



Metropolitan Transportation Authority

November 2016

MTA Board Action Items



MTA Board Meeting
2 Broadway - 20th Floor Board Room
New York, N.Y. 10004
Wednesday, 11/16/2016
10:00 AM - 12:00 PM ET

1. PUBLIC COMMENT PERIOD

2. APPROVAL OF MINUTES

MTA Regular Board Minutes - October 28, 2016

MTAHQ Minutes - October 28, 2016 - Page 5

NYCT/MaBSTOA/SIR/Bus Company Regular Board Minutes - October 28, 2016

NYCTA Minutes - October 28, 2016 - Page 8

MTA Metro-North Railroad Regular Board Minutes - October 28, 2016

Metro-North Minutes - October 28, 2016 - Page 11

MTA Long Island Rail Road Regular Board Minutes - October 28, 2016

LIRR Minutes - October 28, 2016 - Page 15

MTA Bridges & Tunnels Regular Board Minutes - October 28, 2016

B&T Minutes - October 28, 2016 - Page 21

MTA Capital Construction Regular Board Minutes - October 28, 2016

MTACC Minutes - October 28, 2016 - Page 27

3. COMMITTEE ON FINANCE

Action Item

i. Law Firm Panel Addition

Law Firm Panel Addition - Page 29

Information Item

i. Station Maintenance Billing Update

Station Maintenance Billing Update - Page 31

MTAHQ Procurements Report

MTAHQ Procurement Report - Page 34

i. Non-Competitive (no items)

ii. Competitive

MTAHQ Competitive Procurement - Page 36

iii. Ratifications (no items)

Real Estate Items

i. Real Estate Agenda and Staff Summaries

Real Estate Agenda and Staff Summaries - Page 38

4. COMMITTEE ON NYCT & BUS

NYCT Procurements

NYCT November Procurement Staff Summary and Resolution - Page 48

i. Non-Competitive

NYCT Non-Competitive Actions - Page 52

ii. Competitive

NYCT, MTACC Competitive Actions - Page 56

iii. Ratifications

NYCT, MTACC Ratifications - Page 66

5. COMMITTEE ON METRO-NORTH RAILROAD

Action Item

i. Rockland County Tappan Zee Express Service Improvement

Rockland County TZ Express Service Improvement - Page 74

Metro-North Procurements

MNR Procurements - Page 76

i. Non-Competitive

MNR Non-Competitive Procurements - Page 80

ii. Competitive

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iii. Ratifications

MNR Ratifications - Page 91

6. COMMITTEE ON LONG ISLAND RAIL ROAD

LIRR Procurements

LIRR Procurements - Page 93

i. Non-Competitive (no items)

ii. Competitive

LIRR Competitive Procurements - Page 98

iii. Ratifications (no items)

LIRR MTACC Procurements (no items)

7. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS

BT Procurements

BT Procurements - Page 105

i. Non-Competitive (no items)

ii. Competitive

BT Competitive - Page 108

iii. Ratifications (no items)

8. COMMITTEE ON CORPORATE GOVERNANCE

MTA Procurement Guidelines

Staff Summary - Procurement and Service Guidelines - Page 111

MTA Policies in Connection with Provisions of the Public Authorities Law

Staff Summary - Travel and Business Expense Policy - Page 112

Revisions to Personal Property Disposition Guidelines

Staff Summary - Personal Property Disposition Guidelines - Page 113

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

10. CFO PRESENTATION ON MTA 2017 FINAL PROPOSED BUDGET AND NOVEMBER FINANCIAL PLAN 2017-2020

Date of next meeting: Wednesday, December 14, 2016

**Metropolitan Transportation Authority
Minutes of
Regular Board Meeting
2 Broadway
New York, NY 10004
Friday, October 28, 2016
10:00 a.m.**

The following members were present:

**Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman**

The following members were absent:

**Hon. David Jones
Hon. Susan Metzger
Hon. Lawrence Schwartz
Hon. Peter Ward**

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Norman Brown, 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, Anthony D'Amico, Executive Vice 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 three (3) public speakers, none of which addressed 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 the speakers and the content of speakers' statements.

2. **CHAIRMAN'S REMARKS.**

Chairman Prendergast noted that 112 years ago yesterday Mayor George B. McClellan, August Belmont and William Barclay Parsons boarded a train at City Hall marking the opening of the New York City Subway system. The Chairman also noted that four years ago today marks the second time that the system was formally shut down in anticipation of Super Storm Sandy, which occurred on October 29, 2012.

3. **MINUTES.** Upon motion duly made and seconded, the Board approved the minutes of the regular Board meeting held on September 28, 2016.

4. **COMMITTEE ON FINANCE.**

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

1. Various Contractors – All Agency Payments Consulting Support Services – Nos. 16127-0100 thru -0500. Approved the award of competitively negotiated, all-agency personal services contracts with eight (8) firms on an as-needed basis for payments business and technical consulting support services for a period of five (5) years from November 1, 2016 to October 31, 2021.
2. Gartner, Inc. – IT Service Desk Consulting Services – No. 16370-0100. Ride NY State competitively negotiated personal services contract for consulting services in accordance with the terms and conditions of NYS Contract No. PS66085.
3. Various Contractors – Professional Recruitment Services – Nos. 16371-0100 thru 0300. Ride NYCT competitively negotiated personal services contracts (Nos. 13387, 13560, and 13594) for professional recruitment services.
4. Various Contractors – Business Transformation Consulting Services – Nos. 13200-0100 thru -0700, C/O #3. Approved an amendment to previously Board-approved, competitively negotiated, personal services contracts, riding NYS contracts C000405-412, retroactively extending the contracts for a period of one year from August 9, 2016 to August 8, 2017, while MTA Procurement prepares to issue a new solicitation in Q4 2016.
5. Goldman Sachs Asset Management LP - Portfolio Manager for First Mutual Transportation Assurance Company ("FMTAC") – No. 11031-0200, S/A #1.

Regular Board Meeting
October 28, 2016

Approved an amendment to a previously Board-approved, all-agency, competitively negotiated personal services contract to extend the contract period of performance by one year from November 1, 2016 to October 31, 2017 for the continuity of portfolio management services in connection with the assets held within FMTAC; add additional funding in the not-to-exceed amount of \$740,000; and allow MTAHQ Procurement to conduct a new solicitation.

6. IBM – MTA Business Service Center PeopleSoft 9.2 Upgrade – No. 14049-0100, S/A #3. Approved an amendment to a previously Board-approved, all-agency, competitively negotiated, personal services contract with IBM for additional funding in the amount of \$4,666,800.
7. Cello Partnership d/b/a Verizon Wireless – MTA Bus WiFi Project – No. 14065-0000, S/A #1. Approved an amendment to a previously Board-approved, All-Agency, competitively negotiated, miscellaneous procurement contract to increase funding by an additional not-to-exceed amount of \$30,000,000 to implement the MTA Bus WiFi project to fulfill the public mandate promised by the Governor of New York as part of his technological improvements/vision for MTA Bus.

- B. 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. Determination and Findings under the NY Eminent Domain Procedure Law with respect to temporary residential relocations, temporary business closures and acquisition of property interests needed to facilitate the Myrtle Avenue Viaduct Reconstruction Project.

Metropolitan Transportation Authority

2. Extension of NYCT, LIRR and Metro-North advertising licenses with Outfront Media Inc. and Intersection Design and Technology, Inc.
5. **EXECUTIVE SESSION.** Upon motion duly made and seconded, the Board voted to convene an executive session in accordance with Section 105(1)(d) to discuss matters relating to proposed, pending or current litigation, pursuant to the New York State Public Officers Law.
6. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:54 a.m.

Respectively submitted,

Victoria Clement
Assistant Secretary

Regular Board Meeting
October 28, 2016

**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**

**Friday, October 28, 2016
10:00 a.m.**

The following members were present:

**Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman**

The following members were absent:

**Hon. David Jones
Hon. Susan Metzger
Hon. Lawrence Schwartz
Hon. Peter Ward**

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Norman Brown, Board Member Ira Greenberg, Board Member Vincent Tessitore, Veronique Hakim, President, MTA NYC Transit, 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, Anthony D'Amico, Vice President and CFO, 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 three (3) public speakers. The following speakers spoke on MTA NYC Transit/Staten Island Rapid Transit Operating Authority /MTA Bus Company matters:

Matthew Shotkin, Private Citizen, commented on the completion of the Second Avenue Subway.

Omar Vera, Private Citizen, expressed concerns regarding the opening of the Second Avenue Subway and discussed an issue relating to New York Penn Station.

Jason Anthony Pineiro, Private Citizen, asked the Board to re-consider the Board action item relating to Verizon Wireless and also expressed a concern with the opening date of Second Avenue Subway.

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 September 27, 2016.

5. COMMITTEE ON FINANCE

Real Estate Items:

MTA NYC Transit: Upon motion duly made and seconded, the Board approved: 1) Determination and Findings pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to temporary residential relocations, temporary business closures and acquisition of property interests needed to facilitate the Myrtle Avenue Viaduct Reconstruction Project; and 2) an extension of MTA NYC Transit, Long Island Rail Road and Metro-North advertising licenses with Outfront Media, Inc. and Intersection Design and Technology, Inc.

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 majority vote (Schedule H in the Agenda). Details of the above items are set forth in staff summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

Competitive Procurements: Upon motion duly made and seconded, the Board approved the competitive procurements requiring a majority vote (Schedules H and I 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. **EXECUTIVE SESSION.**

Upon motion duly made and seconded, the Board voted to convene an executive session in accordance with Section 105(1)(d) of the New York State Public Officers Law to discuss matters relating to proposed, pending or current litigation.

8. **ADJOURNMENT**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:54 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 – 20th Floor
New York, NY 10004

Friday, October 28, 2016
10:30 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. David Jones
Hon. Susan Metzger
Hon. Lawrence Schwartz
Hon. Peter Ward

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Norman Brown, 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, Anthony D'Amico, Vice President and CFO, 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 three 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 noted the 112th anniversary of the New York City subway system and the 4 year anniversary of Superstorm Sandy.

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 September 28, 2016 were approved.

4. Committee on Finance:

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 the award of competitively negotiated, all-agency personal services contracts with: (1) CHYP USA, Inc., (2) Glenbrook Partners, LLC, (3) KPMG, LLP, (4) MasterCard International Incorporated, (5) The North Highland Company, (6) The Strawhecker Group, LLC, (7) Traffic Technologies, Inc., and (8) UL Verification Services, to provide, on an as-needed basis, for payments business and technical consulting support services for a period of five (5) years from November 1, 2016 to October 31, 2021 in an aggregate not-to-exceed amount of \$5,000,000.
- Approval of an amendment to a previously Board-approved, all-agency, competitively negotiated personal services contract with Goldman Sachs Asset Management LP (previously Dwight Asset Management Co. Contract No. 11031-0100) to: i) extend the contract period of performance by one year from November 1, 2016 to October 31, 2017 for the continuity of portfolio management services in connection with the assets held within the First Mutual Transportation Assurance Company (FMTAC), MTA's wholly owned captive insurance company, to maximize the investment return of the six trust fund accounts while addressing their cash flow needs; and ii) add additional funding in the not-to-exceed amount of \$740,000 and iii) allow MTA HQ Procurement to conduct a new solicitation.
- Approval of an amendment to a previously Board-approved, all-agency, competitively negotiated, personal services contract with IBM for additional funding in the amount of \$4,666,800. The additional funds will support additional scope including the move of the J.P. Morgan Chase (JPMC) Payment Process into PeopleSoft, and development of Organizational Change Management (OCM) strategy for PeopleSoft 9.2 Upgrade/P2P Implementation.

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.

MTAHQ Ratification:

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

- Ratification of the award of a competitively negotiated, personal services contract to CTC, Inc. to increase the base contract by \$4,750,000 from \$6,110,335 to \$10,860,000. In February 2016 the MTA Board approved a competitively negotiated, personal services contract to CTC, Inc. to provide an independent multidisciplinary engineering assessment of the MTA's railway-highway grade crossings for a period of three years from March 1, 2016 through February 28, 2019.

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

5. Committee on Metro-North Railroad and Long Island Rail Road:

JOINT MNR/LIRR ACTION ITEM:

One joint action item was presented to the Board:

The Board was presented with the following joint action item recommended to it by the Committee on Metro-North Railroad and Long Island Rail Road:

- Approval to lease wireless spectrum in seven New Jersey Counties to New Jersey Transit, in compliance with an Order of the Federal Communications Commission ("FCC") requiring the MTA to "sell or lease on commercially reasonable terms" spectrum to NJ Transit as part of the granting of additional spectrum to the MTA for implementation of Positive Train Control ("PTC").

Upon motion duly made and seconded, the Board approved the foregoing joint action item. The details of the above item are contained in a staff summary 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.

Metro-North Railroad Procurements:

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

- Approval to award a non-competitive ten year (five-year base with five-year option) miscellaneous service contract in the not-to-exceed amount of \$355,000 with American Tower Corporation (ATC) for the lease of secured land, tower and transmitter space. The lease includes the cost of required air conditioning, electricity and generator backup.

This rental tower provides radio signal coverage for dispatching of Metropolitan Transportation Authority (MTA) Police and MNR operations personnel covering the upper Hudson and Harlem Lines.

- Approval to award a non-competitive ten year (five year base with option for five additional years), miscellaneous service contract in the amount of \$2,750,000 with Swisslog Logistics, Inc. (Swisslog) for the maintenance and support of MNR's warehouse Automated Storage and Retrieval System. This new system is located in the New Haven Central Distribution Warehouse facility.
- Approval for additional funding in the not-to-exceed amount of \$1,232,509 for a contract modification to an existing miscellaneous procurement contract with Railware, Inc. (Railware) to upgrade the current customized proprietary software to our current Centralized Traffic Control (CTC) System. The original contract was a negotiated non-competitive procurement awarded in June 2014 for the maintenance and support of the CTC system. As part of the system software replacement, Railware will design, develop, implement, and train the Rail Traffic Controllers (RTC) on additional enhancements of the system. This includes a new Trouble Desk Software program that will allow a multi-user interface and a call out dialer upgrade that will bring the current system up to date with the most recent available version of operating systems, development systems, and data processing systems.

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. Executive Session:

The Board, upon motion duly made and seconded, voted to convene into Executive Session pursuant to Section 105(1)(d) of the New York State Public Officers Law to discuss matters relating to proposed, pending or current litigation. No Metro-North matters were discussed. Upon motion duly made and seconded, the Board voted to reconvene in public session.

7. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:54 a.m.

Respectfully submitted,



Linda Montanino
Assistant Secretary

Minutes of the Regular Board Meeting
Long Island Rail Road Company
2 Broadway
New York, NY 10004
Friday, October 28, 2016
10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Peter Ward
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. David Jones
Hon. Susan Metzger
Hon. Lawrence Schwartz
Hon. Peter Ward

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Norman Brown, Board Member Ira Greenberg, Board Member Vincent Tessitore, Veronique Hakim, President, NYCTA, Patrick A. Nowakowski, President, Long Island Rail Road, Joseph J. Giulietti, President, Metro-North Railroad, Catherine Rinaldi, Executive Vice President, Metro-North Railroad, Darryl Irick, SVP, NYCT DoB/President, MTA Bus Company, Anthony D'Amico, Executive Vice President MTA Capital Construction, and Stephen Morello, Counselor to the Chairman, also attended the meeting.

Chairman & CEO Thomas F. Prendergast called the meeting to order.

1. Public Speakers:

Stephen Morello, Counselor to the Chairman, noted that there were three (3) public speakers and he asked all speakers to limit their remarks solely to matters that are on the agenda, and to keep to the time limits for comments.

Two (2) of the speakers commented on matters related to the LIRR.

Omar Vera, a private citizen, commended MTA on the design of the new Penn Station, and stated that Penn Station has not had a formal entrance since the 1960s. He also thanked New York State Governor Andrew Cuomo for investing in the MTA, contrasting such investment with New Jersey Governor Chris Christie taking money away from New Jersey Transit.

Jason Pineiro, a private citizen, asked the MTA Board to consider additional bidders for the WiFi services contract proposed to be awarded to Verizon, stating that Verizon has many issues.

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 stated that 112 years ago yesterday, Mayor McClellan, August Belmont and William Barclay Parsons boarded a train at City Hall for the first running of the New York City subway. The Chairman added that four (4) years ago today, the MTA system was formally shut down for the second time in anticipation of Superstorm Sandy.

The details of the Chairman'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 September 28, 2016 were approved.

4. Committee on Finance:

Procurements:

The Board was presented with nine (9) procurement items recommended to it by the Committee on Finance, six (6) of which relate to Long Island Rail Road:

1. All Agency Payments Consulting Support Services
 - a. CHYP USA, Inc.
 - b. Glenbrook Partners, LLC
 - c. PMG, LLP
 - d. MasterCard International Incorporated
 - e. The North Highland Company
 - f. The Strawhecker Group, LLC

- g. Traffic Technologies, Inc.
- h. UL verification Services Inc.

Approval of the award to each of the eight (8) firms listed above of a competitively negotiated, all-agency personal services contract on an as-needed basis for payments business and technical consulting support services for a period of five (5) years from November 1, 2016 to October 31, 2021 in an aggregate not-to-exceed amount of \$5,000,000.

- 2. Business Transformation Consulting Services
 - a. Accenture Global Services
 - b. IBM
 - c. McKinsey & Company, Inc.
 - d. KPMG LLP
 - e. First Data Government Solutions LP
 - f. Grant Thornton LLP
 - g. Public Financial Management, Inc.

To approve an amendment to previously Board-approved, competitively negotiated, personal services contracts with the above firms, riding New York State contracts C000405-412, where the period of performance is hereby amended to retroactively extend such contracts for a period of one (1) year from August 9, 2016 to August 8, 2017, while MTA procurement prepares to issue a new solicitation in Q4 2016. During this time period additional funding in the amount of \$5,000,000 is needed to continue to provide as-needed business transformation consulting services. These services will continue to complement and enhance MTA's efforts to improve its business processes, identify and implement opportunities for operating and capital cost savings, and increase revenue generation. This amendment is required to complete some of the projects that are in progress (ex. Procurement Transformation and the New Fare Payment System Ancillary Revenue Opportunities project) and new projects as required.

- 3. To approve an amendment to a previously Board-approved all-agency, competitively negotiated personal services contract with Goldman Sachs Asset Management LP (previously Dwight Asset Management Co, Contract No. 11031-011) to: i) extend the contract period of performance by one year from November 1, 2016 to October 31, 2017 for the continuity of portfolio management services in connection with the assets held within the First Mutual Transportation Assurance Company (FMTAC), MTA's wholly owned captive insurance company to maximize the investment return of the six trust fund accounts while addressing their cash flow needs; ii) add additional funding in the not-to-exceed amount of \$740,000, and iii) allow MTA HQ Procurement to conduct a new solicitation.
- 4. To approve an amendment to the previously Board-approved, all-agency, competitively negotiated, personal services contract with IBM for additional

funding in the amount of \$4,666,800. The additional funds will support additional scope including the move of the J.P. Morgan Chase (JPMC) Payment Process into PeopleSoft, and development of Organizational Change Management (OCM) strategy for PeopleSoft 9.2 Upgrade/P2P Implementation.

5. To approve an amendment to a previously Board approved, All-Agency, competitively negotiated, miscellaneous procurement contract with Cello Partnership, d/b/a Verizon Wireless to increase funding by an additional not-to-exceed amount of \$30,000,000 to implement the MTA Bus WiFi Project to fulfill the public mandate promised by the Governor of New York as his technological improvements/vision for MTA Bus.
6. To ratify the award of a competitively negotiated, personal services contract to CTC, Inc. to increase the base contract by \$4,750,000 from \$6,110,335 to \$10,860,000. In February 2016 the MTA Board approved a competitively negotiated, personal services contract to CTC, Inc. to provide an independent multidisciplinary engineering assessment of the MTA's railway-highway grade crossings for a period of three years from March 1, 2016 through February 28, 2019 (partly in response to a Metro-North train colliding with an SUV in February 2015, resulting in six fatalities).

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.

Real Estate Items:

The Board was presented with two (2) real estate items, one of which related to the Long Island Rail Road:

- To extend existing licenses issued to Outfront Media, Inc. and Intersection design and Technology, Inc. for New York City Transit, Long Island Rail Road and Metro-North Railroad advertising, by up to six months, while reserving the right to terminate sooner upon not less than three months' notice.

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 and Committee on Long Island Rail Road:

Joint Action Item:

The Board was presented with the following action item jointly recommended to it by the Committee on Metro-North Railroad and the Committee on Long Island Rail Road for approval:

Approval to lease wireless spectrum in seven New Jersey Counties to New Jersey Transit ("NJT") in compliance with an Order of the Federal Communications Commission ("FCC") requiring the MTA to "sell or lease on commercially reasonable terms" spectrum to NJT as part of the granting of additional spectrum to the MTA for implementation of Positive Train Control ("PTC").

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

6. Committee on Long Island Rail Road:

Procurements:

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

Competitive:

- **Competitive RFP** – 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 Design/Build construction contract for the new Mid-Suffolk Electric Yard on the Main Line Ronkonkoma Branch.
- **Power Resources International, Inc.** - LIRR requests MTA Board Approval to award a Design/Build contract to Power Resources International, Inc. (PRI) for the lump sum price of \$2,366,187.73 (which includes \$19,340 for Optional Training) to furnish and install a Supervisory Control and Data Acquisition (SCADA) System at LIRR's Long Beach Branch.
- **Eleven Bus Companies** - LIRR requests MTA Board Approval to issue contract modifications in the aggregate amount of \$7,000,000 to increase the not-to-exceed funding amount of eleven (11) estimated quantity contracts with bus companies who provide LIRR with scheduled and emergency bus services. Of the 7,000,000 being requested, \$4,000,000 will be allocated to scheduled bus services; and \$3,000,000 will be allocated to emergency bus services.

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.

7. Executive Session:

Chairman Prendergast announced that, pursuant to Section 105(1)(d) of the Public Officers Law, the Board would be going into executive session to discuss matters related to proposed, pending or current litigation. He asked for a motion to move into executive session.

Upon motion duly made, and seconded, the Board voted to move into executive session.

8. Adjournment:

After concluding the executive session and returning to the public session of the Board Meeting, Chairman Prendergast asked for a motion to adjourn the meeting.

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 10:54 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

October 28, 2016

Minutes of the Regular Meeting
Triborough Bridge and Tunnel Authority
October 28, 2016

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

10:00 a.m.

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. David Jones
Hon. Susan Metzger
Hon. Lawrence Schwartz
Hon. Peter Ward

Donna Evans, Chief of Staff, Jerome F. Page, General Counsel, Board Member Andrew Albert, Board Member Norman Brown, Board Member Ira Greenberg, Board Member Vincent Tessitore, Veronique Hakim, President, New York City Transit, Patrick Nowakowski, President, Long Island Rail Road, Catherine Rinaldi, Executive Vice 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, Anthony D'Amico, Executive Vice 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 Company, the Metro-North Commuter Railroad Company, the MTA Capital Construction Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

1. Public Speakers

There were three (3) public speakers. None of the speakers specifically commented on issues regarding the Triborough Bridge and Tunnel Authority.

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

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

Chairman and CEO Prendergast opened his remarks by acknowledging that the New York City Subway first ran 112 years ago. Also, four years ago was the second time ever that the New York City Subway was shut down, and it was due to Superstorm Sandy.

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

3. Approval of the Minutes of the Regular Meeting September 28, 2016

Upon a motion duly made and seconded, the minutes of the Regular Board Meeting held on September 28, 2016 were approved.

4. Committee on MTA Bridges and Tunnels Operations

Action Items

Commissioner Moerdler stated that Committee members requested additional information with respect to certain items presented for a vote and TBTA subsequently provided the information to the Board relating to those items. There are three (3) action items as follows:

- Approval and adoption of a Resolution to find and determine that the proposed change to the method of toll collection at the bridges and tunnels described in the Staff Summary will have no significant adverse effect on the environment within the meaning of the State Environmental Quality Review Act (SEQRA) and to adopt and approve the Negative Declaration in accordance with SEQRA and authorize and direct the TBTA President or his designee to execute it;
- Approval and adoption of a Resolution to change the method of toll collection at these bridges and tunnels to cashless all-electronic Open Road Tolling (ORT); and
- Approval of a Resolution authorizing the President of the Authority or his designee to take all steps as may be necessary to revise the Authority's toll violation enforcement regulations.

Commissioner Trottenberg thanked Mr. Spero and TBTA for providing additional information regarding the cost breakdown for ORT and asked for confirmation that ORT operating costs will be \$50 million per year and whether there will be an impact on TBTA's support to mass transit. Mr. Spero replied that the \$50 million annual cost represents the net operating costs, which will be included in TBTA's November Plan with the full cost not realized until ORT is fully functional in 2018. Commissioner Trottenberg also commended the quick implementation of ORT but she would like to see similar expediency with projects that will benefit bus riders such as all-door boarding and a paperless/contactless payment system. Commissioner Albert asked whether the operating cost would include scofflaw violation fees and if there is an expectation that those violation fees will be recouped. Mr. Spero replied that the operating costs represent just the expense and do not include toll violation revenue. Commissioners Vanterpool and Vitiello also thanked Mr. Spero and TBTA for providing additional information and reiterated their concern that there would be no significant increase or undue burden to the Capital Program with the way that the funds are being reallocated to move ORT forward. Commissioner Saul stated that he had expressed his concerns to Mr. Ferrara regarding the costs involved in the expedited rollout of ORT and work being done on a non-bid sole-source basis. While Mr. Ferrara

had advised Commissioner Saul that there would be a careful estimate and analysis of the sole-source costs, Commissioner Saul stated that he would like to see an analysis of the process as it progresses. Mr. Ferrara responded that TBTA would be transparent to the Board by discussing the costs and expenses as ORT moves forward. He explained that TBTA has deconstructed toll booths and changed toll plazas before and the engineering and procurement staff are aware of unit and labor costs associated with these projects. The prime contractors associated with the larger projects are the contractors who will be getting the change orders to move ORT forward. Mr. Ferrara also stated that expediting projects has been a goal of the MTA to bring projects to an end more quickly for the sake of safety and its customers, employees and contractors. Commissioner Moerdler stated that All-Electronic Tolling (AET) at the Henry Hudson Bridge (HHB) has been successful in that it has diminished driver frustration and pollution and traffic flows in a safe and orderly manner. He stated that the Governor's plan to expedite the process is just as important as making sure there are controls over sole-source contracts and maximizing competition. With AET at the HHB, he stated that TBTA has demonstrated that these goals can be achieved on an expedited basis with full transparency. Chairman and CEO Prendergast thanked the Board members for their comments and the Commissioners discussion at the Committee Meeting. He stated that the MTA Bridges and Tunnels is one of the only agencies in the country that is able to transfer \$900 million to \$1 billion to support mass transit operations. He noted in addition that MTA Bus Time was installed for the benefit of bus customers; MTA accelerated the installation of the countdown clocks for subway riders; and now, because the MTA cannot forget the motorists, ORT will benefit motorists.

Procurements

Commissioner Moerdler stated that there are five (5) procurements totaling \$142.8 million.

Non-Competitive Procurements

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

Competitive Procurements

Commissioner Moerdler stated that there are five (5) competitive procurement totaling \$142.8 million.

Competitive Procurements

Personal Service Contracts

Ammann & Whitney Consulting Engineers, PC	Contract No. PSC-16-2986 B&T is seeking Board approval under the All-Agency Service Contract Procurement Guidelines to award a personal service contract for the design and design support services during construction for Project HH-07A/HH-30: Miscellaneous Structural Rehabilitation and Repairs/Replacement of Overcoat System at the Henry Hudson Bridge (HHB).	\$1,374,563.00
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Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services

Transcore, LP	Contract No. PSC-13-2949 B&T is seeking Board Approval in	\$72,806,258.00
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accordance with the All-Agency Service Contract Procurement Guidelines to amend a personal service contract for additional work to implement Open Road Tolling (ORT) at eight (8) additional Authority Toll Facilities.

HNTB New York
Engineering and
Architecture, PC

Contract No. PSC-12-2922

\$6,108,533.00

B&T is seeking Board Approval in accordance with the All-Agency Service Contract Procurement Guidelines to amend a personal service contract for additional services to provide support and technical consulting services to implement Open Road Tolling (ORT) at the Authority's facilities.

Modifications to Purchase & Public Works Contracts

Judlau Contracting, Inc.

Contract No. QM-40S

\$31,895,605.78

B&T is seeking Board Approval under the All-Agency General Contract procurement Guidelines to amend a public works contract for accelerated substantial completion, tunnel wall tile modifications and work associated with implementation of Open Road Tolling (ORT).

Tully Construction Co.,
Inc.

Contract No. BB-28S

\$30,656,775.69

B&T is seeking Board Approval under the All-Agency General Contract Procurement Guidelines to amend a public works contract for accelerated substantial completion, tunnel wall tile modifications and work associated with implementation of Open Road Tolling (ORT).

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

Ratifications

Commissioner Moerdler stated that there are no ratifications.

5. Executive Session

Upon a motion duly made and seconded, the Board unanimously voted to convene in Executive Session pursuant to Public Officers Law §105(1)(d) to discuss matters relating to proposed, pending or current litigation.

6. **Adjournment**

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 10:54 a.m.

Respectfully submitted,



Julia R. Christ
Secretary

**Regular Board Meeting
MTA Capital Construction Company
2 Broadway
New York, NY 10004
Friday, October 28, 2016
10:00 AM**

The following members were present:

Hon. Thomas F. Prendergast, Chairman & CEO
Hon. Fernando Ferrer, Vice Chairman
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Peter Ward
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following members were absent:

Hon. David Jones
Hon. Susan Metzger
Hon. Lawrence Schwartz
Hon. Peter Ward

Board Member Andrew Albert, Board Member Norman Brown, Board Member Ira Greenberg, Board Member Vincent Tessitore, and Anthony D'Amico, Executive Vice 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, 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 three public speakers.

Matt Shotkin, a private citizen, noted that the Second Avenue Subway line will provide a benefit for residents, businesses and commuters.

Omar Vera, a private citizen, expressed his preference that the three new Second Avenue Subway stations open to the public at the same time.

Jason Pineiro, a private citizen, opined that the Second Avenue Subway should not open to the public until the first quarter of 2017 to allow for additional testing.

The remainder of the Mr. Vera's and Mr. Pineiro's remarks are contained in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority and in the minutes of the other agencies of this date.

Chairman's Remarks

The Chairman's remarks are contained in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority and in the minutes of the other agencies of this date.

Approval of Minutes

Upon motion duly made and seconded, the Board approved the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority and the MTA Capital Construction Company held on September 28, 2016.

Committee on NYCT and Bus

Procurement

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

A Modification to the No. 7 Line Extension Project's Finishes and Systems contract to extend the Substantial Completion Date of the contract to May 5, 2016 and to resolve claims asserted by the Contractor, including associated impact costs.

A copy of the Resolution and 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 this date.

Executive Session

Upon motion duly made and seconded, the Board voted to convene into Executive Session pursuant to Section 105(1)(d) of the New York State Public Officers Law to discuss matters related to proposed, pending or current litigation.

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

Adjournment

Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 10:54 a.m.

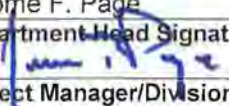
Respectfully submitted,



David K. Cannon
Assistant Secretary

Staff Summary

Page 1 of 2

Subject Law Firm Panel Addition
Department MTA Office of General Counsel
Department Head Name Jerome F. Page
Department Head Signature 
Project Manager/Division Head Jerome F. Page

Date November 14, 2016
Vendor Name Loeb & Loeb LLP
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Comm.	11/14/16			
2	Board	11/16/16			

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

Purpose:

To obtain Board approval to add the law firm Loeb & Loeb LLP (the "Firm") to the panel of Board approved outside counsel. The approval of this firm is sought in connection with its representation of Metropolitan Transportation Authority ("MTA") and its commuter railroads in connection with such railroads' occupancy of a portion of the Moynihan Train Hall (the "Train Hall") at the Farley Post Office Building (the "Farley Building") and the negotiation and closing of the associated real estate, operational and commercial transactions.

Discussion:

MTA, New York State Urban Development Corporation D/B/A Empire State Development Corporation ("ESD") and National Passenger Railroad Corporation ("Amtrak") are co-Project Sponsors in a joint effort to develop the former Farley Post Office Building as an integrated, world-class "Empire" Station complex. The associated solicitation sought definitive proposals for the redevelopment of the Farley Building. In September, Governor Cuomo announced the selection of a developer-builder team including three companies, Related Companies, Vornado Realty LP, and Skanska AB (collectively, the "Joint Venture") to redevelop the Farley Building.

It is anticipated that as part of the redevelopment project, the Farley Building will be converted into a commercial condominium, with separate units being created for specific purposes, including a Train Hall Unit, a unit for Amtrak back office functions, a similar unit for MTA and its commuter railroads, and units for commercial and retail development. The Train Hall will be approximately 255,000 square feet and house passenger facilities for the MTA's commuter railroads and Amtrak. In addition to constructing the Farley Train Hall, the Governor announced the Joint Venture will create 112,000 square feet of retail and nearly 588,000 square feet of office space within the Farley Building. A series of leases and development agreements will be needed, between ESD and the Joint Venture, between ESD and the user railroads, and between the individual railroads themselves in terms of how the building and the Train Hall will be built out and maintained.

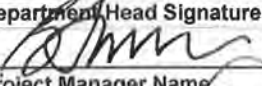
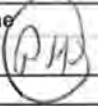
Given the importance and complexity of these transactions, the retention of outside counsel is necessary and appropriate to represent and protect the interests of MTA and its commuter railroads. A number of the firms on the existing panel were considered for this assignment, but because of conflicts of interest and the compressed transaction time frame no firms with the necessary background, skills and capacity on the panel were available. Although there is an active RFP for a new general law panel in twelve practice areas, including real estate, the evaluation and rate negotiation process is not complete.



Staff recommends that the Board authorize MTA's entry into a retainer with the Firm, which has extensive prior experience specifically with respect to the Farley Building development project, as well as general experience with complex multi-party real estate development transactions. The Firm has agreed to provide a 20% discount off standard billing rates for all work on these matters. The discounted hourly rates for the firm range from \$352 for an associate to \$700 for a senior partner. These rates are competitive with rates for similarly qualified firms in this practice area.

Recommendation:

It is recommended that the Board approve the appointment of the Firm to the approved outside counsel panel for matters other than personal injury, and authorize the MTA's execution of a retainer with the Firm as set forth above. As in the past, it is requested that the Board's approval of the Firm also entail the approved use of a successor firm, in the event that the Firm should subsequently merge into another firm, or a partner or principal lawyer in charge of an MTA matter at the Firm should move to a different firm.

Staff Summary

Subject 2015-2016 Station Maintenance Receivable	Date November 1, 2016
Department Chief Financial Officer	Vendor Name
Department Head Name Robert E. Foran	Contract Number
Department Head Signature 	Contract Manager Name
Project Manager Name Patrick Kane 	Table of Contents Ref #

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	Finance Com.	11/14				1	Legal		
2	Board	11/16				2	Chief of Staff		

<p>Narrative</p> <p>The MTA billed the counties and the City of New York for station maintenance for the period 4/1/15 – 3/31/16 based on a statutory formula, which incorporates an annual CPI adjustment factor.</p> <p>Under Section 1277 of the Public Authorities Law, if a municipality fails to make a full payment of the amounts owed the MTA, the Chief Executive Officer of the MTA or such other person as the Chairman shall designate and shall certify to the State Comptroller for the collection of the amount due and owing.</p> <p>The attached schedule shows the Station Maintenance billings and collections as of September 30, 2016.</p>

**METROPOLITAN TRANSPORTATION AUTHORITY
STATION MAINTENANCE RECEIVABLE AS OF 9/30/16**

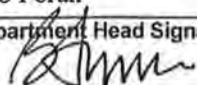
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	<u>AMOUNT BILLED</u>	<u>AMOUNT RECEIVED</u>	<u>BALANCE DUE</u>
NEW YORK CITY	\$ 92,029,003	\$ 92,029,003	\$ 0
NASSAU	28,761,250	28,761,250	0
SUFFOLK	17,727,251	17,727,251	0
WESTCHESTER	19,877,184	19,877,184	0
DUTCHESS	2,369,628	2,369,628	0
PUTNAM	926,679	926,679	0
ORANGE	490,210	490,210	0
ROCKLAND	52,118	52,118	0
TOTAL	<u>\$162,233,323</u>	<u>\$162,233,323</u>	<u>\$ 0</u>

Metropolitan Transportation Authority
Station Maintenance Period Ending September 30, 2016

2016	New York City	Nassau County	Suffolk County	Westchester County	Rockland County	Dutchess County	Orange County	Putnam County	Total
Billed %	56.73%	17.73%	10.93%	12.25%	0.03%	1.46%	0.30%	0.57%	100.00%
Billed Amount	92,029,003.00	28,761,250.00	17,727,251.00	19,877,184.00	52,118.00	2,369,628.00	490,210.00	926,679.00	162,233,323.00
Receipts									
August 2016	92,029,003.00	0.00	0.00	0.00	52,118.00	2,369,628.00	0.00	0.00	94,450,749.00
September 2016	0.00	28,761,250.00	17,727,251.00	19,877,184.00	0.00	0.00	490,210.00	926,679.00	67,782,574.00
Total Received	\$92,029,003.00	\$28,761,250.00	\$17,727,251.00	\$19,877,184.00	\$52,118.00	\$2,369,628.00	\$490,210.00	\$926,679.00	\$162,233,323.00
Balance due September 30, 2016	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Staff Summary

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

Date November 8, 2016
Vendor Name Various
Contract Number Various
Contract Manager Name Various
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	11/14/2016	X		
2	Board	11/16/2016	X		

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

PURPOSE:

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

DISCUSSION:

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

Schedules Requiring Majority Vote

of Actions \$ Amount

None None

MTAHQ proposes to award Competitive procurements in the following categories:

Schedules Requiring Majority Vote

Schedule F: Personal Service Contracts

	3	\$ 675,000.00
SUBTOTAL	3	\$ 675,000.00

MTAHQ presents the following procurement actions for Ratification:

None None

TOTAL	3	\$ 675,000.00
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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, NOVEMBER 2016
COMPETITIVE PROCUREMENTS

METROPOLITAN TRANSPORTATION AUTHORITY

Procurements Requiring Majority Vote:

F. Personal Service Contracts

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

- 1-3. AFT projects at three NYCT Subway Stations on the 4th Av Line – AFT to provide technical design, fabrication, crating, storage, delivery and oversight of installation of materials at the stations specified below:**

Competitively negotiated - 290 proposals - 12 months,

Monika Bravo, Prospect Station - NYCT (\$204,000)

Competitively negotiated - 290 proposals - 12 months.

Katherine Fischer, Bay Ridge Ave Station - NYCT (\$222,000)

Competitively negotiated - 290 proposals - 12 months.

Mickalene Thomas, 53 St Station - NYCT (\$249,000)

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NOVEMBER 2016
MTA REAL ESTATE
LIST OF REAL ESTATE ACTION ITEMS FOR BOARD APPROVAL

MTA NEW YORK CITY TRANSIT

Modifications to license agreements with Transit Wireless, LLC

MTA LONG ISLAND RAIL ROAD

License agreements for cellular service in Penn Station

MTA MANHATTAN AND BRONX SURFACE TRANSIT OPERATION AUTHORITY

Lease with Flor Realty for a swing room at 250 East 125th Street, NY, NY

Staff Summary

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

Date NOVEMBER 14, 2016
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/14/16	X		
2	Board	11/16/16	X		

Internal Approvals			
Order	Approval	Order	Approval
		1	Legal 
3	Chief of Staff 	4	NYCT President 
2	Chief Financial Officer 		

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

LICENSEE: Transit Wireless, LLC ("TW")

LOCATION: NYCT Subway Stations

ACTIVITY: Modifications of TW license agreement with NYCT to support the installation and operation of NYCT's B Division Train arrival system project and expand the scope of the TW license agreement to include the right to install and operate a distributed antenna system that supports the provision of cellular service and Wi-Fi service at all B Division above ground stations.

- ACTION REQUESTED:
- (1) Approve the engagement of TW to support the installation and operation of the B Division Train arrival system project;
 - (2) Approve the expansion of the scope of the TW license agreement to include the right to install and operate a distributed antenna system that supports the provision of cellular service and Wi-Fi service at all B Division above ground stations, subject to completion of final terms and conditions of such expansion to the satisfaction of NYCT; and
 - (3) Authorize the Chairman and Chief Executive Officer of NYCT and his/her designees to execute and deliver agreements and other documents, including modifications and supplements thereto (collectively, the "TW Agreements"), and to take other actions as he/she may deem necessary, desirable or appropriate to (i) implement the proposed additional services described herein relating to the installation and operation of the B Division Train arrival system project and (ii) expand the scope of the TW license agreement to include the right to install and operate a distributed antenna system that supports the provision of cellular service and Wi-Fi services at all B Division above ground stations, subject to completion of final terms and conditions of such expansion to the satisfaction of the Chairman and Chief Executive Officer of NYCT.

BACKGROUND: **BACKGROUND:** In 2007, following a request for proposals process, the Board approved the award of an exclusive license to TW to provide commercial cellular/PCS and Wi-Fi service in NYCT's underground stations; and in July 2012, the Board approved modifications to the license agreement with TW, as well as a form of direct agreement between TW's lenders and NYCT that facilitated TW's financing of its construction costs and refined the way in which the sublicensees of the TW network, primarily the cellular

FINANCE COMMITTEE MEETING

Transit Wireless, LLC (Cont'd)

carriers and Wi-Fi providers, pay the various costs associated with their use of the TW network and how such revenues are split between TW and NYCT (collectively, the "Existing TW Agreements"). TW's majority owner (Broadcast Australia) is an investment and operating company that specializes in the broadcast and telecommunications fields and is majority owned by Canada's largest public pension fund.

Under the Existing TW Agreements, TW has been constructing the distributed antenna system within the NYCT stations (but not within any of the tunnels between stations or at above ground stations) and sublicenses rights to use that system to cellular carriers, Wi-Fi providers and other network users.

TW is on schedule to complete the installation of its network in all underground stations by the end of 2016. At each underground station, TW installs equipment and antennas to provide cellular and Wi-Fi coverage throughout the public areas. Such in-station equipment and antennas are linked by fiber optic cables to TW trunk fiber optic cables running through the streets, which connect back to a base station hotel that houses the head-end equipment for TW, the carriers, other Wi-Fi providers and NYCT.

Taking advantage of TW's work in establishing the core TW network supporting cellular and Wi-Fi service in the NYCT underground stations, NYCT has exercised options under the Existing TW Agreements for TW to provide various additional services to NYCT. To date, three such options have been exercised: (1) the 4.9 GHz Wi-Fi network dedicated to NYCT operational applications including those related to safety and security (the "NYCT Dedicated Wi-Fi Network"); (2) Help Point installation support; and (3) the use of elements of the TW network for New Fare Payments System communications connectivity (the "Station Fiber Network").

The NYCT Dedicated Wi-Fi Network and the Station Fiber Network will be completed in parallel with the completion of the TW Network in the underground stations (scheduled for completion at the end of 2016). The Help Point installation support will be implemented together with the Station Fiber Network and will be completed by the end of 2016.

B Division Train Arrival System

The B Division Train arrival system will use commercial-off-the-shelf (COTS) technology, including beacons on trains, sensors, Bluetooth and Wi-Fi, to provide train arrival times for display on train arrival systems and on mobile apps for all B Division stations by the end of the first quarter of 2018.

In support of the B Division Train arrival system, TW will install beacon receiver networks in stations. Each beacon receiver network will consist of two beacon receivers per platform and associated equipment. The data received by such beacon receivers from beacons on trains will be routed from each station to a cloud server that hosts a beacon detection application.

In addition, for the B Division above ground stations, TW will procure and install two LCD customer information screens back to back per platform and one LCD customer information screen in the full-time control area (24/7 booth); and provide dedicated Wi-Fi to the LCD screens.

NYCT and TW are negotiating two sets of capital costs for such additional services depending on whether or not the B Division above ground station license expansion described below is consummated). All of the following operating fees associated with these additional services, which are also still being negotiated by NYCT and TW, will be subject to an annual CPI escalation starting in 2018.

1. B Division Train Arrival System:

a. Capital Costs

• **IF THE B DIVISION ABOVE GROUND STATION LICENSE EXPANSION IS CONSUMMATED**

- Above Ground Stations (109):
 - For each above ground station, the capital cost for both the beacon receiver network and the customer information screens will be **\$211,271.23**.
 - For all 109 above ground stations, the total capital cost for the beacon receiver networks and the customer information screens will be **\$23,028,564.07**.
- Underground Stations (162):
 - For each underground station, the capital cost for the beacon receiver network will be **\$54,045.74**.
 - For all 162 underground stations, the total capital cost for the beacon receiver networks will be **\$8,755,409.88**.

• **IF THE B DIVISION ABOVE GROUND STATION LICENSE EXPANSION IS NOT CONSUMMATED**

- Above Ground Stations (109):
 - For each above ground station, the capital cost for both the beacon receiver network and the customer information screens will be **\$357,818.12**.
 - For all 109 above ground stations, the total capital cost for the beacon receiver networks and the customer information screens will be **\$ 39,002,175.08**.
- Underground Stations (162):
 - For each underground station, the capital cost for the beacon receiver network will be **\$ 54,045.74**.
 - For all 162 underground stations, the total capital cost for the beacon receiver networks will be **\$ 8,755,409.88**.

b. Operating Expenses

- Beacon Receiver Network (271):
 - For the beacon receiver network, the initial monthly operating fee per station will be **\$1300**.
 - For all 271 stations with beacon receivers, the initial total monthly operating fee will be **\$352,300**, which is **\$4,227,600** annually.
- Wi-Fi Service:
 - For the provision of Wi-Fi, internet and monitoring services, the initial monthly fee per customer information screen will be **\$60** per screen.
 - For the customer information screens, the initial total monthly fee will be **\$81,300**, which is **\$975,600** annually.

Cost Summary

<u>Category</u>	Total Capital Cost if B Division above ground station license expansion <u>is</u> consummated	Total Capital Cost if B Division above ground station license expansion <u>is not</u> consummated	Total Annual Operating Fees*
Above Ground Stations	\$23,028,564.07	39,002,175.08	\$2,092,800
Underground Stations	\$8,755,409.88	\$8,755,409.88	\$3,110,400
TOTAL	\$31,783,973.95	\$47,757,584.96	\$5,203,200

* Operating fees are subject to an annual CPI escalation

B Division Above Ground Station License Expansion

TW's exclusive rights under the Existing TW Agreement are currently limited to the NYCT's underground stations. TW has requested, and NYCT supports, the expansion of TW's rights to all of the B Division above ground stations, provided that TW will commit to the installation of public Wi-Fi service at all of such B Division above ground stations. TW is evaluating the technical approach to, and reviewing the cost of, and revenue potential from, implementation of a Wi-Fi and cellular distributed antenna system at all of the B Division above ground stations and TW is developing a proposed implementation schedule for NYCT review. The rationale for expansion of TW's license to include the B Division above ground stations includes:

- Wi-Fi at such stations will be a significant benefit to NYCT's customers as well as its employees and first responders.

Although there is cellular connectivity generally available at NYCT's above ground stations, the capacity of the cell carrier networks serving many such stations are not sufficient to

- support the demand, particularly when there are crowded platforms and trains with a high density of passengers using their mobile devices. The carriers have indicated a desire for TW to be the intermediary to install the cellular network in the above ground stations because of TW's success in the underground stations, TW's knowledge of the carriers' network requirements, and the ability for the carriers to use the existing base station hotels to co-locate equipment. Under the proposed license expansion, TW will have the right to work with the carriers to expand cellular service capacity at those B Division above ground stations selected by the individual carriers based on network requirements.
- TW will be coordinating its work in support of the B Division Train arrival system project at the above ground stations with the installation of its core cellular and Wi-Fi network, resulting in efficiencies, reduced demand on NYCT support services such as flagging and inspection, and reduced pricing to NYCT for TW's work on the B Division Train arrival system.
- NYCT's revenue sharing arrangement currently in place in connection with the underground stations will carry over to the B Division above ground stations.

If NYCT and TW reach agreement on the commercial, technical and schedule related terms and conditions for a license expansion to the B Division above ground stations, TW has agreed to reduce its price for the installation of the B Division Train arrival system in the B Division above ground stations, as described above. Because NYCT and TW are close to an agreement and the cost reduction referenced above only applies to those stations where TW is able to do the B Division Train arrival system work at the same time TW installs its Wi-Fi and cellular network, the requested Board action relating to the expansion of the TW license to the B Division above ground stations would delegate to the NYCT Chairman and CEO, or his/her designees, the authority to consummate such transaction on terms and conditions satisfactory to NYCT without returning to the Board.

NYCT and TW are also discussing the further expansion of the TW license to the A Division above ground stations and to the NYCT tunnels. If an agreement is reached on the proposed terms and conditions for such expansions, NYCT would present such recommended terms and conditions to the Board for consideration.

IMPACT ON FUNDING:

The capital costs for TW's work on the B Division Train arrival system in the B Division stations are included in NYCT's approved Capital Programs. The ongoing operational costs will be included in NYCT's future operating budgets.

M/WBE INFORMATION:

There are no D/M/WBE goals for TW, as TW is a licensee under a Real Estate Department license installing its own network that results in payment of a revenue share to NYCT. The additional services that have been provided by TW to NYCT have been performed at the same time as the work on TW's core network using the same workforce and contractors. The schedule efficiencies and associated cost savings that arise from TW performing its own work at the same time that they are performing the additional services work are dependent on TW using the same workforce and contractors.

ALTERNATIVES:

NYCT could competitively procure the work related to the B Division Train arrival system that it proposes to obtain from TW. However, NYCT estimators have conducted a detailed review and comparison and are confident that TW's aggregate price for such work is below the pricing that could be achieved by going through a competitive procurement, primarily due to TW's embedded efficiencies, including its simultaneous installation of its own network in the B Division above ground stations. TW's installation schedule for such work will be at least **[one year]** faster than the schedule that could be achieved through a competitive procurement because TW utilizes a "Design-Build" approach, is already mobilized and will be transitioning its workforce from the underground station project to the B Division Train arrival system project and the installation of its own network in the B Division above ground stations. In addition, TW's cost for the Wi-Fi services supporting the B Division Train Arrival System is less than the alternatives, namely cellular connectivity or the installation of a new wireless network.

RECOMMENDED ACTIONS:

Because TW is uniquely capable of providing timely and cost effective support for the B Division Train arrival system project, and given that such support services are incidental to the overall character of the arrangement between NYCT and TW for the provision of cellular and Wi-Fi service to NYCT's customers, it is recommended that the Board adopt the attached Resolution, which authorizes the Chairman and Chief Executive Officer of NYCT and his/her designees to execute and deliver the TW Agreements and any other related documents and agreements, including modifications and supplements, and to take all other actions as he/she may deem necessary, desirable or appropriate to implement the proposed additional services and the license expansion with TW on the terms and conditions set forth above.

RESOLUTION
BOARD OF THE NEW YORK CITY TRANSIT AUTHORITY

WHEREAS, in 2007, following a request for proposal process, the Board of the New York City Transit Authority ("NYCT") approved the award of a license agreement to Transit Wireless LLC ("TW") that granted TW an exclusive license to provide commercial cellular/PCS and Wi-Fi service in NYCT's 277 underground stations (the license agreement and other related documents between NYCT and TW, including modifications and supplements, collectively the "TW Agreements"); WHEREAS, following Board approval in September 2011, the TW Agreements were modified to divide the construction of the remaining 271 stations (the "Full Build") into seven discrete phases, to establish a Full Build construction period of 6 years, and to grant NYCT an option to wirelessly connect to the TW network to support certain of NYCT's own operational applications, including Help Point and the New Fare Payments System ("NFPS");

WHEREAS, following Board approval in July 2012, the existing TW Agreements were further modified to refine the way in which the sublicensees of the TW network, primarily the cellular carriers and Wi-Fi providers, pay the various costs associated with their use of the network and how such revenues are split between TW and NYCT, and to create a direct agreement between NYCT and TW's lenders to facilitate TW's financing of its construction costs;

WHEREAS, with Board approval, NYCT has entered into agreements with TW for the provision of additional services relating to the 4.9 GHz Wi-Fi network dedicated to NYCT operational applications including those related to safety and security, Help Point installation support, and the use of elements of the TW network for NFPS communications connectivity;

WHEREAS, NYCT has also determined that there are significant efficiencies, cost savings and schedule accelerations that can be achieved if TW performs a part of the work on the B Division Train arrival system project;


WHEREAS, to maximize cost and schedule efficiency, NYCT has requested that the Board agree to delegate to the NYCT Chairman and Chief Executive Officer and his/her designees the authority to finalize the scope, price and schedule details with respect to the additional services that will be added to the TW Agreements in support of the B Division Train arrival system project: and

WHEREAS, NYCT has also requested that the Board agree to delegate to the NYCT Chairman and Chief Executive Officer and his/her designees the authority to expand TW's rights under the TW Agreements to include the B Division above ground stations because, among other things, the installation of public Wi-Fi service at all of the B Division above ground stations will be a significant benefit to NYCT's customers as well as its employees and first responders and TW will be coordinating its work in support of the B Division Train arrival system project at the above ground stations with the installation of its core cellular and Wi-Fi network, resulting in efficiencies, reduced demand on NYCT support services such as flagging and inspection, and reduced pricing to NYCT for TW's work on the B Division Train arrival system; NOW THEREFORE, upon the recommendation of the Chairman and Chief Executive Officer of the NYCT, the Board of the NYCT resolves as follows:

1. The Chairman and Chief Executive Officer and his/her designees are hereby authorized to (a) finalize the scope, price and schedule details with respect to the additional services that will be added to the TW Agreements in support of the B Division Train arrival system project, (b) approve the expansion of the scope of the TW license agreement to include the right to install and operate a distributed antenna system that supports the provision of cellular service and Wi-Fi service at all B Division above ground stations, subject to completion of final terms and conditions of such expansion to the satisfaction of NYCT, and (c) execute and deliver the TW Agreements, and other necessary or appropriate agreements, documents, writings and other instruments, and to take any and all other necessary or appropriate steps as he/she may deem necessary, desirable or appropriate to implement the proposed additional services and the proposed license expansion, and the other modifications to the TW Agreements, described in the Staff Summary to which this Resolution is attached.
2. The Chairman and Chief Executive Officer and his/her designees are hereby authorized to take any and all actions as may be required or necessary to satisfy applicable legal or regulatory requirements in connection with the foregoing actions.

Staff Summary



Subject LICENSE AGREEMENTS FOR CELLULAR SERVICE IN PENN STATION
Department REAL ESTATE
Department Head Name JEFFREY B. ROSEN
Department Head Signature 
Project Manager Name GEORGE MCDONALD

Date NOVEMBER 14, 2016
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/14/16	X		
2	Board	11/16/16	X		

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

AGENCY: Long Island Rail Road ("LIRR")

LICENSEE: AT&T, Verizon, Sprint, T-Mobile and other qualified cellular carriers

LOCATION: LIRR's concourse and platforms at Penn Station ("LIRR Penn")

ACTIVITY: Non-exclusive temporary license agreements

ACTION REQUESTED: Authorization to negotiate and to enter into license agreements

TERM: Pending completion of major renovations to the Concourse, terminable by MTA at will upon 60-days' notice

COMPENSATION: \$2,750.00 per month (per carrier)

COMMENTS:

Current cellular service at LIRR Penn is inconsistent and unreliable. Under existing license agreements, AT&T and Sprint provide cellular coverage to only certain limited areas, while Verizon and T-Mobile signals only partially "bleed in" from outside the building or from antennas in Amtrak space.


Although recently announced improvements to LIRR Penn are anticipated to include a provision for state-of-the-art wireless service in the future, MTA Real Estate has been encouraging the four major carriers to do whatever they can to improve service at LIRR Penn on an interim basis.

AT&T's and Sprint's current license fees are approximately \$2,750 per month. As a matter of equity and fairness, and to encourage the carriers to make the desired improvements, MTA Real Estate proposes to offer to any qualified cellular carrier a temporary license providing for the same license fees. The carriers would be solely responsible for all costs and expenses of purchasing, installing, operating and maintaining all required wiring and other related equipment, and their installations would be subject to relocation and/or removal when and as required to facilitate the LIRR concourse renovation project.

Based on the foregoing, MTA Real Estate requests authorization to negotiate and to enter into temporary license agreements with qualified cellular carriers on the above-described terms and conditions.

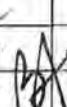
Staff Summary



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

Date NOVEMBER 14, 2016
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	11/14/16	X		
2	Board	11/16/16	X		

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

AGENCY: MTA Manhattan and Bronx Surface Transit Operation Authority

LANDLORD: Flor Realty Corp.

LOCATION: 250 East 125th Street, Manhattan

USE: Swing room for bus operators and dispatchers

ACTION REQUESTED: Approval of terms

TERM: Five years, with 3% per annum rent escalations

SPACE: Approximately 620 square feet - 1st floor retail space

BASE RENT:

1st year	\$35,000.00 annum / \$2,916.67 monthly
2nd year	\$36,050.00 annum / \$3,004.17 monthly
3rd year	\$37,131.50 annum / \$3,094.29 monthly
4th year	\$38,245.45 annum / \$3,187.12 monthly
5th year	\$39,392.81 annum / \$3,282.73 monthly

TAX ESCALATION: Tenant to pay proportionate share over base year (2016/2017)

ELECTRICITY: Tenant expense via direct meter. Landlord to pay for meter and installation.

WATER & SEWER: Tenant expense; fixed at \$50.00 per month throughout term

HEAT & AIR CONDITIONING: Landlord will provide HVAC unit at Tenant's cost. Tenant will provide specs and pay for the unit after installation. Tenant is responsible for all maintenance costs.

SNOW REMOVAL: Landlord expense

TERMINATION: Either party may terminate lease upon 120 days written notice

Staff Summary

FINANCE COMMITTEE MEETING

Flor Realty (Cont'd.)

COMMENTS:

In July 2015, the Board approved a lease in the adjacent space at 248 West 125th Street. The Landlord subsequently withdrew its offer with respect to such space but now substituted an offer for a comparable adjacent space at 250 West 125th Street on comparable terms and conditions. We can expect occupancy within thirty days of Board approval.

The premises will be used as a comfort/relief space to be used by approximately 220 bus operators and dispatchers seven days per week. 19 bus lines will be served by this swing room. A search revealed no suitable alternative spaces in the immediate area.

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

PROCUREMENTS

The Procurement Agenda this month includes 12 actions for a proposed expenditure of \$212.7M.

Subject	Request for Authorization to Award Various Procurements				
Department	Materiel – NYCT				
Department Head Name	Stephen M. Plochochi				
Department Head Signature					
Project Manager Name	Rose Davis				
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	11/14/16			
2	Board	11/16/16			

November 8, 2016			
Department Law and Procurement – MTACC			
Department Head Name Evan Eisland			
Department Head Signature 			
Internal Approvals			
	Approval		Approval
	President NYCT		President MTACC
	Executive VP		President MTA Bus
X	Capital Prog. Management	X	Subways
	Law	X	Diversity/Civil Rights

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

PURPOSE:

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

DISCUSSION:

NYC Transit proposes to award 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	2	\$ 8.0 M
• Bombardier Transportation \$ 5.0 M		
(Holdings) USA, Inc.		
• Westcode Incorporated \$ 3.0 M		

Schedules Requiring Majority Vote:

Schedule I: Modification to Purchase and Public Work Contracts	2	\$ 0.7 M
• Vianova Technologies \$ 0.7 M		
• Clever Devices, Ltd.		
SUBTOTAL	4	\$ 8.7 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 C: Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	1	\$ 72.1 M
	<u>SUBTOTAL</u>	<u>\$ 72.1 M</u>
MTA Capital Construction proposes to award Competitive procurements in the following categories:		
<u>Schedules Requiring Majority Vote:</u>		
Schedule F: Personal Service Contracts	2	\$ 122.8 M
	<u>SUBTOTAL</u>	<u>\$ 122.8 M</u>
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:		
<u>Schedules Requiring Majority Vote:</u>		
Schedule K: Ratification of Completed Procurement Actions	3	\$ 6.3 M
	<u>SUBTOTAL</u>	<u>\$ 6.3 M</u>
MTA Capital Construction proposes to award Ratifications in the following categories:		
<u>Schedules Requiring Majority Vote:</u>		
Schedule K: Ratification of Completed Procurement Actions	2	\$ 2.8 M
	<u>SUBTOTAL</u>	<u>\$ 2.8 M</u>
	<u>TOTAL</u>	<u>\$ 212.7 M</u>
<p>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.</p> <p>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.</p> <p>RECOMMENDATION: That the purchases/contracts be approved as proposed. (Items are included in the resolution of approval at the beginning of the Procurement Section.)</p>		

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

NOVEMBER 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. | Bombardier Transportation (Holdings) USA, Inc.
Sole Source – Three-year omnibus
Purchase of traction motor and propulsion controller parts for NYC Transit subway cars. | \$5,000,000 (Est.)

<i><u>Staff Summary Attached</u></i> |
| 2. | Westcode Incorporated
Sole Source – Three-year omnibus
Purchase of air brake, door operator; and heating, ventilation, and air conditioning parts for NYC Transit subway cars. | \$3,000,000 (Est.)

<i><u>Staff Summary Attached</u></i> |

Procurements Requiring Majority Vote:

I. Modifications to Purchase and Public Work Contracts

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

- | | | | |
|----|---|--|---|
| 3. | Vianova Technologies
Clever Devices Ltd.
Contract# W-32147-1.1 | \$703,191 (Aggregate)

\$403,191 | <i><u>Staff Summary Attached</u></i>

↓ |
| 4. | Contract# W-32147-3.1
Modification to the contracts for the test and evaluation of the design, provision, installation and maintenance of Digital Information Screens on buses, in order to increase the amount of Digital Information Screen systems as part of a test and evaluation project. | \$300,000 | ↓ |

Schedule A: Noncompetitive Purchases and Public Work Contracts

Item Number: 1

Vendor Name (Location) Bombardier Transportation (Holdings) USA, Inc. (Pittsburgh, Pennsylvania)
Description Purchase of inventory and non-inventory replacement traction motor and propulsion controller parts
Contract Term (including Options, if any) December 1, 2016–November 30, 2019
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Omnibus Sole-Source Approval

Contract Number NONE	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount: \$5,000,000 (Est.)	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div., Dept./Div. Head Name: Department of Materiel, Stephen M. Plochochi	

Discussion:

This is an omnibus approval request for items identified as obtainable only from Bombardier Transportation (Holdings) USA, Inc. (“Bombardier”), 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 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 6,708 items covered by this approval for the purchase of replacement traction motor and propulsion controller parts used on NYC Transit’s subway cars. These items are identified as obtainable only from Bombardier for the following reasons: sole pre-qualified item on the Qualified Products List and not available from any distributors or other sources; publicly advertised within a 12-month period without an acceptable alternate supplier; or proprietary to Bombardier. These items are advertised a minimum of once every 12 months to seek competition. A list of Bombardier’s sole-source items, 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 Division of Car Equipment (“DCE”) for Scheduled Maintenance System (“SMS”) and normal maintenance for 2,702 subway cars (315 R62, 824 R62A, 425 R68, 200 R68A, 220 R142A, 212 R143, and 506 R188) in the NYC Transit fleet.

The existing Bombardier omnibus approval for \$8,000,000 was approved by the Board in September 2013 and will expire on November 30, 2016. There is a remaining balance of \$2,199,059 of unexpended funds on the existing omnibus approval.

Procurement performed an analysis on the 56 contracts issued during the term of the existing omnibus approval that exceeded the small purchase threshold, which represents a total contract value of \$4,826,310. Of the 56 contracts, 28 items have comparative price history and represent 64.28%, or \$3,102,204, of the total dollar value of the contracts. A comparative price analysis of 27 items (one outlier was excluded) revealed an annual weighted average price increase of 0.56%, which compares favorably with the Producer Price Index over the same time period, which showed an annual average price increase of 1.23%.

Based on the current forecasts as well as projections for 2017 through 2020, it is anticipated that DCE will require approximately \$5,000,000 for the purchase from Bombardier of sole-source items exceeding the small purchase threshold. During the term of this new omnibus approval, the heavy overhaul (14-year SMS) on 200 R142A and 200 R62 subway car propulsion systems will be performed. Procurement believes that the amount requested will be sufficient to procure all sole source replacement parts that exceed the small purchase threshold from Bombardier for the next three-year period. Procurement and DCE will continue to research alternate sources of supply wherever possible. Under this new omnibus approval, pricing for any procurement is established by requesting a quote for each item from Bombardier on an as-required basis. Each item to be purchased under this new omnibus approval will be subject to a cost and/or price analysis and determination that the price is found to be fair and reasonable.

Schedule A: Noncompetitive Purchases and Public Work Contracts

Item Number: 2

Vendor Name (Location) Westcode Incorporated (West Chester, Pennsylvania)
Description Purchase of inventory and non-inventory replacement air brake, door operator; and heating, ventilation, and air-conditioning parts
Contract Term (including Options, if any) January 3, 2017–December 31, 2019
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Omnibus Sole-Source Approval

Contract Number NONE	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount: \$3,000,000 (Est.)	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div., Dept./Div. Head Name: Department of Materiel, Stephen M. Plochochi	

Discussion:

This is an omnibus approval request for items identified as obtainable only from Westcode Incorporated (“Westcode”), 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 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 1,617 items covered by this approval for the purchase of replacement air brake, door operator; and heating, ventilation, and air-conditioning parts used on NYC Transit subway cars. These items are identified as obtainable only from Westcode for the following reasons: sole pre-qualified item on the Qualified Products List and not available from any distributors or other sources; publicly advertised within a 12-month period without an acceptable alternate supplier; or proprietary to Westcode. These items are advertised a minimum of once every 12 months to seek competition. A list of Westcode’s sole-source items, 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 Division of Car Equipment (“DCE”) for Scheduled Maintenance System (“SMS”) and normal maintenance for approximately 3,118 subway cars (air brake and door operator parts for 752 R46 cars, door operator parts for 222 R32 and 50 R42 cars; and heating, ventilation, and air-conditioning parts for 220 R142A, 212 R143, and 1,662 R160 cars) in the NYC Transit fleet.

The existing Westcode omnibus approval for \$8,000,000 was approved by the Board in December 2013 and will expire on December 30, 2016. There is a remaining balance of \$3,946,377 of unexpended funds on the existing omnibus approval.

Procurement performed an analysis on the 47 contracts issued during the term of the existing omnibus approval that exceeded the small purchase threshold, which represents a total contract value of \$4,037,577. Of the 47 contracts, 24 items have comparative price history and represent 66.71%, or \$2,693,663, of the total dollar value of the contracts. A comparative price analysis of 22 items (two outliers were excluded) revealed an annual weighted average price decrease of 0.13%, which compares favorably with the Producer Price Index over the same time period, which showed an annual average price increase of 1.23%.

Based on current forecasts, as well as projections for 2017 through 2020, it is anticipated that DCE will require approximately \$3,000,000 for the purchase from Westcode of sole-source items exceeding the small purchase threshold. During the term of this new omnibus approval, the heavy overhaul (14-year SMS) on 222 R32, 174 R46, 200 R142A, and 323 R160 subway cars, and the overhaul (7-year SMS) on 707 R160 subway cars will be performed. Procurement believes that the amount requested will be sufficient to procure all sole-source replacement parts that exceed the small purchase threshold from Westcode for the next three-year period. Procurement and DCE will continue to research alternate sources of supply wherever possible. Under this new omnibus approval, pricing for any procurement is established by requesting a quote for each item from Westcode on an as-required basis. Each item purchased under this new omnibus approval will be subject to a cost and/or price analysis and determination that the price is found to be fair and reasonable.

Schedule I: Modifications to Purchase and Public Work Contracts

Item Number: 3-4

Vendor Name (Location) Vianova Technologies GmbH (Germaringen, Germany) Clever Devices Ltd. (Woodbury, New York)
Description Test and evaluation for the design, provision, installation and maintenance of Digital Information Screens on buses
Contract Term (including Options, if any) August 5, 2016–December 31, 2017
Option(s) included in Total Amt.? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Dept./Div., Dept./Div. Head Name: Department of Buses, Darryl C. Irick

Contract Number	AWO/Mod. #
W-32147-1 (Vianova) W-32147-3 (Clever)	1
Original Amount: 1,613,608	
W-32147-1: \$579,564 (Vianova) W-32147-2: \$614,044 (Strategic) W-32147-3: \$420,000 (Clever)	
Prior Modifications:	\$ 0
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 1,613,608
This Request:	\$ 703,191
W-32147-1: \$403,191 W-32147-3: \$300,000	
% of This Request to Current Amt.:	
W-32147-1	69.6%
W-32147-3	71.4%
% of Modifications (including This Request) to Original Amount:	
W-32147-1	69.6%
W-32147-3	71.4%

Discussion:

These modifications are for the provision of additional Digital Information Screen systems from Vianova Technologies GmbH (“Vianova”) and Clever Devices, Ltd (“Clever”) as part of a test and evaluation project. This work will increase the number of buses equipped with Digital Information Screens being tested and expand the program to all five boroughs. The contract with Vianova will increase by \$403,191 from an estimated \$579,564 to \$982,755. The contract with Clever will increase by \$300,000 from an estimated \$420,000 to \$720,000. The total estimated value of these modifications is \$703,191.

Digital Information Screens are designed to enhance the customer experience on buses by providing audio/visual route and next-stop information, planned and unplanned service advisories, as well as geographic-specific advertising on screens strategically placed within the interior of the bus. The test and evaluation project will (1) allow for several Digital Information Screen systems to be evaluated in order to determine which work best in the NYC Transit operating environment, (2) qualify vendors for future new-bus procurements, (3) foster competition, and (4) develop a comprehensive specification for use in a future procurement to retrofit existing buses with a Digital Information Screen system.

The original contracts were awarded in August 2016 for the test and evaluation of Digital Information Screens on 131 NYC Transit buses. Under these contracts, (1) Vianova, W-32147-1, is installing its screens on 48 low-floor 60-foot Nova articulated buses operating on the M15 route in Manhattan, (2) Strategic Mapping, Inc., W-32147-2, is installing its screens on 48 low-floor 40-foot New Flyer buses operating on the B46 route in Brooklyn, and (3) Clever, W-32147-3, is installing its screens on 35 low-floor, 40-foot Orion hybrid buses operating on the S79 route in Staten Island.

Subsequent to the award of the initial test and evaluate contracts, NYC Transit’s Department of Buses identified two additional routes, in Queens (Q44) and the Bronx (Bx30), to add to the test and evaluation project to allow for the technology to be tested in all five boroughs concurrently while meeting NYC Transit’s commitment to outfit 200 buses with Digital Information Screens by the end of 2016. Vianova and Clever were selected to provide the additional routes based on their lower cost and willingness to commit to completing the installations by the end of 2016.

Under these modifications, Vianova will outfit 44 low-floor 60-foot Nova articulated buses running on the Q44 route with Digital Information Screens and Clever will outfit 25 low-floor 40-foot Orion hybrid buses running on the Bx30 route.

Procurement reviewed the final proposals and determined the pricing from each of the companies to be fair and reasonable and the Cost Price Analysis Unit concurred.

NOVEMBER 2016





LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

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

- | | | |
|--|---------------------|--------------------------------------|
| 1. Citnalta-Forte, Joint Venture | \$72,121,000 | <u>Staff Summary Attached</u> |
| Four Proposals–12-month contract | | |
| Contract# A-36622A | | |
| Enhanced Station Initiative – Package 1 Improvements at Prospect Avenue, 53rd Street and Bay Ridge Avenue stations, along the 4th Avenue Line. | | |

Staff Summary

Item Number 1			
Department, Department Head Name: VP Materiel, Stephen M. Plochochi			
			
Internal Approvals			
Order	Approval	Date	Approval
1 	Materiel	6 X	CPM
2 X	Law	7 X	CFO
3 X	Budget	8 	EVP, NYCT
4 X	DDCR	9 	President, NYCT
5 X	Subways		

SUMMARY INFORMATION	
Vendor Name Citnalta-Forte, Joint Venture	Contract No. A-36622A
Description Enhanced Station Initiative—Package 1 Improvements at Prospect Avenue, 53rd Street, and Bay Ridge Avenue Stations, 4th Avenue Line Brooklyn	
Total Amount \$72,121,000	
Contract Term (including Options, if any) 12 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"/> Noncompetitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

PURPOSE:

To obtain approval of the Board to award a contract for Package 1 of the Enhanced Station Initiative (“ESI”) for the Design and Construction of Improvements at the Prospect Avenue, 53rd Street, and Bay Ridge Avenue stations along the 4th Avenue Line (BMT) in the borough of Brooklyn to Citnalta-Forte, Joint Venture (“CFJV”) in the amount of \$72,121,000 and a duration of 12 months. In accordance with MTA policy regarding the use of design-build, and to enhance competition and defray proposal costs, this solicitation included a stipend of \$150,000 to be paid to each unsuccessful proposer whose proposal met a defined standard. Accordingly, permission is also requested to pay a total stipend of \$450,000. This is the first of several construction contracts to be awarded under the ESI Program.

DISCUSSION:

The ESI Program’s focus is on improving the customer experience, the continued responsibility of providing a state of good repair in stations, and the development of underlying station aesthetics through design innovation, which together will result in stations that are cleaner and brighter, and through the use of more intuitive way-finding and the inclusion of twenty-first century amenities such as Wi-Fi and cellular connectivity, will be easier to navigate. This program includes thirty-one preselected stations throughout all five boroughs. The work in Package 1 includes (1) design, (2) demolition, concrete and steel repairs, new platform edges, waterproofing, and upgraded electrical and communication systems, (3) wall repairs, and new floor (granite) and stair finishes, (4) glass barriers in the fare control areas, (5) new signage and navigation systems providing service information at street level, fare control areas and platforms (dashboards), (6) new street entrance canopies, LED lighting, charging stations, benches and leaning bars, and (7) contemporary art. Additionally, in order to emphasize the schedule as a critical component of the ESI Program, Package 1 includes early completion incentives for reductions to station closure (bypasses) durations as well as liquidated damages for extended durations resulting from contractor delays.

An Authorizing Resolution requesting the use of a two-step competitive Request for Proposal (“RFP”) procurement process was approved by the Board in April 2016. A request for letters of interest and qualification packages was advertised in May 2016, resulting in the submission of seven responses on June 21, 2016. The Step-1 qualification packages were evaluated against preestablished selection criteria addressing relevant experience, general responsibility, financial resources, and safety record. Five teams were selected: CFJV; ECCO III Enterprises, Inc. (“ECCO III”); Judlau Contracting, Inc. (“Judlau”); Picone-Schiavone ESI (JV) (“Picone-Schiavone”); and Skanska USA Civil Northeast (“Skanska”). Pursuant to the Authorizing Resolution, only these pre-qualified teams are eligible to propose on all ESI RFPs in Step 2.

The Package 1 RFP was issued on July 27, 2016, and four proposals were received on October 6, 2016 from CFJV – \$71,981,783; Judlau – \$80,000,000; Picone-Schiavone – \$64,860,000; and Skanska - \$75,273,000. All four proposals were below the internal estimate. ECCO III elected not to submit a proposal for Package 1, reserving its efforts for Package 2, due to their extensive experience in design/build delivery of above-ground stations.

Proposals were evaluated by a Selection Committee (“SC”) utilizing preestablished selection criteria addressing the proposer’s design and construction approach; overall project schedule; team experience; project management, safety, quality, and M/WBE plans; qualifications and coordination of subcontractors; diversity practices; and other relevant matters. After technical factors, the overall project cost was considered. Supporting the SC evaluation was a Technical Advisory Subcommittee comprised of members from the Program Facilitator / Best Practices Consultant and various NYC Transit departments.

The SC reviewed the technical proposals, observed the oral presentations, and subsequently reviewed the price proposals submitted by each proposer. Members of the Technical Advisory Subcommittee reviewed proposal elements associated with the street canopy structure, alternate wall finishes and alternative design concepts for the street canopy, fare control areas, and platforms. After review and consideration of all proposals and input from the Technical Advisory Subcommittee, the SC recommended that CFJV and Judlau be invited for negotiations.

CFJV’s written proposal and oral presentation were the most complete and comprehensive of all four teams, earning them the highest technical score by all SC members. CFJV has assembled a robust design team, assigning dedicated design personnel to each station, and are proposing to start construction work before the station closures. This work includes rehabilitation of exit-only stairs as well as repairs to be performed during evening shifts. CFJV proposed the most significant schedule reductions to the station closures (bypasses) for all three stations. CFJV also provided three alternate proposals associated with the improvement of station wall finishes on the mezzanine, platform and track wall.

Judlau submitted a strong written proposal that was supported by a good oral presentation, earning them the second highest technical score. Like CFJV, Judlau has also assembled a robust design team, assigning dedicated design personnel to each station. Judlau’s approach is to focus on design and planning in order to maximize efficiency during the station closures. This proposal offered a moderate reduction to the station closures for only one station.

Skanska and Picone-Schiavone were not selected for negotiations, as their proposals were determined to be technically inferior to those of the selected teams.

Negotiations were conducted with both firms and included discussions of schedule, commercial and contractual terms and conditions, and overall cost including pricing assumptions. In the case of CFJV, discussions also included its proposed alternates. At the conclusion of negotiations, both teams were requested to submit their Best and Final Offer (“BAFO”). CFJV was instructed to provide BAFOs for two of its alternate proposals associated with track and platform wall finishes. BAFOs were received on October 28, 2016. CFJV’s BAFO was \$71,721,000, which represented a reduction of \$260,783, or (0.4%), from its initial proposal. Judlau’s BAFO was \$79,480,000, which represented a reduction of \$520,000, or (0.7%), from its initial proposal.

Upon review of the BAFOs, the SC unanimously recommended CFJV for award, determining that its proposal offered the best overall value to NYC Transit based on the selection criteria. In addition to the strength of CFJV’s technical proposal, which includes significant schedule improvement and the firm’s competitive pricing, this review also considered proposed savings of nearly \$700,000 in NYC Transit provided services and avoidance of potential incentive payments of nearly \$2.3 million associated with the reduced station bypass durations proposed by CFJV. The SC also unanimously recommended to accept CFJV’s \$400,000 alternate proposal to improve the appearance of the platform wall niches in each station. With the inclusion of this alternate proposal, the total contract price is \$72,121,000, which is (1) below the internal estimate, (2) more than 9% below the BAFO price submitted by Judlau, and (3) considered fair and reasonable based on the competitive nature of the RFP process.

This team’s recent station experience includes projects such as: A-35797 Improvements to 7 Stations and Line Structure Rehabilitation, West End Line (\$88.5M); A-36193, Repair of Brick Arch at the 168th and 181st Street Stations, Broadway/7th Avenue Line (\$42.2M); and A-36906, Component Repairs at the Astor Place, 51st, 59th, and 103rd Street Stations along the Lexington Avenue Line (\$11.4M).

A background check performed by the Materiel Department, pursuant to the All-Agency Responsibility Guidelines, revealed no significant adverse information (“SAI”) within the meaning of the All-Agency Responsibility Guidelines related to either member of the Citnalta-Forte joint venture. SAI was discovered with HAKS Engineers, Architects, and Land Surveyors, PC (“HAKS”), one of its subcontractors. However, HAKS was found to be responsible notwithstanding SAI and the award of the contract is subject to the approval of such responsibility finding by the NYC Transit President.

M/W/DBE INFORMATION:

The MTA Department of Diversity and Civil Rights has established goals at 15% MBE and 15% WBE. Award will not be made until the Department of Diversity and Civil Rights' approval is obtained. Citnalta Construction Corp. and Forte Construction Corp. have achieved the M/W/DBE goals on previous MTA contracts.

CAPITAL PROGRAM REPORTING:

This contract has 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.

IMPACT ON FUNDING:

This project is funded by the MTA and will be managed by NYC Transit under the MTA Capital Program. Funding is available through the 2015-2019 Station Component Program and other identified capital program savings.

ALTERNATIVES:

Perform the work using in-house personnel. Not recommended as in-house forces do not have the resources to perform the scope of this project.

RECOMMENDATION:

That the Board approve the award of a contract for Package 1 of the Enhanced Station Initiative for the Design and Construction of Improvements at the Prospect Avenue, 53rd Street, and Bay Ridge Avenue stations along the 4th Avenue Line (BMT) in the Borough of Brooklyn to CFJV in the amount of \$72,121,000 and a duration of 12 months.


OCTOBER 2016**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL****Procurements Requiring Majority Vote:****F. Personal Service Contracts**

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

1. **AKRF, Inc.** **\$2,342,188** **Staff Summary Attached**
Two Proposals – 90-month contract
Contract# CM-1191
Environmental Consultant services for Phase 2 of the Second Avenue Subway Project.

2. **Phase 2 Partnership, a Joint Venture of WSP/Parsons Brinckerhoff and STV, Inc.** **\$120,453,095** **Staff Summary Attached**
Three Proposals – 90-month contract, with a 43-month option
Contract# CM-1190
Design Consultant services for Phase 2 of the Second Avenue Subway Project.

Staff Summary

Item Number 1			
Department, Department Head Name: VP Materiel, Stephen M. Plochochi			
			
Internal Approvals			
Order	Approval	Date	Approval
1	Materiel	6	EVP, MTACC
2	X Law	7	President, MTACC
3	X Budget		
4	X DDCR		
5	X Subways		

SUMMARY INFORMATION	
Vendor Name	Contract No.
AKRF, Inc.	CM-1191
Description	
Environmental Consultant for Phase 2 of the Second Avenue Subway Project	
Total Amount	
\$2,342,188	
Contract Term (including Options, if any)	
90 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"/> Noncompetitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

PURPOSE:

To obtain approval of the Board to award a competitively solicited Environmental Consultant contract to AKRF, Inc. ("AKRF") for the preparation of the Supplemental Environmental Review ("SER") and to provide environmental support services for Phase 2 of the Second Avenue Subway ("SAS") project in the not-to-exceed amount of \$2,342,188. The contract term is 90 months.

DISCUSSION:

Phase 2 of the SAS Project will extend subway service from the 96th Street and Second Avenue Station to three new stations located at 106th and 116th streets along Second Avenue, and 125th Street and Lexington Avenue. The completion of Phase 2 will achieve two major objectives: (1) address passenger congestion on the Lexington Avenue line, and (2) create an intermodal connection with Metro-North Railroad at 125th Street and Park Avenue.

AKRF will conduct the SER for SAS Phase 2 and prepare the required documentation. AKRF will also perform environmental support work throughout design and construction on an as-needed basis, and communicate with the separately retained Design Consultant and Community Outreach Consultant as required. AKRF will build on the work already completed for the SAS 2004 Final Environmental Impact Statement ("FEIS"), as well as information analyzed during the design and construction of Phase 1. In conducting the SER, AKRF will consider changes to the proposed design to be developed by the Design Consultant during the Extended Preliminary Engineering ("PE") Phase of design, which shall proceed concurrently with the SER. AKRF will also refine and clearly identify impacts that will result from the construction of Phase 2 of the SAS and will identify required mitigation measures. In addition, AKRF will provide consulting services in support of Federal Transit Administration ("FTA") grant applications, and also develop estimates of ridership, crowding levels, travel time savings, and other measures of effectiveness for all transit service alternatives required to be analyzed as part of the initial Phase 2 environmental and FTA grant documentation.

Selection was determined via a one-step qualifications-based procurement process established by the federal Brooks Act. Under the federal Brooks Act, contracts for architectural and engineering consulting firms, and other federally defined services are negotiated with the firm that is determined to be the most technically qualified by the Selection Committee ("SC") based on established evaluation criteria. Price is not a consideration in the selection or ranking of the firm. Since only one award is planned under this Request for Proposal ("RFP"), negotiations were conducted with the most technically preferred firm. A one-step solicitation was advertised in various publications, and direct notices were sent to potential providers. Two firms submitted proposals: AKRF and Arcadis of New York, Inc.

The SC reviewed the written technical proposals in accordance with the established evaluation criteria, which included: plan of approach, experience in relevant areas, experience and current workload of prime and sub-consultant key personnel, past performance on similar projects, management, and quality assurance. The SC also conducted oral presentations with both proposers. AKRF was unanimously determined by the SC to be the most technically qualified firm and was recommended for negotiations. AKRF demonstrated the most extensive relevant work experience and the best plan of approach in their technical proposal and oral presentation. AKRF has also performed well on previous environmental documents for the SAS project. The other firm was not recommended for negotiations because it did not demonstrate as much relevant experience and its proposed team's availability was a concern.

After being selected and approved for negotiations, the cost proposal from AKRF was opened and evaluated. The initial cost proposal was \$2,483,745. The in-house estimate is \$2,732,397. Several negotiations were held with AKRF that focused on direct labor rates, overhead, and fixed-fee. A Best and Final Offer ("BAFO") was requested and received as follows: \$2,342,188. Based on the competitive nature of the RFP and the cost analysis performed, AKRF's BAFO was determined to be fair and reasonable.

Background investigations and materials submitted by this firm disclosed no Significant Adverse Information ("SAI") within the meaning of the All-Agency Responsibility Guidelines.

M/W/DBE INFORMATION:

The Department of Diversity and Civil Rights ("DDCR") has established DBE goals of 17% for this contract. DDCR has approved AKRF's DBE Utilization Plan that forecasts participation of 31.5% DBE. AKRF has not completed any MTA contracts with goals; therefore, no assessment of the firm's M/W/DBE performance can be determined at this time.

IMPACT ON FUNDING:

This contract will be funded with 100% federal funds. Award of this contract is subject to receipt of an approved WAR certificate.

ALTERNATIVES:

None. Currently, MTACC lacks available in-house technical personnel to perform the specific tasks required under the scope of work for this contract.

CAPITAL PROGRAM REPORTING:

This contract has 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 approval the award of a competitively solicited Environmental Consultant contract to AKRF for the preparation of the SER and to provide environmental support services for Phase 2 of the SAS project in the not-to-exceed amount of \$2,342,188. The contract term is ninety (90) months.

Staff Summary

Item Number 2				SUMMARY INFORMATION																			
Department, Department Head Name: VP Materiel, Stephen M. Plochochi 				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; padding: 5px; vertical-align: top;"> Vendor Name Phase 2 Partnership, a Joint Venture of WSP/Parsons Brinckerhoff; STV Incorporated </td> <td style="width: 30%; padding: 5px; vertical-align: top;"> Contract No. CM-1190 </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Description Design Consultant for Phase 2 of the Second Avenue Subway </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Total Amount \$120,453,095 Base, \$60.2–\$91.6M Options </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Contract Term (including Options, if any) 90-Month Base, 43-Month Options </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: </td> </tr> <tr> <td colspan="2" style="padding: 5px; vertical-align: top;"> Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other: </td> </tr> </table>		Vendor Name Phase 2 Partnership, a Joint Venture of WSP/Parsons Brinckerhoff; STV Incorporated	Contract No. CM-1190	Description Design Consultant for Phase 2 of the Second Avenue Subway		Total Amount \$120,453,095 Base, \$60.2–\$91.6M Options		Contract Term (including Options, if any) 90-Month Base, 43-Month Options		Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
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Internal Approvals																							
Order	Approval	Date	Approval																				
1	Materiel	6	EVP, MTACC																				
2	X Law	7	President, MTACC																				
3	X Budget																						
4	X DDCR																						
5	X Subways																						

PURPOSE:

To obtain approval of the Board to award a competitively solicited Design Consultant contract to Phase 2 Partnership ("P2P"), a Joint Venture of WSP/Parsons Brinckerhoff ("WSP/PB") and STV Incorporated ("STV") for Engineering Design Services for Phase 2 of the Second Avenue Subway ("SAS") Project. The contract includes design and construction phase support ("CPS") services for the tunnels and stations structural shells, and four options for the design and CPS services for construction of the ancillary structures and fitting-out the ancillary structures, stations and tunnels with the finishes, equipment, and systems. The not-to-exceed amount for the base contract is \$120,453,095 with a duration of 90 months. The not-to-exceed amount for the options ranges from \$60.2–\$91.6 million and if exercised, will be sought under separate Board approval and will increase the contract duration by 43 months to 133 months.

DISCUSSION:

Phase 2 of the SAS Project will extend subway service from the 96th Street and Second Avenue Station to three new stations located at 106th and 116th streets along Second Avenue, and 125th Street and Lexington Avenue. The completion of Phase 2 will achieve two major objectives: (1) address passenger congestion on the Lexington Avenue line, and (2) create an intermodal connection with Metro-North Railroad at 125th Street and Park Avenue.

P2P will provide the following services in the base contract: (1) update the current Preliminary Engineering ("PE") Design for the SAS Phase 2 alignment and stations to reflect changes in the operational requirements and design criteria that have occurred since the PE Design was completed in 2004, (2) support the Supplemental Environmental Review process and the Federal Transit Administration ("FTA") grant applications, both of which will be performed by an environmental consultant under a separate contract, (3) recommend contract packaging structure and documents for the construction of the underground tunnels, structural shell for three new stations, and for fitting-out the tunnels and stations with architectural finishes; mechanical, electrical and plumbing ("MEP") equipment, and traction power, tracks, signals and communication systems, (4) prepare construction contract documents for a design/bid/build utility relocation and site preparation contract, and provide related CPS services, and (5) prepare construction contract documents for one or more design/build contract(s) for tunnel construction, civil work and structural shell construction of the three stations, and provide related CPS services. The base contract work, with the exception of the CPS, will be completed within 24 months of Notice to Proceed.

The contract also includes four options which, if exercised by the MTA, will become part of the Scope of Work. Once the optimum packaging plan is established and the options are exercised, P2P will prepare contract documents for (1) as many as three design/build or design/bid/build contracts (one for each station) for the construction of the ancillary structures and fit-out of the stations and ancillary structures with architectural finishes and mechanical, electrical, plumbing, and conveyance systems, and (2) one design/build or design/bid/build contract for the installation of track, traction power, signal, and communication systems in the stations and tunnels and commissioning of the systems. Each option includes CPS for the included construction contracts.

Selection was determined via a one-step qualifications based procurement process established by the federal Brooks Act. Under the federal Brooks Act, contracts for architecture and engineering, and other federally defined services are negotiated with the firm that is determined to be the most technically preferred by the Selection Committee (“SC”) based on established evaluation criteria. The proposals were also evaluated by a Technical Committee (“TC”). An Executive Committee was convened in an advisory capacity. Price is not a consideration in the selection or ranking of the firms. Since only one award is planned under this Request for Proposal (“RFP”), negotiations were conducted with the most technically preferred firm.

A one-step solicitation was advertised in various publications, and direct notices were sent to potential providers. Three firms submitted proposals: Ove Arup & Partners P.C. (“Arup”); a Joint Venture of HNTB New York Engineering and Architecture, P.C. and Parsons Transportation Group of New York, Inc. (“HNTB/Parsons”); and P2P. The SC reviewed the written technical proposals in accordance with the established evaluation criteria, which included: plan of approach, experience in relevant areas, experience of prime and sub-consultant key personnel, current workload of key personnel; past performance on similar projects, management, and quality assurance, and conducted oral presentations with all three proposers. Input was also provided to the SC by the TC based on their independent review of the technical proposal submissions. P2P was unanimously determined by the SC to be the most technically preferred firm and was recommended for negotiations. P2P demonstrated the most extensive relevant work experience and the best plan of approach in their technical proposal and oral presentation. As part of their design approach, P2P will engage locally based architects in order to reflect the input of the community. The other two firms, while fully capable of performing the work, were not recommended for negotiations because their technical proposals provided approaches which were deemed uncertain, and lacked adequate discussion and potential solutions to address the project challenges.

After being selected and approved for negotiations, the cost proposal from P2P was opened and evaluated. The initial cost proposal was \$98.0 million for the base and a range of \$38.3–\$68.0 million for the options. The initial in-house estimate was \$109.5 million for the base and a range of \$122.9–\$167.5 million for the options. Several negotiations were held with P2P, which focused on direct labor rates, overhead, and fixed-fee. Overhead was also reviewed by MTA Audit. During scope review and negotiation, MTA questioned P2P’s breakdown and identified the services expected from the consultant on the management support and the geotechnical and environmental programs. Whereupon P2P recognized that it had underestimated the resources required to provide such services and increased the cost proposal accordingly. The in-house estimate was also adjusted and the final estimate is \$123.2 million for the base and a range of \$63.0–\$98.5 million for the options. A Best and Final Offer (“BAFO”) was requested and received as follows: \$120.5 million for the base and a range of \$60.2–\$91.6M for the options. Based on the competitive nature of the RFP and the cost analysis performed, P2P’s BAFO was determined to be fair and reasonable.

Background investigations and materials submitted by STV disclosed no significant adverse information (“SAI”) within the meaning of the All-Agency Responsibility Guidelines. In connection with a previous contract awarded to WSP/PB, WSP/PB was found to be responsible notwithstanding SAI pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Chairman in consultation with the MTA General Counsel. No new SAI has been found relating to WSP/PB, and they have been found to be responsible.

M/W/DBE INFORMATION:

The Department of Diversity and Civil Rights (“DDCR”) has established DBE goals of 17% for this contract. P2P has submitted a DBE Utilization Plan that forecasts 19.3% participation at the outset of the contract with plans to achieve 25% DBE participation for the overall term of the contract. Award will not be made until the Plan is approved by DDCR. WSP/PB and STV have achieved their M/W/DBE goals on previous MTA contracts. In addition to its DBE outreach, P2P has committed to establish, at its own cost, a mentoring program for DBE architectural and engineering firms. They will also establish a Student Internship Program to engage college and high school students in the SAS Project.

IMPACT ON FUNDING:

This contract will be funded with 100% federal funds. Award of this contract is subject to receipt of an approved WAR certificate.

ALTERNATIVES:

None. Currently, MTA Capital Construction lacks available in-house technical personnel to perform the specific tasks required under the scope of work for this contract.

CAPITAL PROGRAM REPORTING:

This contract has 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 a competitively solicited Design Consultant contract to P2P for Engineering Design Services for Phase 2 of the SAS Project.

NOVEMBER 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. **Henningson, Durham & Richardson** **\$3,069,673** **Staff Summary Attached**
Architecture and Engineering, P.C.
Contract# 1333.14
Modification to the contract for design and construction support services for the rehabilitation of nine stations and line structure on the Sea Beach Line, in order to perform additional construction support services.
2. **Kiska Construction, Inc.** **\$1,979,445** **Staff Summary Attached**
Contract# A-46010/11/12/13/14/15/16.13
Modification to the contract for renewal of seven stations and component repair of Kings Highway and Avenue N Stations on the Culver Line, in order to address additional repair canopy column steel.
3. **TAP Electrical Contracting** **\$1,250,000** **Staff Summary Attached**
Services, Inc.
Contract# P-36441.7
Modification to the contract for the Sandy Recovery Project–Rehabilitation of the Cranberry Tube, in order to address the hardening of the pumping systems at both ends of the Cranberry Tube.

Schedule K: Ratification of Completed Procurement Actions



Item Number: 1

Vendor Name (Location) Henningson, Durham & Richardson Architecture and Engineering, P.C. (New York, New York)	
Description: Design and Construction Phase Support for Rehabilitation of Nine Stations on the Sea Beach Line	
Contract Term (including Options, if any) June 20, 2007–July 13, 2019	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div., Dept./Div. Head Name: Capital Program Management, John O’Grady	

Contract Number	AWO/Mod. #:
CM-1333	14
Original Amount:	\$ 9,754,283
Option Amount:	\$ 3,144,833
Total Amount:	\$ 12,899,116
Prior Modifications:	\$ 8,588,703
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 21,487,819
This Request:	\$ 3,069,673
% of This Request to Current Amount:	14.3%
% of Modifications (including This Request) to Total Amount:	90.4%

Discussion:

This retroactive modification is for additional construction support services (“CSS”) performed by Henningson, Durham & Richardson Architecture and Engineering, P.C. (“HDR”) for the rehabilitation of nine stations and line structure on the Sea Beach Line, borough of Brooklyn.

HDR was awarded competitively solicited Consultant Contract CM-1333 in June 2007 for design services and optional CSS for the rehabilitation of nine stations on the Sea Beach Line (8th Avenue, Fort Hamilton Parkway, New Utrecht Avenue, 18th Avenue, 20th Avenue, Bay Parkway, Kings Highway, Avenue U, and 86th Street), and the structural repair of the retaining walls and associated infrastructure from north of the 8th Avenue Station to south of the 86th Street Station. The CSS Option was exercised in March 2015, and will continue through July 2019.

HDR began design work in 2007. The design was suspended in 2009 due to lack of funding in the MTA Capital Plan for construction. At this time, approximately 90% of the design work was completed. Funds were secured in 2012 and design was restarted with a projected construction award in December 2014. Subsequent to restart of the design, and in an effort to reduce construction costs, the project was split into two construction contracts, comprised of six and three stations, and changed from a full station rehabilitation approach to a component renewal approach that included the addition of Americans with Disabilities Act (“ADA”) upgrades at two stations. The two construction contracts were awarded as projected.

As a result of the split from one to two contracts, the change in approach from full rehabilitation to renewal, and the addition of the two ADA elevators, increased services were required at the time the CSS Option was exercised. The additional CSS includes (1) more unforeseen site conditions and design revisions/changes, (2) additional site visits, meetings, and conference calls, (3) the review of approximately 1,500 additional submittals, and (4) increased project management. Due to the critical phasing of the work and the need for continued CSS during construction, HDR was directed to proceed with the additional work. A retroactive memo was approved by the Senior Vice President, Capital Program Management for the performance of the additional CSS.

HDR submitted its proposal for the additional CSS in the amount of \$4,860,552. The revised in-house estimate was \$2,946,319. After detailed analyses of various HDR proposal submissions, several scope clarification meetings and negotiations HDR submitted a Best and Final Offer (“BAFO”) in the amount of \$3,069,673. The BAFO is considered fair and reasonable, and reflects a less than 1% annual increase in the contract’s hourly rates with no changes to the overhead rates.

Schedule K: Ratification of Completed Procurement Actions



Item Number: 2

Vendor Name (Location) Kiska Construction, Inc. (Long Island City, New York)
Description: Renewal of Seven Stations and Component Repair – Kings Highway and Avenue N Stations on the Culver Line
Contract Term (including Options, if any) September 30, 2014–January 30, 2018
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Dept./Div., Dept./Div. Head Name: Capital Program Management, John O’Grady

Contract Number A-46010/11/12/13/14/15/16	AWO/Mod. #: 13
Original Amount:	\$ 80,770,000
Prior Modifications:	\$ 1,765,849
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 82,535,849
This Request:	\$ 1,979,445
% of This Request to Current Amount:	2.4%
% of Modifications (including This Request) to Original Amount:	4.6%

Discussion:

This retroactive modification is for additional repair of canopy column steel at seven of the nine stations. The seven stations are: Avenue X, Avenue U, Avenue P, Bay Parkway, Avenue I, Ditmas Avenue, and Avenue N.

The base contract calls for the renewal of seven stations (Avenue X, Avenue U, Avenue P, Bay Parkway, Avenue I, 18th Avenue, and Ditmas Avenue) and the component repair of two stations (Kings Highway and Avenue N) on the Culver Line in Brooklyn. Renewal work includes (1) replacement of staircases, control area walls and floors, (2) replacement of precast platform slab panels, (3) installation of windscreens and artwork, and (4) structural steel work and enhancement of lighting and power. Component work includes; (1) structural steel work and (2) enhancement of lighting and power. Finally, the contract calls for painting and lead abatement work at all stations.

The contract provides a line item for the repair of canopy column steel at all nine stations. Since the extent of the canopy column steel corrosion could not be determined prior to construction, the line item consists of a competitively bid unit price of \$11/pound for steel repair and an estimated quantity 330,050 lbs. of steel repair at all nine stations for an estimated total of \$3,630,550. The seven stations covered by this modification account for 322,050 lbs. and \$3,542,550 of the line item.

During construction at the seven stations covered by this modification, as concrete was removed from canopy column bases and the canopy columns were accessible for full inspection, NYC Transit determined that the extent of steel deterioration was significantly greater than expected and that the plate method repair called for in the contract was not suitable due to the extent of steel corrosion on the canopy columns. Accordingly, NYC Transit approved a more suitable repair method, which called for the contractor, Kiska Construction, Inc. (“Kiska”), to cut out and remove the extensively corroded section of a column and replace it with a new column section. This requires the additional cost of a temporary support system to keep the canopy structure safe and stable while column sections are being replaced. However, it results in a better repair for canopy columns that are corroded to this extent.

Kiska’s proposal was for a revised total of \$7,096,968 or an increase of \$3,554,418. NYC Transit’s final estimate was for a revised total \$5,373,366 or an increase of \$1,830,816. Negotiations resulted in agreement on a revised total of \$5,521,995 or an increase of \$1,979,445 which is considered fair and reasonable. Savings of \$1,574,973 were achieved. For the seven stations covered by this modification, the unit price and estimated quantity are revised to \$22.50/lb. and 245,422 lbs. Although the extent of the steel corrosion is significantly greater than expected and the revised repair method is more costly on a unit price basis, the revised repair method requires less steel, as reflected in the reduced number of pounds of steel required to effect the repairs.

On December 2, 2015, the Senior Vice President, Capital Program Management approved a retroactive waiver in order to mitigate delay; on December 14, 2015, the contractor was directed to proceed. On July 22, 2016, the Vice President, Materiel authorized partial payments to the contractor prior to approval of the modification; \$810,005 has been paid for work completed through August 31, 2016.

The remaining two stations (Kings Highway and 18th Avenue) account for the remaining 8,000 lbs. of canopy column steel repair at \$11/lb. for an estimated total of \$88,000 within contract line item for canopy column steel repair. Work is not sufficiently advanced at these stations to determine the extent to which this portion of the item may change. Accordingly, the item remains unchanged at this time for work at the remaining two stations.

An analysis will be performed to determine whether or not an error or omission in design occurred in connection with the work required for this modification.

Schedule K: Ratification of Completed Procurement Actions

Item Number: 3

Vendor Name (Location) TAP Electrical Contracting Services, Inc.(Holbrook, New York)
Description Sandy Recovery Project–Rehabilitation of the Cranberry Tube in the Boroughs of Brooklyn and Manhattan
Contract Term (including Options, if any) December 22, 2014–March 22, 2017
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Dept./Div., Dept./Div. Head Name: Capital Program Management, John O’Grady

Contract Number	AWO/Mod. #
P-36441	7
Original Amount:	\$ 45,555,000
Prior Modifications:	\$ 645,275
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 46,200,275
This Request:	\$ 1,250,000
% of This Request to Current Amount:	2.7%
% of Modifications (including This Request) to Original Amount:	4.7%

Discussion:

This retroactive modification is for hardening the pump systems at both ends of the Cranberry Tube (“the Tube”) that were severely damaged by Superstorm Sandy after being flooded with approximately 1.5 million gallons of salt water.

The contract, awarded to TAP Electrical Contracting Services, Inc. (“TAP”), is funded by a Federal Transit Administration (“FTA”) Sandy Recovery grant and calls for the replacement of equipment, systems, and structures in-kind. The scope of work includes (1) the reconstruction of a circuit breaker house, an electrical substation, and two fan plants, (2) the rehabilitation of signals, (3) minor repair of ducts, (4) leak mitigation, (5) replacement and relocation of multiple electrical and communication systems, (6) installation of new flood mitigation barriers, check valves, and emergency flood discharge lines, and (7) reconstruction of two pump systems in pump rooms at the Tube’s midpoint.

In addition to the pump rooms located at the Tube’s midpoint, there are pump rooms at the ends of the Tube: one in Manhattan’s Front Street shaft and one in Brooklyn’s Furman Street shaft. Each shaft supplies fresh air to the Tube. A fan plant is located at the top of each shaft. A pump room is located at the bottom of each shaft, at track level. The pumps in these rooms intercept water flooding into the Tube to lessen the strain on the mid-river pumps.

The pump systems at the ends of the Tube were in working condition and did not require rehabilitation under the FTA Sandy Recovery grant. However, a separate subsequent FTA Sandy Resiliency grant funded the design for the hardening of those pump systems. This retroactive modification enabled this resiliency work to be performed during previously scheduled diversions of service. If performed under a future contract, it would have had a greater impact on customers. On July 20, 2016, FTA Sandy Resiliency funding was provided for this modification.

This modification provides for furnishing and installing new electrical and control equipment in the fan plant location, cabling and wiring in the shafts; and furnishing and installing minor flood control items, including new check valves in the pressure relief manholes of both pump rooms. This results in relocating the electrical and control equipment to a higher elevation in the fan plants.

TAP submitted a proposal for \$1,512,626. NYC Transit’s estimate was \$1,716,000. Negotiations resulted in a lump-sum price of \$1,250,000, which is considered fair and reasonable. Savings of \$262,626 were achieved.

On August 1, 2016, the Senior Vice President, Capital Program Management approved a retroactive waiver in order to mitigate delay, and the contractor was directed to proceed with the purchase of long lead electrical equipment.

NOVEMBER 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.)

Skanska/Traylor, JV

- | | | |
|--------------------------------|--------------------|--|
| 1. Contract# C-26008.40 | \$1,295,000 | |
| 2. Contract# C-26008.81 | \$1,460,000 | |

Staff Summary Attached



Modification to the contracts for station cavern mining and heavy civil/structural work for the Second Avenue Subway, 86th Street Station, in order to address (1) additional work related to excess excavation of a pump room and additional concrete tunnel lining in the west tunnel, and (2) project impact costs.

Schedule K: Ratification of Completed Procurement Actions

Item Number: 1-2

Vendor Name (Location) Skanska/Traylor, JV (New York, New York)	
Description Second Avenue Subway – 86th Street Station Cavern Mining, and Heavy Civil Structural – Manhattan "B" Division	
Contract Term (including Options, if any) August 4, 2011–December 16, 2014	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
Procurement Type	<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
Solicitation Type	<input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div., Dept./Div. Head Name: MTA Capital Construction, Dr. Michael Horodniceanu	

Contract Number C-26008	AWO/Mod. #: 40 and 81
Original Amount:	\$ 294,360,000
Option Amount:	\$ 7,500,000
Total Amount:	\$ 301,860,000
Prior Modifications:	\$ 21,607,313
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 323,467,313
This Request:	
Mod. 40: \$1,295,000	
Mod. 81: \$1,460,000	
	\$ 2,755,000
% of This Request to Current Amount:	0.5%
% of Modifications (including This Request) to Total Amount:	7.7%

Discussion:

These retroactive modifications will address (1) additional work related to excess excavation of a pump room and additional concrete tunnel lining in the west tunnel, and (2) project impact costs.

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

Modification 40

This modification addresses the additional work to fill the overbreak (excess excavation) in Pump Room No. 16 and additional concrete tunnel lining in three locations in the west tunnel, which were removed from the prior contract.

The excavation and construction of Pump Room No. 16 between 78th and 79th streets was part of Contract C-26002 ("C-26002"), awarded to S3 Tunnel Constructors for tunnel boring. Due to scheduling issues, the work to construct the concrete shell (floor, walls and ceiling) of the pump room was removed from C-26002 and added to this base Contract C-26008 ("C-26008") as part of Option 1. The contract documents for C-26008 show the assumed dimensions of the rock excavation at Pump Room No. 16, with a note indicating that the as-built drawings (actual dimensions of the rock excavation) would be provided post award. The as-built drawings, provided after contract award, indicated that there was approximately 520 additional cubic yards of overbreak that needed to be filled with reinforced concrete. The pricing for the placement of this additional concrete was not part of the original contract and is being added through this modification.

Additionally, three other sections of tunnel lining were required that were also not part of the contract. Prior to award of C-26002, the location of the tunnel cross passage (passageway that connects the east and west tunnels) could not be determined. The location was subsequently identified post award. However, the location complicated the installation of the tunnel lining, thereby impacting the schedule of C-26002. As a result, Program Management decided to remove the lining in the tunnel cross-passage area from C-26002 and add this work to C-26008. The work added to C-26008 consists of providing cast-in-place lining of three sections of tunnel: (1) the 17.5-foot section south of the tunnel cross passage, (2) the 24.5-foot section north of the tunnel cross passage, and (3) the 7-foot section of tunnel north of the pump room. In order to mitigate delay, approval to process this modification on a retroactive basis was obtained from the MTACC President, and Skanska/Traylor, Joint Venture ("STJV") was directed to proceed with the work.

STJV submitted its cost proposal in the amount of \$1,399,148. MTACC's in-house estimate was \$1,195,367. Negotiations resulted in the agreed-upon lump-sum price of \$1,295,000, which is considered to be fair and reasonable. Savings of \$104,149 were achieved. There are no impact costs associated with this modification.

Modification 81

This modification addresses impact costs associated with previously excusable and impactable time extensions. The initial Contractual Substantial Completion date for this contract was September 4, 2014, extended to September 12, 2014 under Mod. 82 (six excusable, non-impactable workdays).

During the performance of this work, STJV encountered difficulties in the construction of Entrance 2 due to interference caused by work being performed on a residential building located on East 86th Street, adjacent to the worksite. In March 2012, the building owner installed a sidewalk shed in order to perform building façade repairs required by the Department of Buildings. The location of the shed directly conflicted with the construction of Entrance 2. Initially, the building owner informed MTACC that the shed would be removed by September 2012 which would not have conflicted with the excavation at Entrance 2, scheduled for November 2012. However, the scope of the building repairs expanded, based on the façade inspection, extending the need for the shed by two years. As a result, there were delays in the construction of the support of excavation wall and the excavation for Entrance 2 due to lack of access and inefficiencies caused by the sidewalk shed. This added difficulty was addressed in Mod. 55, which was approved by the Board in December 2013. Additionally, inefficiencies in the construction of the escalator incline and elevator shaft resulted in an excusable delay of 131 workdays. That delay was mitigated by Acceleration Mod. 68, approved by the Board in May 2014, reducing the delay by 80 workdays. At that time, there was also an additional schedule extension of 12 excusable and non-impactable working days related to demobilization and associated street restoration. As a result, the Substantial Completion date was extended by a total of 63 excusable workdays, from September 12, 2014 to December 16, 2014, of which 51 workdays were impactable. This modification addresses the associated impact costs.

STJV's revised cost proposal was \$2,272,962, the MTACC estimate was \$1,724,500. Following review by MTA Audit, negotiations resulted in the agreed-upon price of \$1,460,000, an impact cost of \$28,627 per day, which is considered to be fair and reasonable. Savings of \$812,962 were achieved.

A background check performed by the Materiel Department, and in connection with a previous contract awarded to STJV, STJV was found to be responsible notwithstanding significant adverse information ("SAI") pursuant to the All-Agency Responsibility Guidelines and such responsibility finding was approved by the MTA Chairman/CEO in consultation with the MTA General Counsel. No new SAI has been found relating to STJV and STJV has been found to be responsible.

Staff Summary

Page 1 of 2

Subject Rockland County Tappan Zee Express Service Improvement
Department Operations Planning & Analysis
Department Head Name James McCormack
Department Head Signature
Project Manager Name Scott Ornstein

Date November 1, 2016
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref#

Board Action					
Order	To	Date	Approval	Info	Other
1	M-N Comm. Mtg.				
2	MTA Fin. Comm.				
3	MTA Board Mtg.				

Internal Approvals			
Order	Approval	Order	Approval
6	President <i>JG</i>	4	Budget
	VP Operations		VP Capital Programs
5	VP Financial Admin <i>JP</i>		Engr/Const
	Controller		Project Reporting

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	VP Planning & Development <i>[Signature]</i>		Corporate & Public Affairs		Labor Relations	3	General Counsel <i>[Signature]</i>
	Press		VP Human Resources		Human Resources	2	Executive Vice President <i>[Signature]</i>

PURPOSE:

To modify the existing agreement with Rockland County to incorporate changes to the Uniticket reimbursement rate; expand Saturday Tappan Zee Express service between Rockland County and Metro-North's Hudson and Harlem lines in Westchester County; and institute new Sunday Tappan Zee Express bus service.

DISCUSSION:

In reviewing transit options available to riders west of the Hudson River, Metro-North and Rockland County have identified several initiatives that would improve transit access to Metro-North services from Rockland County and free local transit funds for local needs within Rockland County. These initiatives are:

- Modify the existing Uniticket agreement between Metro-North and Rockland County such that Metro-North will reimburse Rockland County for the full value of the Uniticket. The current reimbursement is split 50% - 50% between the two agencies.
- Expand Saturday Tappan Zee Express bus service by adding eight (8) new round trips between Westchester and Rockland Counties and extending two additional trips to White Plains. The increased service provides for more frequent service and more reasonable service intervals throughout the day.
- Institute Sunday service on the Tappan Zee Express bus, with schedules mirroring the improved Saturday schedules. The Tappan Zee Express bus has not previously operated on Sundays; this initiative offers a significant improvement in access to Metro-North's Hudson and Harlem lines from Rockland County on Sundays.

This revised agreement would become effective January 1, 2017, and continue through 2018, or until the new NYSDOT-sponsored bus service on the new Tappan Zee Bridge begins operation. The new NYSDOT service is currently planned to replace the County-operated Tappan Zee Express late in 2018.

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

FUNDING:

These changes will result in the following estimated increased costs for Metro-North:

	2017	2018	<u>Total</u>
Incremental Uniticket Reimbursement			
2900 Monthly Unitickets (based on annualized 2016 sales) x \$12:	\$34,800	\$34,800	\$69,600
300 Weekly Unitickets (based on annualized 2016 sales) x \$1.15:	315	315	630
Uniticket Sub-Total:	<u>\$35,115</u>	<u>\$35,115</u>	<u>\$70,230</u>
Expanded Saturday Tappan Zee Express Bus Service:	\$110,000	\$110,000	\$220,000
New Sunday Tappan Zee Express Bus Service:	\$370,000	\$370,000	\$740,000
Sub-Total of Expanded Tappan Zee Express Service:	<u>\$480,000</u>	<u>\$480,000</u>	<u>\$960,000</u>
Total Incremental Annual Cost	<u>\$515,115</u>	<u>\$515,115</u>	<u>\$1,030,230</u>

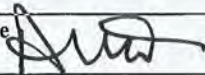
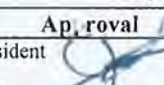
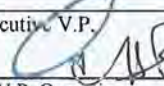
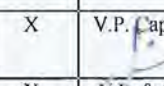
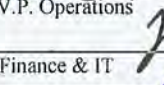
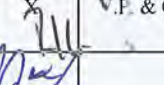
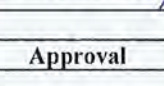
RECOMMENDATION:

It is recommended that the revised Uniticket agreement and service expansion of the Tappan Zee Express bus service, and the incremental costs thereof, be approved by the MTA Board of Directors.



Metro-North Railroad

Procurements

Subject Request for Authorization to Award Various Procurements						Date November 7, 2016			
Department Procurement and Material Management						Vendor Name Various			
Department Head Name Alfred Muir, Sr. Director						Contract Number Various			
Department Head Signature 						Contract Manager Name Various			
Project Manager Name						Table of Contents Ref #			
Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other		Approval		Approval
1	MNR Comm. Mtg.	11-14-16	X			X	President 		
2	MTA Board Mtg.	11-16-16	X			X	Executive V.P. 	X	V.P. Capital Programs 
						X	Sr. V.P. Operations 	X	V.P. & General Counsel 
						X	VP Finance & IT 		
Internal Approvals (cont.)									
Order	Approval	Order	Approval	Order	Approval	Order	Approval	Order	Approval

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

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

	<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>	NONE	
<u>Schedules Requiring Majority Vote</u>		
Schedule H: Modifications to Personal/Miscellaneous Service Contracts	1	\$2,230,691
• Brookville Equipment Corporation \$2,230,691		
Schedule J: Modifications to Miscellaneous Procurement Contracts	1	\$429,878,052
• Kawasaki Rail Car, Inc. \$429,878,052		
SUB TOTAL:	2	\$432,108,743

MNR proposes to award competitive procurements in the following categories:

		<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>			
<u>Schedules Requiring Majority Vote</u>			
Schedule G: Miscellaneous Service Contracts		1	\$15,572,869
• MotivePower, Inc.	\$15,572,869		
SUB TOTAL:		1	\$15,572,869

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		1	\$3,374,382
• Masabi, LLC.	\$3,374,382		
SUB TOTAL:		1	\$3,374,382
TOTAL:		4	\$451,055,994

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

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

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

METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

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

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

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

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

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

NOVEMBER 2016

METRO-NORTH RAILROAD

LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Majority Vote:

H. Modifications to Personal /Miscellaneous Service Contracts

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

1. Brookville Equipment Corporation \$2,230,691 (not-to-exceed) Staff Summary Attached
Overhaul of GP35 Locomotives

In August 2013, the MTA Board approved an award to Brookville Equipment Corporation (“BEC”) to provide overhaul services for seven MNR-owned GP35 locomotives that support the Railroad’s East of Hudson Service.

The GP35 Locomotives are primarily used as work trains when wayside track work is performed, and also facilitate movement of equipment in yards and rescue disabled passenger revenue trains as necessary. The GP35’s are part of a larger fleet of work locomotives that also includes MNR’s BL-20 locomotives. In a separate action this month, MNR seeks approval of a competitively-solicited contract for the overhaul of the BL-20’s.

MNR is currently undertaking a very high level of track and wayside maintenance activities, including the federally-mandated installation of Positive Train Control (PTC) wayside devices. At the same time, the overall aging of the MNR work locomotive fleet, requiring concurrent overhauls of both the GP35’s and the BL-20’s, creates a significant risk of a shortage of available, ready-for-service work locomotives, such that critical infrastructure work could be delayed.

In order to mitigate this risk, it is necessary to acquire an additional work locomotive in an expedited manner. A review of the market (both new and previously used locomotives) was undertaken supported by MNR’s engineering consultant, Raul Bravo & Associates. As the GP-35 locomotive is one of a few commercially available work locomotives that meet all of the Railroad’s very restrictive clearance envelopes, MNR determined that the acquisition and overhaul of a previously used GP35, through the existing BEC contract, is the only way to efficiently and economically expand its work locomotive fleet.

Accordingly, approval is requested for a contract change order for additional funding under the current miscellaneous service contract with (“BEC”), in the total amount of \$2,230,691, for the acquisition and overhaul of a GP35 locomotive, including the installation of a required PTC on-board unit. The addition of this locomotive to the overall fleet will ensure sufficient equipment availability to support all ongoing Maintenance of Way work, as well as support of revenue service.

The acquisition cost of the Locomotive, was reviewed by MNR’s consultant Raul Bravo & Associates, and found to be fair market value. The negotiated cost of the additional GP35 purchase and overhaul resulted in a 12% savings from the original proposed cost consistent with the engineer’s estimate for

these services. The total cost was deemed fair and reasonable. This change order is to be funded by the MNR Operating Budget.

MNR completed a new Responsibility review of BEC in connection with this Change Order. There is no significant adverse information concerning BEC, and BEC has been determined to be a responsible vendor.

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)

2. Kawasaki Rail Car, Inc. \$302,610,544 (NTE) Option \$127,267,508 (NTE) *Staff Summary Attached* Design, Manufacture Test and Delivery of 60 M8 Cars (plus up to 34 Option Cars) and Additional M-8 work

In partnership with the Connecticut Department of Transportation, MNR seeks approval to purchase 60 additional M-8 cars (plus up to 34 option cars) to meet critical service needs on the New Haven Line in the most expeditious and efficient manner, and approval for other modifications to the M-8 contract to implement Positive Train Control, CCTV and other necessary enhancements.

The M-8 purchase was sized based on ridership growth forecasts. It was anticipated that additional NHL fleet cars would not be needed to accommodate growth until the next rolling stock procurement was initiated in the 2020-2024 Capital Program. However, the service expansions in 2012-2015 and the addition of parking capacity at Fairfield-Metro and West Haven Stations beginning in 2011 attracted more peak-of-the-peak ridership. As a result, the most heavily travelled trains in the AM peak for example, have already experienced ridership growth which was not projected to occur until 2020.

The cost of the additional 60 M-8 cars has been negotiated at \$3.83M/Car, or \$229.8M. MTA Audit has conducted a review of this pricing, using as a starting point of KRC's actual cost to design and fabricate the M-8 base cars. Previously, MTA Audit estimated it would cost approximately \$3.137M to build an M-8 car in 2010 (more than \$800K above the 2006 base car price of \$2.326M). MTA Audit then made further adjustments to reflect current pricing considerations, and determined an estimated price of \$3,650M for each of the 60 Cars. The negotiated price is approximately 4.7% higher than the audit estimate, which KRC attributes to certain supplier pricing which exceeds the audit estimate. Efforts to reduce such supplier pricing have been unavailing; the alternative is to introduce new untested components in exchange for a relatively small price break, which would jeopardize the success of this effort and is not recommended. The reasonableness of KRC's own direct and indirect costs have been confirmed by MTA Audit's review, as have supplier costs except as noted. The price of the 34 option cars has been negotiated at \$3.71M/Car.

Based upon these findings, KRC's price is determined to be fair and reasonable. This procurement is to be funded by MNR (35%) and by CDOT (65%), provided that CDOT will have an option to procure nine of the new cars as Café Cars, configured to sell snacks and beverages to customers. If this option is exercised, CDOT will be responsible for the full cost of these nine cars. (One additional existing M-8 car currently under repair will be prototyped as a Café Car, entirely at CDOT's cost, at an amount to be negotiated and approved by CDOT.)

Independent of the purchase of the additional cars, the entire MNR fleet is being upgraded with Positive Train Control (PTC) equipment and CCTV cameras and recording equipment in cabs and passenger

areas. As the Board has been previously informed, PTC is an enhancement required under Federal law, and CCTV is being added at the direction of the Chairman in response to a recommendation by the National Transportation Safety Board (NTSB). KRC is presently working on the M-8 fleet, implementing contractually-required modifications as discussed above. KRC is therefore uniquely positioned to design and implement these fleet modifications in the most efficient and cost effective manner, reducing overall out-of-service times for the vehicles. The majority of the PTC and CCTV work (excluding software development) will be performed at KRC's Yonkers facility and/or in CDOT's New Haven shop facilities. Following negotiations, the price of the PTC work has been set at not-to-exceed \$33,532,223, and the price of the CCTV work at not-to-exceed \$11,402,032. These costs are comparable to the costs being incurred for similar work on the rest of the MNR fleet by other vendors, and is deemed to be fair and reasonable.

Additionally, MNR needs to purchase Special Tools and Test Equipment, which was contemplated in the initial M-8 contract but not included in that award based on the need to fully design and cost-out such equipment. The price of this equipment, which is necessary for the ongoing maintenance of the M-8 fleet, has been negotiated at not-to-exceed \$14,943,413. Costs have been validated and found comparable to similar procurements for other fleets.

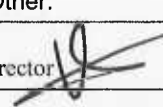
Finally, MNR has negotiated change orders to (a) incorporate train line diagnostic functionality and (b) to facilitate operation of the M-8's on CDOT's Shore Line East (SLE) service. These changes are being incorporated as they will have a direct impact on the operational safety, service reliability, equipment availability and performance of the M-8 rail cars. The cost of this design enhancement is not-to-exceed \$6,768,257. All of the above modifications will be funded 65% CDOT and 35% MNR, except the SLE modification and any costs associated with Café Cars, which are 100% CDOT funded.

At this time, MNR is requesting Board approval for an additional \$303,810,544 and a contract time extension through June 2021. In addition, approval is requested in the not-to-exceed amount of \$127,267,508 for the optional 34 M-8 cars to be elected at MNR and CDOT's sole discretion which will be advanced when funding is identified.

Funding for the immediate M-8 actions will be from a new project – M-8 Car Purchase in the 2015-2019 Capital Program established upon board approval as part of this action. PTC costs were previously funded under the PTC project and CCTV costs were previously funded under the Operating Budget.

Schedule H: Modifications to Personal Service and Miscellaneous Service Contracts

Item Number: H

Vendor Name (& Location) Brookville Equipment Corporation (Brookville, PA)		Contract Number 01-281	AWO/Modification # 1
Description Overhaul GP35 Locomotives		Original Amount: \$9,685,547	
Contract Term (including Options, if any) N/A		Prior Modifications: \$238,920	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Prior Budgetary Increases: \$0.00	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		Current Amount: \$9,924,467	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		This Request: \$2,230,691	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:		% of This Request to Current Amount: 22.5%	
Requesting Dept/Div & Dept/Div Head Name: Procurement & Material Management, Al Muir, Sr. Director 		% of Modifications (including This Request) to Original Amount: 25.5%	

Discussion: In August 2013, the MTA Board approved an award to Brookville Equipment Corporation ("BEC") to provide overhaul services for seven MNR-owned GP35 locomotives that support the Railroad's East of Hudson Service.

The GP35 Locomotives are primarily used as work trains when wayside track work is performed, and also facilitate movement of equipment in yards and rescue disabled passenger revenue trains as necessary. The GP35's are part of a larger fleet of work locomotives that also includes MNR's BL-20 locomotives. In a separate action this month, MNR seeks approval of a competitively-solicited contract for the overhaul of the BL-20's.

MNR is currently undertaking a very high level of track and wayside maintenance activities, including the federally-mandated installation of Positive Train Control (PTC) wayside devices. At the same time, the overall aging of the MNR work locomotive fleet, requiring concurrent overhauls of both the GP35's and the BL-20's, creates a significant risk of a shortage of available, ready-for-service work locomotives, such that critical infrastructure work could be delayed.

In order to mitigate this risk, it is necessary to acquire an additional work locomotive in an expedited manner. A review of the market (both new and previously used locomotives) was undertaken supported by MNR's engineering consultant, Raul Bravo & Associates. As the GP-35 locomotive is one of a few commercially available work locomotives that meet all of the Railroad's very restrictive clearance envelopes, MNR determined that the acquisition and overhaul of a previously used GP35, through the existing BEC contract, is the only way to efficiently and economically expand its work locomotive fleet.

Accordingly, approval is requested for a contract change order for additional funding under the current miscellaneous service contract with ("BEC"), in the total amount of \$2,230,691, for the acquisition and overhaul of a GP35 locomotive, including the installation of a required PTC on-board unit. The addition of this locomotive to the overall fleet will ensure sufficient equipment availability to support all ongoing Maintenance of Way work, as well as support of revenue service.

The acquisition cost of the Locomotive, was reviewed by MNR's consultant Raul Bravo & Associates, and found to be fair market value. The negotiated cost of the additional GP35 purchase and overhaul resulted in a 12% savings from the original proposed cost consistent with the engineer's estimate for these services. The total cost was deemed fair and reasonable. This change order is to be funded by the MNR Operating Budget.

MNR completed a new Responsibility review of BEC in connection with this Change Order. There is no significant adverse information concerning BEC, and BEC has been determined to be a responsible vendor.

Schedule J: Modifications to Miscellaneous Procurement Contracts



Metro-North Railroad

Item Number:

Page 1 of 3

Vendor Name (& Location) Kawasaki Rail Car, Inc. (KRC) 29 Wells Avenue Bldg. #4 Yonkers, NY 10701		Contract Number 12797	AWO/Modification # 004
Description Design, Manufacture, Test and Delivery of 60 M-8 Cars (plus up to 34 Option Cars) and additional M-8 work			
Contract Term (including Options, if any)		Original Amount: \$ 521,521,500	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Prior Modifications: \$490,201,654	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive		Prior Budgetary Increases: \$0	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: sole source change order		Current Amount: \$1,011,723,154	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: CDOT		This Request: \$302,610,544 Option: \$127,267,508	
Requesting Dept/Div & Dept/Div Head Name: Procurement & Material Management, Al Muir, Sr. Director		% of This Request to Current Amount: 29.9%	
		% of Modifications (including This Request) to Original Amount: 152%	

Discussion:

Purpose and Recommendation:

In partnership with the Connecticut Department of Transportation, MNR seeks approval to purchase 60 additional M-8 cars (plus up to 34 option cars) to meet critical service needs on the New Haven Line in the most expeditious and efficient manner, and approval for other modifications to the M-8 Contract to implement Positive Train Control, CCTV and other necessary enhancements.

Background and Discussion:

In August 2006, a contract was awarded to Kawasaki Rail Car Inc. (KRC) for the Design, Manufacture, Test and Delivery of M-8 Railcars. The initial award included the base amount of 210 M-8 cars, with options for 170 additional cars, all of which have been elected. (The 380 cars are configured as 'A' and 'B' cars coupled in married pairs.) In July 2011, the Board approved a negotiated change order to purchase 25 additional M-8 cars in a single car (S-Car) configuration, to provide additional capacity and operational flexibility.

Metro-North's New Haven Line is the busiest commuter line in the country, providing more than 130,000 passenger rides daily. It is operated by MNR under an agreement with the Connecticut Department of Transportation (CDOT), which agreement provides for joint decision-making responsibility for infrastructure investment, including acquisition of rolling stock. CDOT owns the capital facilities located in Connecticut and is responsible for 65% of the operating costs of the New Haven Line (including the cost of new rolling stock).

The M-8 purchase was sized based on ridership growth forecasts. It was anticipated that additional NHL fleet cars would not be needed to accommodate growth until the next rolling stock procurement was initiated in the 2020-2024 Capital Program. However, the service expansions in 2012-2015 and the addition of parking capacity at Fairfield-Metro and West Haven Stations beginning in 2011 attracted more peak-of-the-peak ridership. As a result, the most heavily travelled trains in the AM peak, for example, have already experienced ridership growth which was not projected to occur until 2020.

Presently, 24 M-8 cars purchased solely with CDOT monies, intended for usage on CDOT's Shore Line East (SLE) service, are dedicated to the NHL to meet the growing ridership needs. Facing increasing crowding on NHL trains, and the prospect of programmed standees on many peak hour trains, CDOT requested that Metro-North examine alternatives for adding additional cars to the NHL fleet in the most expeditious and efficient manner.

Based on current and expected future needs and possible available funding, CDOT desires to add approximately 60 cars to the NHL service at the earliest possible time, with an option for up to 34 additional cars; MNR concurs in this approach. A new procurement process for railcars would take approximately four years or more before cars become available for service, based on past experience. A new fleet would not be interoperable with the existing

M-8 fleet, and the costs of operating such a small fleet of vehicles, and of procuring new parts, would be substantially higher than an add-on to the existing M-8 fleet. Further, small sized, “orphan” fleets such as the NHL’s M-4’s and M-6’s historically have performed relatively poorly and been retired earlier than larger fleets.

In contrast, the purchase of additional cars as a modification to the M-8 contract would result in the first cars arriving in less than three years. All such cars will be fully interoperable and benefit from parts compatibility, reducing operating and future procurement costs. In a short time, the M-8’s have achieved very high reliability numbers – the year-to-date Mean Distance Between Failure rate for the M-8 fleet as of September 2016 was 460,277 miles, 53% above the goal of 300,000 miles – even though these cars, which are capable of drawing power from the overhead catenary wire and the third rail, are the most technologically sophisticated in the MNR fleet. Further improvements are being integrated into the M-8 fleet as part of a modification program which is being undertaken at the expense of the Carbuilder. Purchase of additional M-8 cars ensures that new cars will be reliable from their first day on the railroad, and CDOT and MNR will benefit from the extensive testing, operation and refinement of the sizable M-8 fleet.

Procurement of the Additional M-8 Cars:

The only cost effective and technically sound method of purchasing the additional 60 M-8 cars is via a change order to the M-8 contract. KRC is uniquely qualified and positioned to produce these cars. MNR will benefit from KRC’s service proven designs, manufacturing methods and established supply chains. In addition, the use of the existing technologies will afford MNR the ability to have full interoperability with the M-8 fleet. The relatively expedited schedule (as compared to a new procurement) will allow MNR and CDOT to meet growing service needs as quickly as possible.

CDOT, which is responsible for two-thirds of the rolling stock acquisition costs for the NHL, strongly endorses this path forward.

The cost of the additional M-8 cars has been negotiated at \$3.83M/Car, or \$229.8M. MTA Audit has conducted a review of this pricing, using as a starting point KRC’s actual cost to design and fabricate the M-8 base cars. Previously, MTA Audit estimated it would cost approximately \$3.137M to build an M-8 car in 2010 (more than \$800K above the 2006 base car price of \$2.326M). MTA Audit then made further adjustments to reflect current pricing considerations, and determined an estimated price of \$3,650,000 for each of the 60 Cars. The negotiated price is approximately 4.7% higher than the audit estimate, which KRC attributes to certain supplier pricing which exceeds the audit estimate. Efforts to reduce such supplier pricing have been unavailing; the alternative is to introduce new untested components in exchange for a relatively small price break, which would jeopardize the success of this effort and is not recommended. The reasonableness of KRC’s own direct and indirect costs have been confirmed by MTA Audit’s review, as have supplier costs except as noted. The price of the 34 option cars has been negotiated at \$3.71M/Car.

Based upon these findings, KRC’s price is determined to be fair and reasonable. This procurement is to be funded by MNR (35%) and by CDOT (65%), provided that CDOT will have an option to procure nine of the new cars as Café Cars, configured to sell snacks and beverages to customers. If this option is exercised, CDOT will be responsible for the full cost of these nine cars. (One additional existing M-8 car currently under repair will be prototyped as a Café Car, entirely at CDOT’s cost, at an amount to be negotiated and approved by CDOT.)

Alternatives:

The alternative to purchasing the additional cars through the M-8 contract is to launch a new procurement for electric cars. As discussed above, this strategy will delay delivery of badly-needed cars, exacerbating overcrowding on the NHL. Further, a small, non-interoperable fleet would be created, increasing operating and future parts procurement costs and jeopardizing reliable service. The past purchases of differently configured, small size fleets have negatively impacted service on the NHL over many years, and this approach is not recommended.

Other M-8 Related Modifications:

Independent of the purchase of the additional cars, the entire MNR fleet is being upgraded with Positive Train Control (PTC) equipment and CCTV cameras and recording equipment in cabs and passenger areas. As the Board has been previously informed, PTC is an enhancement required under Federal law, and CCTV is being added at the direction of the Chairman in response to a recommendation by the National Transportation Safety Board (NTSB). KRC is presently working on the M-8 fleet, implementing contractually-required modifications as discussed above. KRC is therefore uniquely positioned to design and implement these fleet modifications in the most efficient and cost effective manner, reducing overall out-of-service times for the vehicles. The majority of the PTC and CCTV work (excluding software development) will be performed at KRC's Yonkers facility and/or in CDOT's New Haven shop facilities. Following negotiations, the price of the PTC work has been set at not-to-exceed \$33,532,223, and the price of the CCTV work at not-to-exceed \$11,402,032. These costs are comparable to the costs being incurred for similar work on the rest of the MNR fleet by other vendors, and is deemed to be fair and reasonable.

Additionally, MNR needs to purchase Special Tools and Test Equipment, which was contemplated in the initial M-8 contract but not included in that award based on the need to fully design and cost-out such equipment. The price of this equipment, which is necessary for the ongoing maintenance of the M-8 fleet, has been negotiated at not-to-exceed \$14,943,413. Costs have been validated and found comparable to similar procurements for other fleets.

Finally, MNR has negotiated change orders to (a) incorporate train line diagnostic functionality and (b) to facilitate operation of the M-8's on CDOT's Shore Line East (SLE) service. These changes are being incorporated as they will have a direct impact on the operational safety, service reliability, equipment availability and performance of the M-8 rail cars. The cost of this design enhancement is not-to-exceed \$6,768,257. All of the above modifications will be funded 65% CDOT and 35% MNR, except the SLE modification and any costs associated with Café Cars, which are 100% CDOT

In conjunction with this award recommendation an extensive responsibility review was conducted. Kawasaki was requested to reaffirm in writing that there have been no negative responsibility issues since the initial contract award. A review of this submission along with a review of various databases available to the MTA found Kawasaki to be a responsible contractor.

All of the above modifications will be funded 65% CDOT and 35% MNR, except the SLE modification and any costs associated with Café Cars, which are 100% CDOT funded. The optional additional thirty four cars in the not to exceed amount of \$127,267,508 shall be elected at MNR and CDOT's sole discretion and upon confirmation of funding availability.

Impact on Funding:

As part of this action, MNR seeks board approval to establish a new M-8 Car Purchase project in the 2015-2019 Capital Program in the amount of \$92 million which will pay for Metro-North's share of the M-8 related costs. Funding for this project will come from available funds within the existing rolling stock element. A corresponding reduction will be made to the M-3 Replacement project leaving sufficient monies to replace all older M-3 cars used on the Harlem and Hudson Lines. Funding for the PTC related work was previously set aside in the PTC project and funding for CCTV was previously set aside in MNR's operating budget. The State of Connecticut has provided their share of funding on all of these initiatives.

Staff Summary

Item Number G					
Dept. & Dept. Head Name: Procurement & Material Management, Al Muir, Sr. Director					
Division & Division Head Name: Executive Vice President, Catherine Rinaldi					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	M-N Comm. Mtg.	11-14-16	x		
2	MTA Board Mtg.	11-16-16	x		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	General Counsel		
X	Sr. V.P. Operations				
X	V.P. Finance & IT				
X	Capital Programs				

SUMMARY INFORMATION	
Vendor Name MotivePower, Inc.	Contract Number 9708-A
Description Overhaul of 12 BL20 Locomotives	
Total Amount \$15,572,869	
Contract Term (including Options, if any) 48 Months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION:

Approval is requested to award a 48 month, competitively solicited miscellaneous service contract (five proposals received), in the not-to-exceed amount of \$15,572,869, to MotivePower, Inc. ("MPI") for complete overhaul, system redesign, system integration, transport and warranty of 12 BL20GH locomotives.

II. DISCUSSION:

The scope of services of this project includes the overhaul of 12 BL20GH locomotives which have been maintained by the Maintenance of Equipment ("Mof E") Department for MNR's East of Hudson Service. The locomotives have approached their midlife cycle required overhaul and this will be the fleet's first overhaul since its inception into service in 2008. In addition to operating in revenue service, the BL20GH fleet is also used for switcher shuttle service, work trains, yard movements and service protection.

The project will include, but not be limited to, replacement of the main engine and overhaul of the main alternator and HEP diesel engine alternator packages, engine control systems, and all rotating components. The overhaul is driven by EPA maintenance intervals and will further extend the reliability and service life of these locomotives. MNR received Board approval to use the Request for Proposal (RFP) process for this procurement at the September 2015 meeting.

On April 14, 2016, MNR RFP No. 9708-A was advertised in the New York State Contract Reporter, El Diario, The Daily Challenge, NY Post and posted on the MNR website. On the proposal due date of June 9, 2016, five proposals were received from the following firms:

Brookville Equipment Corporation ("Brookville"), Higher Power Industries ("HPI"), Motive Power, Inc. ("Motive Power"), Ohio Locomotive Works, LLC ("OLW") and Progress Rail Services Corporation ("PSR").

A Selection Committee comprised of five voting members representing MNR's MofE, Transportation and Procurement Departments evaluated the proposals using a two phase approach. The criteria in order of importance for selection established in the RFP are as follows:

Phase 1: Technical Proposal

1. Demonstrate understanding of the Technical Specification Requirements
2. Past Experience and performance on similar projects
3. Demonstrate capability and financial resources to perform the assigned Scope of Work in the time projected
4. Diversity Practices

Phase 2: Cost Proposal

1. Evaluation of completeness and competitiveness of cost and price for completing the work as outlined in the Technical Provisions.

After the Selection Committee's evaluation of the five Phase 1 technical proposals, each committee member scored the proposers against the Phase 1 criteria. Based upon the numerical overall evaluations of all proposals received, a "shortlist" was established, and the following three firms were selected to move forward to Phase 2, which was a review of their cost proposal as it relates to the technical requirements of the contract:

1. Brookville Equipment Corporation
2. MotivePower, Inc.
3. Progress Rail Services Corporation

During the Phase 2 evaluations, presentations were made by each of the proposers, including a question and answer period based on previously provided questions (technical and cost related) from the Selection Committee. At the conclusion of the presentations, each proposer was requested by the Selection Committee to submit its Best and Final Offer ("BAFO").

After reviewing the submitted BAFO's, the Selection Committee agreed that MotivePower, Inc. and Progress Rail Services Corporation could perform the scope of work and meet the schedule requirements as provided in the contract. Brookville Equipment Corporation was not able to commit to the schedule duration of 48 months as required by the contract. MPI provided several value oriented advantages over PRS to MNR. MPI provided several value advantages over the other short listed firms providing and committing key engineering resources to the project while also demonstrating great insight into the scope of work. This difference of \$854,198 per unit results in a savings to MNR of \$10,250,376 over the course of the contract.

Based on all the evaluation factors and the above noted cost savings, the Selection Committee unanimously agreed to recommend MPI for award. The committee believes the price to be fair and reasonable and of best value to MNR.

It is recommended that the MTA Board approve the selection of MotivePower, Inc. for the overhaul of 12 BL20GH Locomotives. The overhaul of the 12 locomotives will begin upon award of the contract.

III. D/M/WBE INFORMATION:

The MTA Office of Civil Rights has established a 0% MBE and 0% WBE goal for this contract.

IV. IMPACT ON FUNDING:

The total cost for this procurement is not to exceed \$15,572,869 and is to be funded by MNR's Operating Budget.

V. ALTERNATIVES:

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

VI. RESPONSIBILITY:

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

NOVEMBER 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)

1. Masabi, LLC. \$3,374,382 (not-to-exceed) Staff Summary Attached
Mobile Ticketing Program for MNR and LIRR

Ratification is requested to award a contract change order for additional funding under the current miscellaneous service contract with Masabi, LLC (Masabi) in the total amount of \$3,374,382 to support a pilot program for an interoperable mobile-ticketing solution. Masabi will develop a design and pilot a solution that meets the MTA's requirements on an accelerated timeline. The goal of this modification is to formalize the ongoing project support and to allow the MTA and Masabi to advance this initiative.

In April, 2014, the MTA Board approved the award of a MNR/LIRR joint procurement to Masabi for the implementation of a Mobile Ticketing Program, providing customers with the ability to purchase tickets on their mobile devices that can be presented for validation. The original contract was for six years and envisioned future interoperability with NYCT.

By allowing the MTA to test this technology on the NYCT system, the pilot will help inform future decisions on how to enhance fare payment interoperability among MTA agencies. Currently the pilot will deploy up to 100 readers in 2017 at NYCT stations used by railroad customers, and is being coordinated with other ongoing MTA fare and ticketing initiatives. The contract provides the MTA with pricing for additional device quantities if desired in the future.

The clarification of scope and negotiations resulted in a significant reduction in the cost of this pilot program. The original Masabi proposal of \$8,558,163 was negotiated, over several discussions by MNR procurement along with MTA and LIRR staff, to \$3,374,382 for a cost avoidance of \$5,183,780. MNR completed a new Responsibility review of Masabi, LLC. in connection with this Change Order. There is no significant adverse information concerning Masabi, LLC. and Masabi, LLC. has been determined to be a responsible vendor. This change order is to be funded by the NYCT Capital Budget.

Schedule K: Ratification

Item Number: K

Vendor Name (& Location) Masabi, LLC
Description Mobile Ticketing Program
Contract Term (including Options, if any) Six years
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:

Contract Number 36844	AWO/Modification # 001
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Total Amount: \$3,374,382	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div. & Dept./Div. Head Name: Procurement & Material Management, Al Muir, Sr. Director	

Discussion:

Ratification is requested to award a contract change order for additional funding under the current miscellaneous service contract with Masabi, LLC (Masabi) in the total amount of \$3,374,382 to support a pilot program for an interoperable mobile-ticketing solution. Masabi will develop a design and pilot a solution that meets the MTA's requirements on an accelerated timeline. The goal of this modification is to formalize the ongoing project support and to allow the MTA and Masabi to advance this initiative.

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Staff Summary



Long Island Rail Road

Subject : Request for Authorization to Award Various Procurements						Date November 16, 2016			
Department Procurement and Logistics									
Department Head Name Dennis L. Mahon, Chief Procurement and Logistics Officer									
Department Head Signature <i>C. M. Carter for Dennis Mahon</i>									
Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LI Committee	11.14.16				X	President <i>[Signature]</i> 11/1/16		
2	MTA Board	11.16.16				X	Executive VP <i>[Signature]</i> 11/7/16		

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

None

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

Schedules Requiring Two-Thirds Vote

Schedule B: Competitive Requests for Proposals (Solicitation) 1 \$TBD

Schedule C: Competitive Requests for Proposals (Award) 1 \$ 9,715,000

Schedules Requiring Majority Vote

Schedule I: Mods to Purchase and Public Works Contracts 1 \$ 1,863,919

SUBTOTAL: 3 \$11,578,919

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

None

TOTAL: **3** **\$11,578,919**

BUDGET IMPACT:

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

RECOMMENDATION:

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

METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

NOVEMBER 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 Works Contracts)

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

- | | | | |
|-----------|---|--------------|--------------------------------------|
| 1. | TBD
Competitive RFP
Contract No. TBD | \$TBD | <i><u>Staff Summary Attached</u></i> |
|-----------|---|--------------|--------------------------------------|

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 Design/Build construction contract for the Long Island Rail Road Expansion Project (the "Project"). The Project will add approximately ten miles of third track along Long Island Rail Road's Main Line between Floral Park and Hicksville in Nassau County, New York.

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

(Staff Summaries required for items requiring Board approval)

- | | | | |
|-----------|--|--------------------|--------------------------------------|
| 2. | Halmar International Inc.
Competitive RFP
Contract No. 6234 | \$9,715,000 | <i><u>Staff Summary Attached</u></i> |
|-----------|--|--------------------|--------------------------------------|

LIRR requests MTA Board approval to award a Design/Build contract to Halmar International Inc. ("Halmar") for the lump sum price of \$9,715,000 for the replacement of the Post Avenue Bridge, located in the Village of Westbury, Nassau County on the LIRR main Line. The existing two bay bridge structure will be replaced with a three bay structure, accommodating a future third track , and providing additional vehicular clearance (14'0") above the roadway in order to meet NYSDOT requirements .

Procurements Requiring Majority Vote

I: Modifications to Purchase Contracts 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)

- | | | | |
|-----------|---|--------------------------------------|-------------------------------|
| 3. | Bombardier Transportation/
Siemens Rail Automation
(f/k/a InvensysRail)- JV
Contract Modification
Contract No. LIRR 1712 | \$1,863,919
Not to Exceed | <u>Staff Summary Attached</u> |
|-----------|---|--------------------------------------|-------------------------------|

LIRR requests MTA Board approval to issue a contract modification in the Not to Exceed amount of \$1,863,919 to the Bombardier Transportation/Siemens Rail Automation, PTC Systems Integrator (“SI”) for wiring and assembly of Communications Cases (C-Cases) necessary to accommodate the additional C-Cases required above the initially planned quantity (60 to 108 C-Cases) due to maturation of the Radio Frequency (RF) design. This also increases the work that is required to be performed by LIRR forces. This modification will mitigate the risk of not completing the PTC installation in time to meet Substantial Completion of December 2018.

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



Staff Summary

Item Number: 2					
Dept/Dept Head Name: Procurement & Logistics, Dennis Mahon <i>Dennis Mahon</i> Department Head Signature & Date					
Division/Division Head Name: Program Management, Richard Oakley <i>Richard Oakley</i> Division Head Signature & Date					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	11.14.16	X		
2	MTA Board	11.16.16	X		
Internal Approvals					
Order	Approval	Order	Approval		
6	President <i>DMA</i>	3	Sr. VP/ Engineering <i>BRP</i>		
5	Executive VP <i>ACP</i>	2	VP/CFO <i>my</i>		
4	Sr. VP/Operations <i>MDH</i>	1	VP/Gen'l Counsel & Sec'y <i>MDH</i>		

SUMMARY INFORMATION	
Vendor Name	Contract Number
TBD	TBD
Description Design Build Services for Long Island Rail Road Expansion Project	
Total Amount	
TBD	
Contract Term (including Options, if any)	
TBD	
Options(s) included in Total Amount:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-Competitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input type="checkbox"/> Operating <input 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 the Invitation for Bid (IFB) procurement method is 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 plan for the potential award of a Design/Build construction contract for the Long Island Rail Road Expansion Project (the "Proposed Project"). The Proposed Project would add approximately ten miles of third track and eliminate all seven grade crossings along the Long Island Rail Road's Main Line between Floral Park and Hicksville in Nassau County, New York.

II. DISCUSSION

In response to community input, the LIRR is requesting to use the two-step RFP method for the potential award of a Design/Build construction contract for the Proposed Project. The RFP method would allow and encourage bidders to identify innovative design concepts and construction methods to best address community concerns while achieving the project's objectives and minimizing environmental impacts.

In Step 1, interested Design/Build teams would submit background materials outlining their teams and qualifications in response to a Request for Qualifications (RFQ). These submissions would be evaluated, and the most qualified teams would be invited to participate in a more lengthy proposal process. During Step 2, the "shortlisted" teams would receive conceptual design documents, technical specifications, and other related

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

Staff Summary



information and be asked to identify innovative approaches to minimize construction impacts on surrounding communities, improve functionality and aesthetics, and shorten the construction schedule, among other objectives.

This focus on innovation and creativity, particularly in response to community input, is a fundamental element of the RFP procurement method using Design/Build. By contrast, the IFB procurement method would require the LIRR to issue 100% complete design drawings to bidders, significantly reducing the opportunity for innovation and creativity by bidders.

The RFP method would allow the LIRR to select the Design/Build team that offers the best overall value—not simply the lowest cost. By contrast, the IFB process mandates that cost be the sole deciding factor in making a contract award. An RFP allows evaluation of multiple criteria which may include, among others: quality of design; construction means and methods, including plans to mitigate construction impacts; proposed completion schedule; quality of team (including expertise of the firms and key individuals as well as past performance on similar projects); and financial capacity of the bidders.

The timing of advancing the procurement process is also important. Initiating the process so that it can operate in parallel with further refining and finalizing the Environmental Impact Statement (EIS) would allow the LIRR to consider, if appropriate, any innovative concepts and impact avoidance ideas presented by the Design/Build teams as part of the construction impact analysis presented in the EIS. To date, the public has had an opportunity to provide input on the issues that will be studied in the EIS through public meetings and other forums. A draft EIS that addresses the issues raised will be released shortly, and the public will have another window to comment and provide input. Throughout this process, the LIRR will continue its unprecedented outreach to communities and elected officials to provide updates and solicit input.

In the end, the Proposed Project's final design will be informed by input from the communities, innovative ideas provided by bidders, and other mitigation and impact avoidance measures identified in the final EIS. No contract will be awarded until the conclusion of the environmental review process, issuance of SEQRA Findings, and MTA Board approval authorizing the construction of the Project.

The scope of work for the Proposed Project consists of the construction of approximately ten miles of third track and elimination of seven street-level train crossings ("grade crossings"). The addition of a third track would increase track capacity through the corridor making it easier to run trains, improve service reliability, provide two-way peak travel, reduce existing noise levels, and make transit more attractive. Eliminating the grade crossings through grade separation or potentially, in one or two cases, closure, would substantially reduce noise, traffic congestion, delays, and air pollution, and greatly improve safety. The Proposed Project would include grading and filling adjacent to the existing LIRR tracks, the construction of retaining and noise attenuation walls, clearing and grubbing, utility relocation, fencing, station platform construction and mitigation measures as developed in the EIS review process. In addition, related railroad infrastructure improvement work for the Proposed Project would involve railroad track, third rail, ties, switches, cable, signal equipment, utility poles and other items needed to support railroad operations.

LIRR has engaged Gannett Fleming/AECOM JV for the EIS, public outreach, and preliminary design of the Proposed Project.

Staff Summary



III. D/M/WBE INFORMATION

M/WBE Goals for this Contract will be determined by the MTA Department of Diversity and Civil Rights

IV. IMPACT ON FUNDING

While a funding source has not yet been identified, the Proposed Project is a high priority and provides significant benefits to the region. A contract award will not be submitted for Board approval until the environmental review process is complete and funding has been identified.

V. ALTERNATIVES

The alternative is to use the IFB procurement method which, in this case, has major shortcomings. The IFB procurement method would require the LIRR to issue 100% complete design drawings to bidders, significantly reducing the opportunity for innovation and creativity by bidders. In addition, the IFB process mandates that cost be the sole deciding factor in making a contract award and does not allow the LIRR to consider innovative design ideas and the other factors noted above.

Staff Summary



Long Island Rail Road

Page 1 of 2

Item Number:					
Dept & Dept Head Name: Procurement & Logistics, Dennis Mahon Department Head Signature & Date <i>Dennis Mahon</i>					
Division & Division Head Name: Department of Program Management – Robert Fazio Division Head Signature & Date <i>Robert N. Fazio</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	11.14.16			
2	MTA Board	11.16.16			
Internal Approvals					
Order	Approval	Order	Approval		
6	President <i>D. N. 11/18</i>	3	Sr. VP Engineering <i>mt</i>		
5	Executive VP <i>ecp</i>	2	VP/CFO <i>uf</i>		
4	Sr. VP Operations <i>ecp</i>	1	VP Gen'l Counsel & Sec'y <i>uf</i>		

SUMMARY INFORMATION	
Vendor Name Halmar International, Inc.	Contract Number 6234
Description Design-Build Services for the Replacement of the Post Avenue Bridge	
Total Amount \$9,715,000.00	
Contract Term (including Options, if any) 560 days	
Options(s) included in Total Amount:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-Competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other: Sandy	

Narrative

I. PURPOSE/RECOMMENDATION:

Pursuant to a competitive RFP, Long Island Rail Road requests MTA Board approval to award a Firm Fixed Price contract to Halmar International, Inc. ("Halmar"), in the amount of \$9,715,000 to provide Design-Build Services for the Post Avenue Bridge Replacement Project.

II. DISCUSSION:

The Post Avenue Bridge is in the Village of Westbury, Nassau County on the LIRR Main Line, east of Mile Post 21 (Bridge Number: 13-O-214). The bridge is located immediately west of the LIRR's Westbury Station. The bridge was built in 1914 as a single span which contains two (2) tracks utilizing a steel thru plate girder with solid concrete deck, and reinforced concrete support structures. The existing 65 foot long, two bay (i.e. two track) structure is at the end of its useful life and in need of replacement, it will be replaced with a new three bay structure to accommodate a future third track. In addition, the new bridge will provide additional vehicular clearance from the existing posted clearance of 11'-10" in order to meet NYSDOT's current requirements above the roadway (14'-0").

A conceptual design was completed under a separate contract. This contract requires the Design-Build Contractor to advance the design from approximately the 30% level to the 100% Final Design level. The Contractor shall assume the full responsibility of the Designer of Record. Upon approval of the final design, the Contractor shall provide all services, labor, material, equipment and facilities required to complete the Work identified in the Contract Documents. The Contractor will be provided one (1) weekend outage on Main Line in October 2017 for removal of the existing and installation of the new bridge. At its April 2016 meeting, the MTA Board approved the use of the "Request for Proposal" method to procure this design-build contract. On June 21, 2016, the "Request for Proposal" (RFP) was publicly advertised as required under Federal Transit Administration (FTA) Circular C 4220.1F. Addenda 1 through 6 were issued to answer vendor queries and extend the due date of proposals. On August 10, 2016, Proposals were submitted by five firms: Halmar International ("Halmar"), Picone/Bove, Keiwit, Posillico Civil Inc., and Railroad Construction Company ("RCC").

Staff Summary

On August 25, 2016, the LIRR Technical evaluation Committee (“TEC”) met to discuss and evaluate the firms’ technical capability. All five firms were requested to clarify their approach by responding to technical questions. Four of the five proposers utilized similar means and methods to those shown on the preliminary plans. Halmar’s proposal and presentation, which conformed entirely to LIRR requirements, was found to be superior when evaluated against the RFP technical criteria, which included technical approach, qualifications and experience of the project team, planning and scheduling, and corporate qualifications. Picone/Bove’s proposal and follow-up response to technical questions was evaluated as technically lacking because the approach was broad and provided limited detail. Kiewit’s proposal failed to adhere to the project schedule requirements and requested additional track outages to fully perform the work. Posillico’s schedule and requirements fell outside of the LIRR’s requirements for the work, and their technical proposal contained inconsistencies. RCC’s schedule and proposal utilized a different approach from the others; although the approach appeared to be technically sound, it was unclear whether additional track outages and road closures would be required.

Both RCC and Halmar were invited to provide oral presentations to the TEC team. Halmar addressed the clarifications noted in the invitation and gave a thorough presentation by demonstrating their understanding of the project and all of its challenges and also discussed completed projects that were similar in scope and construction methods. RCC’s presentation confirmed that additional track outages and road closures would be required, and demonstrated a lack of completely understanding the project constraints.

Based on the final technical and cost evaluations, Halmar was determined to be the top-ranked firm. Halmar’s proposed price of \$9,715,000 was \$1.623M below the LIRR’s estimate. The average proposed price was \$10,357,700. A meeting was held with Halmar on October 17, 2016 to verify their prices, and to ensure they fully understood the Railroad’s work scope and requirements. Negotiations were held and the parties agreed that the proposed price of \$9,715,000.00 is considered fair and reasonable. A responsibility review was conducted and resulted in a determination that Halmar is a responsible firm.

III. D/M/WBE INFORMATION:

This contract has a 17% DBE goal, Halmar has agreed to submit a plan that would meet the contract’s goal requirements. The final plan is subject to review and approval by DDCR. An award will not be issued until approval by DDCR. Halmar has achieved its MWDBE goals on previous MTA contracts.

IV. IMPACT ON FUNDING:

This contract will be federally funded and is included in the LIRR Capital Budget and in the MTA Capital Program.

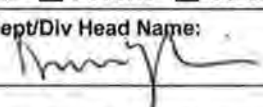
V. ALTERNATIVES:

LIRR does not have the ability to undertake the Design- Build services for the replacement of the new Post Avenue Bridge with in-house forces.

Staff Summary



Item Number:

Vendor Name (& Location) Bombardier Transportation / Siemens Rail Automation (f/k/a InvensysRail) – Joint Venture	
Description Positive Train Control System Integrator	
Contract Term (including Options, if any) 2020	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-Competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Deborah Chin 	

Contract Number	AWO/Modification #
LIRR 1712 / MNR 29544	6
Original Amount: \$428,477,247	
Prior Modifications: \$11,321,166	
Prior Budgetary Increases: \$98,570	
Current Amount: \$439,896,983	
This Request: \$1,863,919	
% of This Request to Current Amount: 0.4%	
% of Modifications (including This Request) to Original Amount: 2.6%	

Purpose and Recommendation: LIRR requests MTA Board approval to issue a contract modification in the Not to Exceed amount of \$1,863,919 to the Bombardier Transportation/Siemens Rail Automation, PTC Systems Integrator (SI) for wiring and assembly of Communications Cases (C-Cases) necessary to accommodate the additional C-Cases required above the initially planned quantity (60 to 108 C-Cases) due to maturation of the Radio Frequency (RF) design. This also increases the work that is required to be performed by LIRR forces. This modification will mitigate the risk of not completing the PTC installation in time to meet Substantial Completion of December 2018.

Discussion:

At the November 2013 Board meeting, LIRR and MNR Railroads obtained approval to award contracts to the joint venture of Bombardier Transportation/Siemens Rail Automation in the not to exceed amount of \$218,015,977 for LIRR and \$210,461,270 for design, integration and furnishing of Positive Train Control (“PTC”) systems necessary to comply with the Rail Safety Improvement Act of 2008 and FRA Regulations. Due to complexities of the systems to be installed on the Railroads and substantial engineering challenges presented by the project, installation needs to be completed by mid-2018 in order to meet the federally mandated deadline of December 2018.

LIRR’s Communications Subsystem Data Radio wayside equipment will be located in dedicated C-Cases on the Railroad’s right-of-way. Its purpose is to facilitate the communication between the PTC central office computers and the rolling-stock on-board computers. Communications kits will be provided per contract by the SI, and wired and assembled by LIRR Forces to complete installation, testing and commissioning.

The SI delivered equipment and LIRR forces have commenced with installation. LIRR’s Forces will wire and install C-Cases that have already been procured. Given delays in design and delivery of C-Cases, the necessary manpower to perform the additional C-Case installations is currently strained. In order to enhance the installation schedule, this modification is necessary to supplement the projected production and increase the rate of delivery and installation by having the SI populate and wire the additional required C-Cases. This will save a significant amount of time by LIRR Force Account to wire and test these communications cases in the field. Labor clearance to have this work done by a third party has been received.

This modification will enable the SI to deliver two (2) fully populated C-Cases per week after the First Article Inspection (FAI.) LIRR’s Communications Group requires two (2) weeks to install the racks and equipment, external radio equipment, and integrate the case into the existing LIRR fiber optic network. LIRR Forces would be able to deploy twice as many C-Cases in the allotted time and complete installation and integration by mid-2018.

RISKS AND EVALUATION OF COSTS:

The Not to Exceed amount is deemed acceptable given that the combined cost of these modification is approximately 0.4% of the overall contract value, and as noted in the November 2013 Staff Summary, the SI’s overall contract price was approximately \$52M less than the other proposer, such that the revised contract price, including this modification and prior acceleration costs, are still substantially below the other proposers’ prices.

Staff Summary



In connection with previous contract awards, Siemens Industries, Inc. was found to be responsible notwithstanding significant adverse information (SAI) pursuant to the All-Agency Responsibility Guidelines and such responsibility findings were approved by the MTA Chairman in consultation with the MTA General Counsel. No new SAI has been found relating to Siemens. Accordingly, the Joint Venture of Bombardier Transportation-Siemens Rail Automation has been found to be responsible.

Alternatives:

1. LIRR could elect not to have the SI perform this work via this contract modification, not supplement the C-Case production or provide this assembly work to a third party, which would lead to i) increased potential of not meeting the December 2018 deadline.
2. LIRR could hire additional Communications personnel to perform the work of assembling the remaining C-Cases with the Communications kits, however it would take much longer to acquire and train skilled personnel to do this work and would take much longer to achieve an impact on the schedule.

Given the substantial safety-related benefits to earlier implementation of PTC, these alternatives are not recommended.

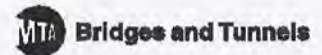


Bridges and Tunnels

Procurements November 2016



Staff Summary



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

Date	11/02/2016
Vendor Name	
Contract Number	
Contract Manager Name	
Table of Contents Ref #	

Board Action					
Order	To	Date	Approval	Info	Other
1	President	11/02/16			
2	MTA B&T Committee	11/14/16			
3	MTA Board	11/16/16			

Internal Approvals			
Order	Approval	Order	Approval
	President <i>DJ</i>		VP Operations
	Executive Vice President <i>Gina J. J.</i>		VP & Chief Engineer
	SVP & General Counsel		VP & Chief Procurement Officer <i>DM</i>
	VP Administration		

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
	Chief Financial Officer <i>DM</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 Majority Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule F: Personal Service Contracts	2	\$2.400M

SUBTOTAL \$2.400M

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

TOTAL \$2.400M

BUDGET IMPACT:

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

RECOMMENDATION:

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

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

MTA BRIDGES & TUNNELS
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
NOVEMBER 2016

MTA BRIDGES & TUNNELS

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. **Gannett Fleming Engineers and Architects** **\$2,115,341.30** **Staff Summary Attached**
Contract No. PSC-16-2987

2yr Contract- Competitive RFP

B&T is seeking Board approval under the All-Agency Service Contract Procurement Guidelines to award a personal service contract for the Initial Tunnel Inspection at the Queens Midtown Tunnel and the Hugh L. Carey Tunnel.

2. **Hoguet Newman Regal & Kenney, LLP** **\$285,800.00**
Contract No. PSC-16-2989

5yr Contract- Competitive RFP- 3 proposals

B&T requires a consultant to provide wage and hour compliance services in order to assist B&T in meeting its compliance obligations under FLSA. The FLSA is the federal statute that sets minimum wage, overtime pay, equal pay, record keeping and child labor standards for workers covered by its provisions. As a public employer, B&T is required to comply with the applicable minimum wage and overtime provisions of FLSA and to ensure that employees are appropriately classified. The consultant shall ensure B&T's legal compliance with FLSA and conduct a job classification review for all positions to determine exempt or non-exempt status with FLSA.

The service requirements were publicly advertised. On June 15, 2016 three firms: Hoguet Newman Regal & Kenney, LLP (Hoguet Newman), Sibson Consultant and Wong Fleming PC submitted proposals. The proposals were evaluated against established criteria set forth in the RFP including qualifications of work for specific personnel proposed, depth of understanding of project and related problems, level of expertise, record of performance of firm and cost. Based on the committee's review of all the proposals, it unanimously selected Hoguet Newman, a NYS certified WBE, based on its: (i) highly qualified personnel; (ii) extensive experience related to FLSA; (iii) complete and responsive proposal addressing all the relevant criteria in the scope of services and (iv) detailed description of the resources that will be brought to the assignment. Sibson Consultant and Wong Fleming each failed to adequately address the scope of services or demonstrate the level of experience necessary to provide these services. The committee unanimously waived oral presentations and recommended that negotiations be conducted with Hoguet Newman, the highest rated firm.

Hoguet Newman submitted a cost proposal of \$365,500. Negotiations with Hoguet Newman resulted in a fixed cost of \$285,800 for a five year term, which compares favorably with B&T's estimate of \$301,500. Based on the above, the negotiated amount of \$285,800 is considered fair and reasonable. Hoguet Newman is deemed to be a responsible consultant.

Staff Summary

Page 1 of 3

Item Number: 1 (Final)						SUMMARY INFORMATION		
Dept. & Dept. Head Name: Engineering and Construction, Joe Keane, P.E. <i>Joe Keane</i>						Vendor Name Gannett Fleming Engineers and Architects		Contract No. PSC-16-2987
Division & Division Head Name: Engineering and Construction, Philip Swanton, P.E. <i>Philip Swanton</i>						Description Initial Tunnel Inspection at the Queens-Midtown Tunnel and the Hugh L. Carey Tunnel		
Board Reviews						Total Amount \$2,115,341.30		
Order	To	Date	Approval	Info	Other	Contract Term (including Options, if any) Two years		
1	President	11/2/16				Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No		
2	MTA B&T Committee	11/14/16				Renewal? <input type="checkbox"/> Yes <input type="checkbox"/> No		
3	MTA Board	11/16/16				Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive		
Internal Approvals						Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:		
Order	Approval	Order	Approval					
1	Chief Financial Officer <i>Joe Keane</i>	4	Executive Vice President <i>G. M. Keane</i>					
2	General Counsel <i>M. Mott</i>	5	President <i>D. J.</i>					
3	Chief Procurement Officer <i>Joe Keane</i>							
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:								

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All-Agency Guidelines for Procurement of Services to award a personal service contract for Initial Tunnel Inspection at the Queens-Midtown Tunnel and the Hugh L. Carey Tunnel to Gannett Fleming Engineers & Architects, P.C. (Gannett), in the negotiated contract amount of \$2,115,341.30. This contract will be for a duration of approximately two years through December 31, 2018.

II DISCUSSION

B&T requires the services of the consultant firm to provide Initial Tunnel Inspection at the Queens-Midtown Tunnel and the Hugh L. Carey Tunnel. These inspections assist in our mission to keep B&T's assets in a state of good repair, and are a new requirement of the Federal Highway Administration (FHWA).

The requirements were publicly advertised. Five firms submitted qualification information for review and evaluation by the selection committee. Five firms were chosen to receive the RFP based on a review of those qualifications and all five submitted proposals: AECOM; Gannett Fleming Engineers and Architects, P.C. (Gannett); Jenny Engineering and Consulting, P.C. (Jenny); Mott MacDonald NY, Inc. (Mott) and WSP-Parsons Brinckerhoff (WSP|PB). Proposals were evaluated against established criteria set forth in the RFP including technical work proposed, depth of understanding of the project, qualifications of the firm for specific personnel proposed and cost. Based on the review of all submittals and its consideration of proposed costs, the Authority Selection Committee recommended Gannett.

The Committee's recommendation is based on the following:

Staff Summary

Page 2 of 3

- Gannett offered the most qualified team among the firms proposing for this work with team member(s) that authored the inspection manuals which form the basis of this inspection effort and who also provide the certification training which is required for this tunnel inspection.
- Gannett demonstrated ample qualified staff to complete the work within the schedule as well as previous experience providing tunnel inspection services under the new FHWA requirements for other Authorities in various states.
- Gannett demonstrated a comprehensive understanding of all technical aspects of the project including, structural, civil, electrical, and mechanical.
- Gannett's proposed level of effort is in line with Authority expectations and Gannett proposed the most advantageous cost.

Gannett submitted a cost proposal in the amount of \$1,882,160. The negotiated amount of \$1,815,341 is 4.7% below the Engineer's Estimate of \$1,900,000 and is deemed to be fair and reasonable. The total contract amount includes an allowance of \$300,000, and, based on the results of the inspection, services provided under the allowance may include: (i) damage, in-depth or special inspections; (ii) auxiliary design services for the repair of defective conditions; (iii) preliminary design investigations toward alternative solutions; (iv) auxiliary testing services for elements such as concrete cores and ventilation systems; (v) auxiliary scoping services; and (vi) development of computerized data collection and asset management system. These services will be provided via work orders on an as-needed basis. The allowance is based on historical costs and will permit B&T to quickly respond to the needs of each facility.

In connection with previous contracts awarded to the Consultant, Gannett was found to be responsible notwithstanding significant adverse information (SAI) pursuant to the All-Agency Responsibility Guidelines and such responsibility findings were approved by the MTA Chairman and CEO in consultation with the MTA General Counsel on November 23, 2010. No new SAI has been found related to the Consultant and Gannett has been found to be responsible.

III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 15% MBE and 15% WBE for this contract. Gannett Fleming has achieved their M/WBE goals on previous MTA Contracts.

IV. IMPACT ON FUNDING

Funding in the amount of \$2,115,341.30 is available in the Operating Budget under GFM-519, General Ledger #711101.

V. ALTERNATIVES

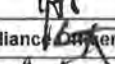

There are no recommended alternatives. B&T does not have the resources required to perform these FHWA inspection requirements.

Staff Summary

Subject All Agency General Contract Procurement Guidelines and All Agency Service Contract Procurement Guidelines
Department Corporate Compliance
Department Head Name Lamond W. Kears, Chief Compliance Officer
Department Head Signature 
Project Manager Name Lamond W. Kears

Date November 16, 2016
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
	Corporate Governance	11/14/16			
	Board	11/16/16			

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

Purpose:

To obtain Board approval of the revised All Agency General Contract Procurement Guidelines and the All Agency Service Contract Procurement Guidelines (collectively, the "Revised Guidelines").

Discussion:

Public Authorities Law Section 2879 requires the MTA to annually review and approve its procurement guidelines, which were last approved by the Board at its June 2016 meeting.

After the Board approved the guidelines in June, staff noticed a few typographical errors. The proposed revisions corrects those errors as well as clarifies the process for discretionary procurements in amounts less than \$100k.

Recommendation:

It is recommended that the MTA Board approve the annexed All Agency General Contract Procurement Guidelines and All Agency Service Contract Procurement Guidelines.

Staff Summary

Subject
Travel and Business Expense Policy
Department
Corporate Compliance
Department Head Name
Lamond W. Kears
Department Head Signature

Project Manager Name
Lamond W. Kears

Date
November 16, 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	Governance	11/14/16	X		
2	Board	11/16/16	X		

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

Purpose:

To obtain Board authorization of proposed revisions to the MTA All-Agency Travel and Business Expense Policy ("Travel and Business Policy").

Discussion:


Pursuant to Public Authority Law Section 2824, Board members of state authorities are required to establish written policies and procedures regarding expenses related to travel. The Travel and Business Policy was last approved in March 2015.




After reviewing the Travel and Business Policy, staff proposes several substantive and non-substantive revisions. The substantive revisions are: (1) to travel via business class the employee must travel 12 continuous hours (revised from 6 hours), (2) follow the General Services Administration per diem for the first and last day of travel, (3) clarifies that, subject to MTA approval, an employee may arrive or depart from a travel location within 24 hours of the time required for the travel, and (4) require Chief of Staff approval for travel \$3,000 or more (revised from \$1,500).

Recommendation:

It is recommended that the Board approve the proposed revisions to the Travel and Business Policy.

Staff Summary

Subject PERSONAL PROPERTY DISPOSITION GUIDELINES	Date November 16, 2016
Department Corporate Compliance	Vendor Name N/A
Department Head Name LAMOND W. KEARSE	Contract Number N/A
Department Head Signature 	Contract Manager Name N/A
Project Manager Name LAMOND W. KEARSE	Table of Contents Ref # N/A

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	Governance	11/14/16	X			1	Legal 		
2	Board	11/16/16	X			2	Chief Compliance Officer 		
						3	Chief of Staff 		

Purpose:

To obtain Board approval of proposed revisions to the All-Agency Guidelines for the Disposal of Personal Property promulgated in accordance with Sections 2895-2897 of the New York Public Authorities Law.

Discussion:

Public Authorities Law Section requires the MTA approve guidelines regarding the disposition of property. The All-Agency Guidelines for the Disposal of Personal Property were last approved by the Board at its March 2016 meeting.

Staff proposes substantive and non-substantive revisions. The substantive revision relates to amendments of Public Authorities Law Sections 553, 1204, and 1265, which changed the threshold for disposal of personal property by public auction from \$15,000 to \$500,000. It also created the requirement that the public auction be advertised.

Recommendation:

It is recommended that the MTA Board approve the proposed revised All-Agency Guidelines for the Disposal of Personal Property