&T Committee	7/25/16			
3	MTA Board	7/27/16			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Executive Vice President		
2	General Counsel <i>[Signature]</i>	5	President <i>[Signature]</i>		
3	Chief Procurement Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
Vendor Name	Contract Number
Thornton Tomasetti, Inc.	PSC-15-2977
Description: Design and Construction Support Services for Project TN-53, Rehabilitation and Seismic Retrofit of the Approach Viaducts and Rehabilitation of the Lower Garage at the Throgs Neck Bridge	
Total Amount \$5,386,148.56	
Contract Term (including Options, if any) Two (2) years, Three (3) months	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative

### I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for the design and construction support services for Project TN-53, Rehabilitation and Seismic Retrofit of the Approach Viaducts and Rehabilitation of the Lower Garage at the Throgs Neck Bridge (TNB) to Thornton Tomasetti, Inc. (TTI), formerly Weidinger Associates, Inc., in the negotiated amount of \$5,386,148.56 for a duration of two (2) years, three (3) months. (This amount is for design services only; at a future date, the cost of construction support services for Project TN-53 will be negotiated and presented to the Board for approval).

### II. DISCUSSION

B&T requires the services of an engineering consultant firm to perform complete design and phased construction support services for Project TN-53. Tasks include: (i) investigation and design brief; (ii) design services (40%, 70% and 100% submittals); (iii) development of complete construction specifications and drawings and (iv) phased construction support services. The anticipated scope of services includes but is not limited to: various structural repairs or replacements of stringers, subfloor beams, lateral bracing, median barrier and drainage systems; substructure repairs to pier columns and caps; seismic retrofit and bearing replacement and environmental assessment to determine the presence of asbestos and lead containing materials.

The service requirements were publicly advertised. Eight (8) firms submitted qualification information for review and

(rev. 1/22/14)

## Staff Summary

evaluation by the selection committee and five (5) firms were chosen to receive the Request For Proposal (RFP). The firms are: Hardesty & Hanover/Buckland & Taylor, HNTB New York Engineering and Architecture, P.C., Parsons Transportation Group of New York, TTI and WSP/Parsons Brinckerhoff. The proposals were evaluated against established criteria set forth in the RFP, including technical work proposed, depth of understanding of the project, qualifications of the firm for specific personnel proposed, record of diversity practices and performance and cost. After technical evaluations, the selection committee invited the three (3) highest rated firms for oral presentations: HNTB New York Engineering and Architecture, P.C., TTI and WSP/Parsons Brinckerhoff. Accordingly, based on evaluations and available information the selection committee recommended that negotiations be conducted with TTI.

The recommendation stressed TTI's thorough understanding of the relevant structural and architectural rehabilitation/repair needs which include: sub-floor beams; seismic vulnerabilities; concrete and pier rehabilitation; drainage system modifications and the lower garage rehabilitation. TTI proposed detailed technical solutions for the electrical scope as well. In addition, TTI proposed a project team with significant structural rehabilitation design experience on projects for B&T and specifically at the TNB. The Selection Committee confirmed that TTI's cost proposal represented the best overall approach and best value to the Authority.

TTI submitted a cost proposal in the amount of \$5,386,148.56. The Engineer's estimate is \$7,364,703. The 26.9% variance to the estimate can be attributed to: the estimate overstating various expenses/subconsultants (environmental, constructability, value engineering, and escalation) and savings in efficiencies based on TTI's direct experience at the TNB. TTI's level of effort in terms of hours is within 10.5% of the estimate.

Negotiations resulted in the B&T accepting TTI's proposal in the amount totaling \$5,386,148.56, which is 26.9% below the estimate and is considered fair and reasonable. TTI is considered a responsible consultant.

### III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 15% MBE and 15% WBE for the Contract. TTI has not completed any MTA contracts, therefore no assessment of the firm's MWBE performance can be determined at this time.

### IV. IMPACT ON FUNDING

Funding is available in the 2015-2019 Capital Program under Project D701TN53.

### V. ALTERNATIVES

There are no recommended alternatives. B&T does not possess the resources required to perform these services.

# Staff Summary

Page 1 of 2

Item Number 3 (Final)						SUMMARY INFORMATION																															
Dept & Dept Head Name: Director Toll Operations, Joe Gugliero						Vendor Name																															
Division & Division Head Name: VP and Chief of Operations, Patrick Parisi						Contract Number																															
						1) JHK Engineering, P.C. 2) Henningson, Durham and Richardson Architecture and Engineering, P.C.																															
						PSC-15-2980A PSC-15-2980B																															
						Description Miscellaneous ITS Design Consultant on an As-Needed Basis																															
						Total Amount \$3,000,000																															
						Contract Term (Including Options, if any) Four (4) Years																															
						Option(s) Included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																															
						Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																															
						Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive																															
						Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:																															
						Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:																															
<table border="1"> <thead> <tr> <th colspan="6">Board Reviews</th> </tr> <tr> <th>Order</th> <th>To</th> <th>Date</th> <th>Approval</th> <th>Info</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>President</td> <td>07/08/16</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>MTA B&amp;T Committee</td> <td>07/25/16</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td>MTA Board</td> <td>07/27/16</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>								Board Reviews						Order	To	Date	Approval	Info	Other	1	President	07/08/16				2	MTA B&T Committee	07/25/16				3	MTA Board	07/27/16			
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<table border="1"> <thead> <tr> <th colspan="4">Internal Approvals</th> </tr> <tr> <th>Order</th> <th>Approval</th> <th>Order</th> <th>Approval</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Chief Financial Officer <i>Alen</i></td> <td>4</td> <td>Executive Vice President <i>For Speed</i></td> </tr> <tr> <td>2</td> <td>General Counsel <i>mm</i></td> <td>5</td> <td>President <i>For Speed</i></td> </tr> <tr> <td>3</td> <td>Chief Procurement Officer <i>mm</i></td> <td></td> <td></td> </tr> </tbody> </table>								Internal Approvals				Order	Approval	Order	Approval	1	Chief Financial Officer <i>Alen</i>	4	Executive Vice President <i>For Speed</i>	2	General Counsel <i>mm</i>	5	President <i>For Speed</i>	3	Chief Procurement Officer <i>mm</i>												
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2	General Counsel <i>mm</i>	5	President <i>For Speed</i>																																		
3	Chief Procurement Officer <i>mm</i>																																				

## Narrative

### I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval in accordance with the All-Agency Guidelines for Procurement of Services to award two personal service contracts, PSC-15-2980A and PSC-15-2980B solicited on a competitive basis to (A) JHK Engineering, P.C., located at 253 West 35th Street, New York, NY 10001 and (B) Henningson, Durham and Richardson Architecture and Engineering, P.C. located at 500 Seventh Ave., New York, NY 10018 to provide miscellaneous design services for Intelligent Transportation Systems (ITS) projects on an as-needed basis in the aggregate not to exceed amount of \$3,000,000 over a period of four (4) years.

### II. DISCUSSION

The Authority requires the services of two multi-disciplined firms to provide miscellaneous ITS services on an as-needed basis. ITS systems provide innovative services for different modes of transportation and enables the public to make informed, safer and coordinated decisions when using transportation networks. These contracts will be for an indefinite quantity, with the required services being assigned on an as-needed basis by issuing work orders. Two contracts are being recommended for award to enable the Operations Department to assign work orders to each firm based on their current workload and available personnel. The RFP was publicly advertised in February 2016 and the solicitation notice was sent to seven hundred and three (703) firms. Twenty three (23) firms requested a copy of the

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## Staff Summary

solicitation and proposals were received by six (6) firms: JHK Engineering, P.C. (JHK); Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR); M&J Engineering, P.C (M&J); WSP/Parsons Brinckerhoff, Inc. (WSP/PB), Jacobs Civil Consulting, Inc. (JCCI) and Maestro Technologies, Inc. (MTI).

The Consultants, in their base proposals were asked to quote labor, overhead, profit and escalation rates based on predetermined titles. After evaluation of the technical and cost proposals, the Committee recommended that the Authority waive oral presentations and enter into negotiations with JHK and HDR for these contracts. The firms were selected based on (i) their understanding of the scope, (ii) extensive technical experience, (iii) software development teams and (iv) favorable cost proposals. Their understanding of the work and software experience were key factors in the committee's recommendation.

The total amount for each task will be negotiated separately using the labor, overhead and profit rates that have been negotiated in each contract. Approval is requested to award two contracts to provide miscellaneous design services for ITS projects on an as-needed basis on the aggregate not to exceed amount of \$3,000,000 over a period of four (4) years.

### **III. D/M/WBE INFORMATION**

The MTA Department of Diversity and Civil Rights has assigned a 30% MWBE goal on this contract. JHK Engineering, P.C. and Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR) have achieved their MWDBE goals on previously completed MTA contracts.

### **IV. IMPACT ON FUNDING**

Funding is available in the 2015-2019 Capital Program under various agency-wide (AW) projects (WAR Certificates will be requested on a Work Order basis).

### **V. ALTERNATIVES**

There are no recommended alternatives. The Authority does not possess the resources required to perform these services.