



Metropolitan Transportation Authority

January 2017

MTA Board Action Items



MTA Board Meeting
2 Broadway - 20th Floor Board Room
New York, N.Y. 10004
Wednesday, 1/25/2017
10:00 AM - 12:00 PM ET

1. PUBLIC COMMENT PERIOD

2. APPROVAL OF MINUTES

MTA Regular Board Minutes - December 14, 2016

MTAHQ Minutes - December 14, 2016 - Page 5

NYCT/MaBSTOA/SIR/Bus Company Regular Board Minutes - December 14, 2016

NYCTA Minutes - December 14, 2016 - Page 11

MTA Metro-North Railroad Regular Board Minutes - December 14, 2016

Metro-North Minutes - December 14, 2016 - Page 15

MTA Long Island Rail Road Regular Board Minutes - December 14, 2016

LIRR Minutes - December 14, 2016 - Page 20

MTA Bridges & Tunnels Regular Board Minutes - December 14, 2016

TBTA Minutes - December 14, 2016 - Page 27

MTA Capital Construction Regular Board Minutes - December 14, 2016

MTACC Minutes - December 14, 2016 - Page 33

3. COMMITTEE ON FINANCE

Action Item

i. Municipal Finance Disclosure Policies and Procedures

Municipal Finance Disclosure Policies and Procedures - Page 35

MTAHQ Procurements Report

MTAHQ Procurement Report - Page 47

i. Non-Competitive

MTAHQ Non-Competitive Procurements - Page 49

ii. Competitive

MTAHQ Competitive Procurements - Page 51

iii. Ratifications (no items)

Real Estate Items

i. Real Estate Agenda and Staff Summaries

Real Estate Agenda and Staff Summaries - Page 56

4. COMMITTEE ON NYCT & BUS

NYCT Procurements

NYCT January Procurement Staff Summary and Resolution - Page 59

i. Non-Competitive

NYCT Non-Competitive Actions - Page 63

ii. Competitive

NYCT Competitive Actions - Page 65

iii. Ratifications (no items)

5. COMMITTEE ON METRO-NORTH RAILROAD

Action Item

i. Newburgh - Beacon Ferry Terminal Agreement

Newburgh - Beacon Ferry Terminal Agreement - Page 68

Metro-North Procurements (no items)

i. Non-Competitive

ii. Competitive

iii. Ratifications

6. COMMITTEE ON LONG ISLAND RAIL ROAD

LIRR Procurements (no items)

i. Non-Competitive

ii. Competitive

iii. Ratifications

LIRR MTACC Procurements

MTA CC Procurements - Page 71

i. Non-Competitive (no items)

ii. Competitive

MTA CC Competitive Procurements - Page 74

iii. Ratifications (no items)

7. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS

Action Item

i. Toll Violation Enforcement

BT Toll Violation Enforcement - Action Item - Page 77

BT Procurements

BT Procurements - Page 85

i. Non-Competitive (no items)

ii. Competitive

BT Competitive - Page 88

iii. Ratifications

BT Ratification - Page 98

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

9. FARE AND CROSSING CHARGE INCREASES (materials distributed separately)

Action Items

- i. 2017 Fare Increases**
- ii. Environmental Determination - Crossing Charge Increase**
- iii. Crossing Charge Increases**

10. EXECUTIVE SESSION

Date of Next Meeting: Wednesday, February 23, 2017

**Metropolitan Transportation Authority
Minutes of
Regular Board Meeting
2 Broadway
New York, NY 10004
Wednesday, December 14, 2016
10:00 a.m.**

The following members were present:

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

The following member was absent:

Hon. Susan Metzger

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

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

Unless otherwise indicated, these minutes reflect items on the agenda of the Board of the Metropolitan Transportation Authority, the Metropolitan Suburban Bus Authority, and the First

Mutual Transportation Assurance Company. Refer to the other agencies' minutes of this date for items on the agendas of the Boards of the other agencies.

1. **PUBLIC SPEAKERS.** There were ten (10) public speakers. The following speakers 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.

Ellyn Shannon, PCAC
Omar Vera, private citizen

2. **CHAIRMAN'S REMARKS.**

Chairman Prendergast announced that at the end of the meeting, the Board would be asked to vote to approve the Final 2017 Proposed Budget and the Four-Year Financial Plan 2017-2020. The Chairman stated that the proposed budget maintains the MTA's commitment to efficiency, and as a result includes a projection that will meet or exceed the 2016 target of \$1.6 billion in annual recurring savings. Chairman Prendergast noted that the goal is to cut costs by almost \$2 billion by 2020 to help keep fares and tolls as low as possible and to allow MTA to continue to make improvements to its system. The Chairman stated that MTA has held public hearings to share its proposals with elected officials and customers in Queens, Staten Island, Long Island, Manhattan and The Bronx, with three more scheduled to be held in Suffern, N.Y., Brooklyn and Westchester. Based on the feedback received at the public hearings, Chairman Prendergast stated that MTA is open to changing the proposals in an effort to do everything in its power to lessen the impact the fare proposal has on its customers.

Chairman Prendergast commented on service improvements throughout the system, saying that by the end of next year all subway stations will have Wi-Fi connectivity, which is part of an effort to begin work to re-envision, modernize, and completely overhaul thirty-one New York City subway stations. Other service improvements include the addition of digital screens and USB charging stations in new trains and buses; countdown clocks in eight stations along the N, Q, and R lines, with the aim of installing them in all 269 lettered-line stations; and the availability of MTA E-Tix for LIRR and Metro-North customers.

In addition, Chairman Prendergast announced that MTA is planning to open the first phase of the Second Avenue Subway, which he said is one of the MTA's biggest service addition to its system in 50 years. The Chairman stated that Governor Cuomo has challenged MTA to finish the Second Avenue Project on time, and the MTA is proud to announce the opening of the first phase on January 1, 2017.

3. **MINUTES.** Upon motion duly made and seconded, the Board approved the minutes of the regular Board meeting held on November 16, 2016.
4. **COMMITTEE ON FINANCE.**
 - A. **Action Items.** Upon motion duly made and seconded, the Board approved the following action items. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

1. MTA and TBTA Reimbursement for Federal Tax Purposes. Approved and adopted resolutions required by Federal tax law to preserve the ability to finance certain capital projects on a tax-exempt basis.
2. Authorization to Issue Transportation Revenue Bonds, Dedicated Tax Fund Bonds, TBTA General Revenue Bonds and TBTA Subordinated Revenue Bonds.
Approved resolutions and documentation to issue new money bond anticipation notes (BANs) and bonds to finance up to \$2,300 million of capital projects set forth in the approved transit and commuter capital programs, and to issue up to \$300 million of new money bonds to finance capital projects set forth in approved bridges and tunnels capital program; and all other actions, from time-to-time deemed necessary or desirable in connection therewith. The authorization to issue the bonds and take other related actions hereunder shall continue in effect without any further action by the MTA and TBTA Boards until the adoption by the MTA and TBTA Boards of subsequent bond supplemental resolutions relating to 2018 note and bond issues (except that bonds may still be issued to refinance 2017 BANs outstanding at any time) unless (a) the MTA and TBTA Boards shall have confirmed the effectiveness of this authorization for an additional period, or (b) the MTA and TBTA Boards shall have modified or repealed this authorization.
3. Approval of Supplemental Resolutions Authorizing Refunding Bonds. Approved resolutions and necessary documents to issue refunding bonds, from time-to-time, subject, if applicable, to the refunding policy adopted by the Board in May, 2010, as amended from time-to-time, and provided that the MTA Chief Financial Officer or the MTA Director, Finance makes a determination that the refunding of such bonds or other obligations will be beneficial to the obligors thereof and/or their affiliates and subsidiaries; and authorized a portion of the Transportation Revenue Refunding Bonds and Dedicated Tax Fund Refunding Revenue Bonds to be issued as variable rate securities to refund bonds that already meet the refunding policy requirements based on a fixed rate refunding. The authorization to issue the refunding bonds and take other related actions hereunder shall continue in effect without any further action by the MTA or TBTA Boards, until the adoption by the MTA and TBTA Boards, of subsequent refunding bond supplemental resolutions relating to 2018 refundings unless (a) the MTA and TBTA Boards shall have confirmed the effectiveness of this authorization for an additional period, or (b) the MTA and TBTA Boards shall have modified or repealed this authorization.
4. Approval of Municipal, Special, and Advisors Contract Authorization. Approved contracts with the advisory team of Public Resources Advisory Group, together with Backstrom McCarley Berry & Co., LLC, a State certified Minority Business Enterprise (“MBE”), and Rockfleet Financial Services, Inc., a State certified Women Business Enterprise (“WBE”) firm as well as an MBE for general financial advisory services, (collectively, the “PRAG Team”) in connection with the issuance of MTA and TBTA bonds and other obligations, acting as Municipal Advisor to MTA, and serving as MTA’s Independent Registered Municipal Advisor (IRMA); Mohanty Gargiulo, State certified WBE and MBE firm, for swap advisory services and to serve as MTA’s Qualified Independent Representative (QIR) with respect to all derivative matters.; Acacia Financial (Acacia), a State certified WBE firm, for

special advisory services as described in the staff summary; and Piper Jaffray (Piper) for special advisory services as described in more detail in the staff summary.

5. Approval of Outside Counsel. Approved the addition of the law firm of Harris Beach PLLC to the panel of Board-approved outside counsel for matters other than personal injury, and authorized the MTA's execution of a retainer with the firm as set forth in the staff summary.

B. Procurement Item. 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. Newmark Grubb Knight Frank – Real Estate Brokerage Services – No. 16148-0100. Approved the award of a competitively negotiated contract with Newmark Grubb Knight Frank to provide real estate broker services and represent and advise on a potential relocation and consolidation of multiple LIRR warehouse/industrial facilities within Nassau and Suffolk counties preferably into one location.
2. Newmark Grubb Knight Frank – Real Estate Brokerage Services – No. 16324-0100. Approved the award of a competitively negotiated contract with Newmark Grubb Knight Frank to provide real estate broker services and represent and advise on a potential relocation and consolidation of multiple Metro-North warehouse/industrial facilities within Westchester County preferably into one location.
3. LAZ Parking NY/NJ LLC – Parking Management Services for the Battery Parking Garage – No. 16207-0100. Approved the award of a competitively negotiated personal services contract to LAZ Parking NY/NJ LLC, the incumbent, to provide parking management services for the Battery Parking Garage for an initial five-year period, and two 2-year option periods, to be exercised at MTA's sole discretion, from January 1, 2017 thru December 31, 2024.
4. IHS Global, Inc. – Economic Forecasting Services – Nos. 15474-0100. Approved competitively negotiated contract to provide MTA with a regularly updated (short and long term) data series (historic and forecast) of national and regional economic and demographic variables for use in, among other purposes, budgeting and planning.
5. Bowery Residents' Committee, Inc. – Homeless Outreach Services – No. 09152-0100, S/A #10. Approved an amendment to a previously Board-approved competitively negotiated, personal services contract with Bowery Residents' Committee, Inc. to allow for a six-month time extension and additional funding for the continuation of administering the MTA's Homeless Outreach Services Program (MTA/Connections Outreach), until a new competitive contract is issued and approved by the Board.

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

Metro-North Railroad

1. Lease agreement with Spread NYC LLC d/b/a tartinery for a fast casual food operation at Dining Concourse Pavilion A in Grand Central Terminal, Manhattan, N.Y.

Long Island Rail Road

2. Lease agreement with Global Administrative Services, LLC for a taxi dispatch office and six (6) taxi parking spaces at the Little Neck station, Borough/County of Queens, N. Y.
3. Lease agreement with Global Administrative Services, LLC for a taxi dispatch office and five (5) taxi parking spaces at the Lynbrook station, Nassau County, N.Y.

5. **MTA 2017 FINAL BUDGET AND 2017-2020 FINANCIAL PLAN .**

Chairman Prendergast introduced MTA Chief Financial Officer Robert Foran, who presented the action items for the MTA 2017 Proposed Final Budget and the Proposed MTA Final 2017-2020 Financial Plan for Board consideration and approval. Copies of the proposed Budget and Plan, together with the accompanying staff summary, were distributed to Board Members and are maintained in MTA records.

The Chairman proposed a motion to adopt the Proposed MTA 2017 Final Budget and the Proposed Final Financial Plan for 2017-2020 and opened the floor for discussion.

Details of the Board Members' discussion relating to the MTA 2017 Budget and Financial Plan 2017-2020 are included in the video recording of the meeting produced by the MTA and maintained in the MTA records.

Upon motion duly made and seconded, the Board approved the Adoption of the MTA 2017 Final Proposed Budget and 2017-2020 Financial Plan, including the 2016 Final Estimate and all Plan Adjustments; the individual agency budgets and financial plans; authorization of the Budget and Plan adjustments; budget and cash management actions and other staff actions. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

6. **EXECUTIVE SESSION.** Upon motion duly made and seconded, the Board convened an executive session pursuant to Section 105(1)(d) and (e) of the New York State Public Officers Law, to discuss matters relating to proposed, pending or current litigation and matters relating to collective bargaining.

Thereafter, upon motion duly made and seconded, the Board voted to resume proceedings

in public session.

7. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:12 p.m.

Respectively submitted,

Victoria Clement
Assistant Secretary

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

**2 Broadway
New York, NY 10004**

**Wednesday, December 14, 2016
10:00 a.m.**

The following members were present:

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

The following member was absent:

Hon. Susan Metzger

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

1. CHAIRMAN PRENDERGAST CALLED THE MEETING TO ORDER

2. PUBLIC COMMENT PERIOD

There were ten (10) public speakers. The following speakers spoke on MTA NYC Transit/Staten Island Rapid Transit Operating Authority /MTA Bus Company matters:

Eight speakers, listed below, spoke on behalf of the Transport Workers Union, Local 100, about issues relating to collective bargaining negotiations:

Harry Lombardo, TWU
John Brown, TWU
Darren Johnson, TWU
Warren Cox, TWU
Janice Carter, TWU
Clarence Jackson, TWU
John Samuels, TWU, President
Michael Alden, TWU

Ellyn Shannon, PCAC discussed ways to address the rise in hate crime in New York City.

Omar Vera, Private Citizen, spoke about improvements to transit service and better accessibility in stations.

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 November 16, 2016.

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

Procurements:

Non-Competitive Procurements: Upon motion duly made and seconded, the Board approved the non-competitive procurements requiring a two-thirds vote (Schedule A in the Agenda) and a majority vote (Schedule G in the Agenda). Details of the above items are set forth in staff

summaries, copies of which are on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

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

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

6. MTA 2017 FINAL BUDGET AND 2017-2020 FINANCIAL PLAN .

Chairman Prendergast introduced MTA Chief Financial Officer Robert Foran, who presented the action items for the MTA 2017 Proposed Final Budget and the Proposed MTA Final 2017-2020 Financial Plan for Board consideration and approval. Copies of the proposed Budget and Plan, together with the accompanying staff summary, were distributed to Board Members and are maintained in MTA records.

The Chairman proposed a motion to adopt the Proposed MTA 2017 Final Budget and the Proposed Final Financial Plan for 2017-2020 and opened the floor for discussion.

Details of the Board Members' discussion relating to the MTA 2017 Budget and Financial Plan 2017-2020 are included in the video recording of the meeting produced by the MTA and maintained in the MTA records.

Upon motion duly made and seconded, the Board approved the Adoption of the MTA 2017 Final Proposed Budget and 2017-2020 Financial Plan, including the 2016 Final Estimate and all Plan Adjustments; the individual agency budgets and financial plans, including those relating MTA NYC Transit/MaBSTOA, Staten Island Rapid Transit Operating Authority and MTA Bus Company; authorization of the Budget and Plan adjustments; budget and cash management actions and other staff actions. The specifics are set forth in the staff summaries and documentation filed with the meeting materials.

7. EXECUTIVE SESSION

Upon motion duly made and seconded, the Board convened an executive session pursuant to Section 105(1)(d) and (e) of the New York State Public Officers Law, to discuss matters relating to proposed, pending or current litigation and matters relating to collective bargaining.

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

8. **ADJOURNMENT**

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:12 p.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
Wednesday, December 14, 2016
10:00 a.m.

The following members were present:

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

The following member was absent:

Hon. Susan Metzger

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

Chairman Prendergast called the meeting to order.

1. Public Speakers:

There were 10 public speakers, none of whom spoke on Metro-North agenda items. 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 Opening Remarks:

Chairman Prendergast announced that at the end of the meeting, the Board would be asked to vote on to approve the Final 2017 Proposed Budget and the Four-Year Financial Plan 2016-2020. The Chairman stated that the proposed budget maintains the MTA's commitment to efficiency, and as a result includes a projection that will meet or exceed the 2016 target of \$1.6 billion in annual recurring savings. Chairman Prendergast noted that the goal is to cut costs by almost \$2 billion by 2020 to help keep fares and tolls as low as possible and to allow MTA to continue to make improvements to its system. The Chairman stated that MTA has held public hearings to share its proposals with elected officials and customers in Queens, Staten Island, Long Island, Manhattan and The Bronx, with three more scheduled to be held in Suffern, N.Y., Brooklyn and Westchester. Based on the feedback received at the public hearings, Chairman Prendergast stated that MTA is open to changing the proposals in an effort to do everything in its power to lessen the impact the fare proposal has on its customers. Chairman Prendergast commented on service improvements throughout the system, including electronic ticketing on Metro-North and Long Island Rail Road.

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 November 16, 2016 were approved.

4. Committee on Finance:

Action Items:

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

- Authorization and approval to of the necessary documentation to issue new money bond anticipation notes and bonds to finance up to \$2,300 million of capital projects set forth in approved transit and commuter capital programs, and to issue up to \$300 million of new money bonds to finance capital projects set forth in approved bridges and tunnels capital programs.
- Authorization and approval of the necessary documentation to issue refunding bonds, from time to time, subject, if applicable, to the refunding policy attached hereto adopted by the Board in May, 2010, as amended from time to time, and provided that the MTA Chief Financial Officer or the MTA Director, Finance makes a determination that the refunding of such bonds or other obligations will be beneficial to the obligors thereof and/or their affiliates and subsidiaries. The MTA Finance Department is also seeking authority to allow for a portion of the Transportation Revenue Refunding Bonds and Dedicated Tax Fund Refunding Revenue Bonds to be

issued as variable rate securities to refund bonds that already meet the refunding policy requirements based on a fixed rate refunding.

- Approval to add the law firm Harris Beach PLLC to the panel of Board-approved outside counsel. The approval of this firm is sought in connection with its representation of Metropolitan Transportation Authority and its agencies with respect to the procurement of an electricity supply contract to commence following the expiration of the current long-term agreement with the New York Power Authority on December 31, 2017, and other energy related matters.

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

MTAHQ Procurements:

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

- Approval for MTA Real Estate, on behalf of Metro-North, on a competitive RFP process, to retain Newmark Grubb Knight Frank (“Newmark”) to provide brokerage services to identify sites for Metro-North’s warehouse/industrial requirement. Newmark, has been identified to provide these services to represent and advise Metro-North on a potential relocation and consolidation of multiple Metro-North Warehouse/Industrial facilities within Westchester County preferably into one location where Newmark has agreed to rebate 30% of all commissions up to \$250k, 40% of commissions from \$250 to \$500k, 50% from \$500k to \$1M and 55% of commissions over \$1M earned to the MTA.
 - Approval of an amendment to a previously Board-approved competitively negotiated, personal services contract with Bowery Residents’ Committee, Inc., including a six-month time extension and an additional \$975,387.49 for the continuation of administering the MTA’s Homeless Outreach Services Program (MTA/Connections Outreach), until a new competitive contract is issued and approved by the Board. The MTA/Connections Outreach Program addresses the needs of service-resistant, chronically homeless clients who require more intensive case management to facilitate their movement off MTA Commuter Rail property, especially at stations such as Grand Central Terminal, Metro-North stations in Manhattan and the Bronx, Long Island Rail Road concourse at Penn Station and Long Island Rail Road stations in Queens and Kings Counties.

The details of the above item are contained in the minutes of the MTA Board meeting held this day, 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:

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

- Approval of a lease with Spread NYC LLC, dba tartinery, for a fast casual food operation at Dining Concourse Retail Space Pavilion A at Grand Central Terminal, Manhattan.

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

5. Committee on Metro-North Railroad:

Procurements:

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

- Approval to award a joint Agency, non-competitive (one year base and 2 one year options), miscellaneous service contract for maintenance to the 'Protect' Chemical Detection System presently installed in Grand Central Terminal and Penn Station for Metro-North and Long Island Rail Road to the firm KD Analytical, LLC in the not-to-exceed amount of \$1,975,000.

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

- On behalf of Metro-North and New York City Transit, approval to extend this multi-agency miscellaneous service contract for an additional 18 months from January 1, 2017 – June 30, 2018 with Abalon Exterminating Company in the not-to-exceed amount of \$1,808,458.

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.

Action Item:

Board member Pally noted that the 2017 Final Proposed Budget and the Four-Year Financial Plan 2017-2020 was recommended to the Board for approval by the Metro-North Committee and would be presented for a vote at the end of the meeting.

6. MTA 2017 Final Proposed Budget and November Financial Plan 2017-2020.

Chairman Prendergast introduced MTA Chief Financial Officer Robert Foran, who presented the action items for the MTA 2017 Proposed Final Budget and the Proposed MTA Final 2017-2020 Financial Plan for Board consideration and approval. Copies of the proposed Budget and Plan, together with the accompanying staff summary, were distributed to Board Members and are maintained in MTA records.

The Chairman proposed a motion to adopt the Proposed MTA 2017 Final Budget and the Proposed Final Financial Plan for 2017-2020 and opened the floor for discussion.

Details of the Board Members' discussion relating to the MTA 2017 Budget and Financial Plan 2017-2020 are included in the video recording of the meeting produced by the MTA and maintained in the MTA records.

Upon motion duly made and seconded, the Board approved the Adoption of the MTA 2017 Final Proposed Budget and 2017-2020 Financial Plan, including the 2016 Final Estimate and all Plan Adjustments; the individual agency budgets and financial plans; authorization of the Budget and Plan adjustments; budget and cash management actions and other staff actions. The specifics are set forth in the staff summaries and documentation filed with the meeting materials and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

7. Executive Session:

Upon motion duly made and seconded, the Board convened an executive session pursuant to Section 105(1)(d) and (e) of the New York State Public Officers Law, to discuss matters relating to proposed, pending or current litigation and matters relating to collective bargaining. Thereafter, upon motion duly made and seconded, the Board voted to reconvene in public session.

8. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:12 p.m.

Respectfully submitted,



Linda Montanino
Assistant Secretary

Minutes of the Regular Board Meeting
Long Island Rail Road Company
2 Broadway
New York, NY 10004
Wednesday, December 14, 2016
10:00 a.m.

The following members were present:

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

The following member was absent:

Hon. Susan Metzger

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

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

1. Public Speakers:

Stephen Morello, Counselor to the Chairman, noted that there were ten (10) 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.

None of the speakers commented on matters related to the Long Island Rail Road.

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 at the end of the meeting, the Board will be asked to vote on MTA's 2017 budget. Chairman Prendergast further stated that together we have found ways to cut costs, but at the same time improve service. MTA expects that it will meet its 2016 target for cost cutting, which helps keep fares low. MTA is considering two options for a fare increase, both kept within 4%, which is the lowest increase since 2009. Chairman Prendergast added that MTA is open to comments and suggestions for changes, and has opened satellite centers for public comment. Chairman Prendergast stated that people ask "what do I get for this?" He noted that by the end of the year, WiFi will be available at all subway stations, and that by next year cell phone service would be available as well. MTA is adding USB ports and WiFi service to its busses, and countdown clocks are planned at 269 letter line stations. Chairman Prendergast added that the ETix app is now on line, and that we are confident the Second Avenue subway, the biggest increase in service in 50 years, will be opening by the December 31. Contractors are working around the clock, in keeping with the Governor's insistence that we change the way we do things and get projects done on time. We are all looking forward to 2017.

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 November 16, 2016 were approved.

4. Committee on Finance:

Action Items:

The Board was presented with five (5) action items recommended to it by the Committee on Finance, none of which related specifically to the LIRR.

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

Procurements:

The Board was presented with five (5) procurement items recommended to it by the Committee on Finance, two (2) of which related to Long Island Rail Road:

- Newmark Grubb Knight Frank – Real Estate Brokerage Services – MTA Real Estate on behalf of Long Island Rail Road, through a competitive RFP process, requires the services of a Real Estate Broker to identify sites for LIRR's warehouse/industrial requirement. Newmark Grubb Knight Frank has been identified to provide these services to represent and advise on a potential relocation and consolidation of multiple LIRR Warehouse/Industrial facilities within Nassau and Suffolk Counties preferably into one location. Newmark has agreed to rebate 30% of all commissions up to \$250K, 40% of commissions from \$250K to \$500K, 50% from \$500K to \$1M, and 55% of commissions over \$1M earned to the MTA. A broker is required because MTA Real Estate does not have the in-house resources to conduct a comprehensive space search.
- Bowery Residents' Committee, Inc. – To request that the Board approve an amendment to a previously Board-approved competitively negotiated personal services contract with Bower Residents' Committee, Inc. This amendment includes a six-month time extension and an additional \$975,387.49 for the continuation of administering the MTA's Homeless Outreach Services Program (MTA *Connections/Outreach*), until a new competitive contract is issued and approved by the Board. The MTA/Connections Outreach Program addresses the needs of service-resistant, chronically homeless clients who require more intensive case management to facilitate their movement off MTA Commuter Rail property, especially at locations such as Grand Central Terminal, MNR stations in Manhattan and the Bronx, LIRR concourse at Penn Station and LIRR stations in Kings and Queens Counties. All rates and negotiated terms and conditions under the base contract will remain the same and are deemed fair and reasonable.

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 three (3) real estate items, two (2) of which related to the Long Island Rail Road:

- Global Administrative Services, LLC ("Global") – Lease of taxi dispatch office and 6 taxi parking spaces – Little Neck station, Borough/County of

Queens – 10 years – Rent: \$17,250 first year with 3% increases annually thereafter during the term.

- Global Administrative Services, LLC (“Global”) – Lease of taxi dispatch office and 5 taxi parking spaces – Lynbrook station, Nassau County – 10 years – Rent: \$42,100 first year with 3% annual increase thereafter during the term.

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

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

Procurements:

The Board was presented with two (2) procurement items recommended to it by the Metro-North Committee for approval, one (1) of which related to the Long Island Rail Road:

- KD Analytical LLC – \$1,975,000 (not-to-exceed) - Approval is requested to award a Joint Agency, non-competitive (one year base and 2 one year options) miscellaneous service contract for maintenance of the ‘PROTECT’ Chemical Detection System presently installed in Grand Central Terminal (GCT) and Penn Station for MNR and LIRR, to the firm KD Analytical, LLC.

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

No procurement items were presented for approval by the Long Island Committee.

6. MTA 2017 Budget Adoption

Chairman Prendergast stated that the Board would now consider adoption of the MTA 2017 Final Proposed Budget and 2017-2020 Financial Plan. He introduced MTA Chief Financial Officer Robert Foran, to give a presentation on the Budget and Financial Plan.

Chief Financial Officer Foran gave a presentation on the MTA’s 2017 Final Proposed Budget and on the Four-Year Financial Plan 2017-2020, which was presented to the Board at its November meeting and is therefore referred to as the November Plan. He referred to Board to the Staff Summary on this matter which had been circulated to the Board electronically, and highlighted the following from the November Plan:

- The Plan projects ending cash balances of \$260 million in 2016, \$23 million in 2017, \$76 million in 2018, and \$32 million in 2019, with a projected cash deficit of \$319 million in 2020.
- The Plan continues to project biennial 4% fare and toll increases.
- The proposed fare increase in March 2017 has been changed from a 4% revenue yield to a 4% price increase, saving customers \$26 million per year.
- The Plan retains from the July Plan \$556 million in debt service savings from the Hudson Yards lease securitization and lower interest rates both realized and projected over the Plan period.
- The Plan contemplates service enhancements, including expansion projects such as Second Avenue Subway, #7 extension, Fulton Street Transit Center, and East Side Access, and operating support for capital and other projects including NYCT station enhancement program (31 stations), installation and maintenance of real-time information display signs, maintenance of B Division countdown clocks, and WiFi access in all NYCT underground stations and MTA buses.
- The bottom line is a net improvement to MTA's financial status over the Plan period and a reduction in the 2020 deficit from \$371 million as shown in the July Plan to \$319 million.

Chief Financial Officer Foran recommended that the Board approve the MTA's 2017 Final Proposed Budget and Four-Year Financial Plan 2017-2020 (November Plan), which includes approving the 2016 Final Estimate and Plan Adjustments (items below the baseline). The approval of this Plan will supersede prior Board Plan approvals for this period. Chief Financial Officer Foran noted that the projected 2017 and 2019 fare/toll increase proposals will require separate Board approval in advance of those dates.

Chief Financial Officer Foran also recommended that the Board approve the 2017 Final Proposed Budget and Four-Year Financial Plan 2017-2020 for the individual operating agencies, and certain additional actions which are described in greater detail in the staff summaries distributed to the Board electronically.

Board Member Neil Zuckerman asked whether the \$242 million shown on page I-11 of the budget materials reflected the proposed 4% price increase in fares. Chief Financial Officer Foran answered that it did, reflecting 9-1/2 months of an annualized amount, assuming the fare increase is effective on March 15, 2017. Board Member Zuckerman also asked for an explanation of the difference in 2016 and 2017 farebox and toll revenues. Chief Financial Officer Foran answered that this reflected utilization and ridership growth.

Board Member Veronica Vanterpool stated that several Board members had expressed concerns over whether we are receiving the best deal from our manufacturers and that the theme of seeking the best deal is not clearly reflected in the budget. She added that the budget documents mention procurement efficiencies, but she would like to this issue addressed with greater specificity. Chairman Prendergast answered that there has been much discussion over the past 2-3 months about how MTA handles large scale procurement contracts such as buses and railcars, and options associated with those contracts. Chairman Prendergast added that, unfortunately, staff did not do the best job in explaining how we are achieving some of the best value and highest reliability attained by any transit agency. He stated that he was committed to having staff make a detailed presentation demonstrating our progress on fleet procurements and how options could be used to drive down the unit price of railcars, such as occurred with the M-7 cars.

Board Member Andrew Albert asked whether, once the Board votes to approve the proposed budget, which incorporates certain monies to be derived from the proposed fare increase, the only item left to vote on would be which of the two fare increase options the Board selects. Chairman Prendergast stated that this was correct.

Board Member Andrew Saul stated that, in addition to a presentation on fleet procurement, he would like to see a presentation on the MTA Business Service Center, the progress it has made over the past 3-4 years, how procurements other than capital items and railcars are being handled, and what procurements it will be taking over in the future. Chairman Prendergast indicated that such a presentation can be prepared.

Board Member James Vitiello stated that the cost savings achieved by MTA have been remarkable, and he complemented the Chairman and the Chief Financial Officer. He also stated that we need to keep looking at this issue. Chairman Prendergast stated that while MTA management took the lead in seeking cost savings, credit also goes to the operating agencies.

Upon motion duly made and seconded, the Board approved the MTA's 2017 Final Proposed Budget and Four-Year Financial Plan 2017-2020, the 2017 Final Proposed Budget and Four-Year Financial Plan 2017-2020 for the individual operating agencies, and the other actions described in the staff summaries distributed to the Board electronically, 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 Sections 105(1)(d) and (e) of the Public Officers Law, the Board would be going into executive session to discuss matters related to proposed, pending or current litigation, and collective bargaining agreements. 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 12:10 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark D. Hoffer". The signature is written in a cursive, slightly slanted style.

Mark D. Hoffer,
Secretary

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

BOARD MINUTES

December 14, 2016

Minutes of the Regular Meeting
Triborough Bridge and Tunnel Authority
December 14, 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. David Jones
Hon. Charles G. Moerdler
Hon. John J. Molloy
Hon. Mitchell H. Pally
Hon. John Samuelson
Hon. Andrew Saul
Hon. Lawrence Schwartz
Hon. Polly Trottenberg
Hon. Veronica Vanterpool
Hon. James Vitiello
Hon. Peter Ward
Hon. Carl V. Wortendyke
Hon. Neal Zuckerman

The following member was absent:

Hon. Susan Metzger

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

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 ten (10) public speakers. None of the speakers specifically commented on issues regarding the Triborough Bridge and Tunnel Authority.

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

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

Chairman and CEO Prendergast opened his remarks by stating that the Board would be asked to approve the Final 2017 Budget and 2017-2020 Financial Plan. He stated that the MTA has cut costs, found better, more efficient ways of doing things, and even found ways to significantly improve service. The budget maintains the MTA's commitment to efficiency, and as a result, it includes a projection that we will meet or exceed our 2016 target of \$1.6 billion in annually recurring savings. With the additional projected savings targets in the Plan, we expect to get that number to almost \$2 billion a year by 2020. This would be \$2 billion a year more, every year, that we can use to add or improve service and keep fares low. The Plan includes two options to increase fares and tolls over the next two years by less than 4 percent – or an average of 2 percent annually, consistent with the financial forecast made in July. The MTA's continued discipline in keeping costs down has resulted in the lowest increase since 2009, when we committed to a biennial schedule to keep adjustments as small and as predictable as possible. Chairman and CEO Prendergast also mentioned that the MTA has held five public fare hearings to share our proposals with elected officials and customers. There are three other hearings being held this month. Based on the feedback from elected officials and customers, the MTA is open to changing the proposals. Chairman and CEO Prendergast further mentioned service improvements. The MTA can point to tangible improvements spreading throughout the system. By the end of the year, every underground subway station – all 279 – will have WiFi connectivity. By early next year, they will also have cell phone service too. The MTA is beginning work to re-envision, modernize, and completely overhaul 31 New York City subway stations. Chairman and CEO Prendergast also mentioned the Second Avenue subway line should open by January 2017. With this new line, riders will be able to go from the Upper East Side to Coney Island in a little over an hour without changing trains and the MTA will reduce travel times by up to ten minutes or more for those on the far East Side.

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 November 16, 2016

Upon a motion duly made and seconded, the minutes of the Regular Board Meeting held on November 16, 2016 were approved.

4. Committee on Finance

Upon a motion duly made and seconded, the Board approved the following recommended to it by the Committee on Finance:

(a) Action Items:

- Approve MTA and TBTA adoption of reimbursement resolutions, which are required by Federal tax law to preserve the ability to finance certain capital projects on a tax-exempt basis.
- Approve the necessary documentation to issue new money bond anticipation notes and bonds to finance up to \$2,300 million of capital projects set forth in approved transit and commuter capital programs, \$300 million of new money bonds to finance capital projects set forth in approved bridges and tunnels capital program.

- Approve the documentation to issue refunding bonds in 2017 in accordance with the refunding policy adopted by the Board in May 2010 and to allow for a portion of the Transportation Revenue Refunding Bonds and Dedicated Tax Refunding Revenue Bonds to be issued as variable rate securities to refund bonds.
- Approve contracts with Municipal, Special and Swap Advisors described in the Staff Summary on pages 153 and 154 to provide financial advisory services.
- Approve adding the law firm of Harris Beach to the panel of Board-approved outside counsel.

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

Procurements

Commissioner Moerdler stated that there are three (3) procurements totaling \$67.95 million.

Non-Competitive Procurements

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

Competitive Procurements

Commissioner Moerdler stated that there are three (3) competitive procurement totaling \$67.95 million.

Competitive Procurements

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

Judlau Contracting Inc.	Contract No. TUN-MIT-01 B&T is seeking Board approval under the All-Agency General Contract Procurement Guidelines to award a competitively solicited public work contract for Design-Build Services for Flood Mitigation at the Hugh L. Carey Tunnel and Queens Midtown Tunnel to Judlau Contracting, Inc. (Judlau).	\$64,784,000.00 (not to exceed amount)
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Modifications to Personal Service Contracts and Miscellaneous Service Contracts

WSP Sells/HNTB, JV	Contract No. PSC-14-2957 B&T is seeking Board Approval in accordance with the All-Agency Service Contract Procurement Guidelines to amend a personal service Contract No. PSC-14-2957 with WSP Sells HNTB, JV for additional work to implement Open Road Tolling (ORT) at the Robert F. Kennedy Bridge (RFK Bridge).	\$2,471,525.00
Shaw Environmental and Infrastructure Engineering of New York, P.C.	Contract No. PSC-13-2937 B&T is seeking Board Approval in accordance with the All-Agency Service	\$700,009.69

Contract Procurement Guidelines to amend
Contract No. PSC-13-2937 with Shaw
Environmental and Infrastructure
Engineering of New York, P.C. (Shaw) to
provide additional construction
management and inspection services.

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

Ratifications

Commissioner Moerdler stated that there are no ratifications.

TBTA 2017 Final Budget and Financial Plan

Finally, Commissioner Moerdler stated that the Bridges and Tunnels Committee considered and voted to recommend the adoption of TBTA's 2017 Final Budget and Financial Plan 2017-2020, which will be presented to the Board with the adoption of the MTA 2017 Final Budget and Financial Plan for 2017-2020.

6. MTA 2017 Final Proposed Budget and November Financial Plan 2017-2020

MTA Chief Financial Officer Robert Foran distributed action item materials and discussed the MTA's 2017 Budget and Financial Plan 2017-2020 ("Budget and Plan"). A motion was made to adopt the Budget and Plan. Commissioner Zuckerman requested clarification regarding the 4% fare increase. Mr. Foran stated that the presentation materials show an increase of \$242 million as 9.5 months of an annualized amount assuming that the fare increase is in place in March 2017. He further stated that the chart on page I-10 shows growth through utilization and ridership as well. Commissioner Vanterpool stated that the issue of getting the best deal in MTA procurements does not seem to be reflected in the Financial Plan. Chairman and CEO Prendergast stated that over the last few months, there have been discussions regarding large scale contracts such as for buses and railcars and options on those contracts. The MTA is getting the best value and the highest reliability of any transit agency in the country. However, the MTA needs to do a better job explaining the overall process in which we purchase fleet and how we exercise options and will do so by providing presentations to the MTA Board regarding these procurements. Commissioner Albert asked if the vote on this item will commit the Board to a certain amount of money regarding the fare increase and the question will remain as to which method should be used to achieve that goal. Chairman and CEO Prendergast confirmed this statement is correct. Commissioner Saul commented that there should be a presentation as to how the Business Service Center has progressed since its inception, what percentage of purchases and procurements have been taken over by the Business Service Center. Chairman and CEO Prendergast stated that those can be included in the presentations. Commissioner Vitiello noted that the expense cuts and savings that the MTA has found should be acknowledged as these savings will approach \$2 billion in a short period of time. Upon a motion duly made and seconded, the Board voted to adopt the Budget and Plan.

The details of Mr. Foran's presentation and the discussions with regard to same are contained in the minutes of the meeting of the Board of the Metropolitan Transportation Authority.

7. 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) and §105(1)(e) to discuss matters relating to proposed, pending or current litigation and for matters relating to collective negotiations.

8. **Adjournment**

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 12:12 p.m.

Respectfully submitted,



For: Adana Savery
Assistant Secretary

**Regular Board Meeting
MTA Capital Construction Company
2 Broadway
New York, NY 10004
Wednesday, December 14, 2016
10:00 AM**

The following members were present:

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

The following member was absent:

Hon. Susan Metzger

Board Member Andrew Albert, Board Member Norman Brown, Board Member Vincent Tessitore, and Michael Horodniceanu, President, MTA Capital Construction Company also attended the meeting as did various other agency presidents and staff including Donna Evans, Chief of Staff, MTA, Jerome F. Page, General Counsel, MTA, Robert Foran, Chief Financial Officer, MTA, Stephen Morello, Counselor to the Chairman, Veronique Hakim, President, NYCTA, Patrick Nowakowski, President, Long Island Rail Road, Joseph Giulietti, President, Metro-North Railroad, Donald Spero, President, TBTA, Darryl Irick, SVP, NYCT DoB/President, MTA Bus 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 ten public speakers none of whom spoke on MTA Capital Construction matters. The names of the speakers and their 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 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 November, 16, 2016.

Committee on NYCT and Bus

Procurements

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

1. A modification to the 86th St. Station Finishes Contract (C-26012) for the Second Avenue Subway Project for the replacement of specified breakers with upgraded breakers and fused disconnect switches in the amount of \$995,000.
2. A modification to the 86th St. Station Finishes Contract (C-26012) for the Second Avenue Subway Project to incorporate items required by Con Edison to provide permanent power to the station in the amount of \$999,500.
3. A modification to the 96th St. Station Finishes Contract (C-26010) for the Second Avenue Subway Project to address additional heating, ventilation and air-conditioning equipment in two communication rooms and one uninterrupted power supply room in the amount of \$1,357,000.
4. A modification to the 72nd St. Finishes Contract (C-26011) contract for the Second Avenue Subway Project to incorporate items required by Con Edison to provide permanent power to the station in the amount of \$1,767,000.

A copy of the Resolution and Staff Summaries for the above items are filed with the records of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on this date.

MTA 2017 Budget and 2017 through 2020 Financial Plan

Robert Foran, MTA's Chief Financial Officer presented the MTA's 2017 Budget and the 2017 through 2020 Financial Plan. A discussion among Board members followed.

Mr. Foran's and the Board member's remarks are more fully noted in the minutes of the Regular Meeting of the Board of the Metropolitan Transportation Authority held on this date.

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

The adoption of the MTA's (inclusive of each individual MTA Agencies and the Office of the Inspector General) 2017 Budget and 2017 -2020 Financial Plan.

A copy of the Staff Summary, the 2017 Budget and the 2017 – 2020 Financial Plan are 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) and (e) of the New York State Public Officers Law to discuss matters relating to proposed or pending litigation and collective bargaining negotiations.

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

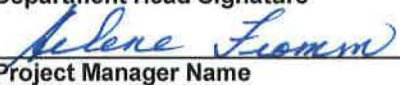
Adjournment

Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 12:12 p.m.

Respectfully submitted,




David K. Cannon
Assistant Secretary

Staff Summary

Subject Municipal Finance Disclosure Policies and Procedures
Department Legal
Department Head Name Helene Fromm, Acting General Counsel
Department Head Signature 
Project Manager Name Isabel Guerra, Deputy General Counsel - Finance

Date January 25, 2017
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Comm.	1/23/17	x		
2	Board	1/25/17	x		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal 		Chief of Staff 
2	CFO 		

Purpose:

To obtain MTA and TBTA Board (the "Board") approval of the attached resolution adopting the annexed Municipal Finance Disclosure Policies and Procedures (the "Disclosure Policies and Procedures"). The Disclosure Policies and Procedures primarily formalize existing disclosure practices of MTA and TBTA that are followed in connection with issuances and are intended to reinforce best practices relating to disclosures made in connection with municipal finance offerings and required periodic filings.

Discussion:

The annexed Disclosure Policies and Procedures (i) summarize general and ongoing disclosure obligations of MTA and TBTA as issuers; (ii) set forth disclosure best practices to be followed by MTA and TBTA staff, disclosure counsel and bond counsel with respect to individual bond transactions and the Annual Disclosure Statement; and (iii) provide for additional training of staff and Board members with respect to disclosure practices and obligations.

Municipal issuers must comply with all applicable federal and state securities laws in connection with bond issuances. Municipal issuers necessarily make extensive public disclosures in connection with issuance of bonds and on an ongoing basis after bonds are issued. To facilitate compliance with the applicable securities laws, MTA has prepared written policies and procedures relating to disclosure practices and the training of staff. While current MTA disclosure practices will remain largely unchanged, MTA believes the adoption of written policies is a best practice that will further MTA's objective of ensuring that its disclosures are fair and accurate, comply with all applicable federal and state securities laws, and satisfy contractual obligations undertaken pursuant to its Continuing Disclosure Undertakings.

These Disclosure Policies and Procedures, which are annexed to this Staff Summary, have been prepared by MTA Legal in consultation with MTA's disclosure counsel and will be available on line.

Recommendation:

It is recommended that the Board adopt the resolution attached to this Staff Summary approving the Disclosure Policies and Procedures.

RESOLUTION

WHEREAS, the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority desire to ensure that disclosures made in connection with their municipal finance offerings and required periodic filings related thereto are fair and accurate, and comply with all applicable federal and state laws;

WHEREAS, it is the policy of the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority to satisfy all contractual obligations undertaken pursuant to its Continuing Disclosure Undertakings entered into in connection with municipal finance offerings in a timely manner;

WHEREAS, the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority desire to adhere to and promote best practices relating to disclosures; and

WHEREAS, to further the implementation of these objectives, the Metropolitan Transportation Authority and Triborough Bridge and Tunnel Authority desire to adopt the Municipal Finance Disclosure Policies and Procedures annexed hereto;

NOW, THEREFORE BE IT:

RESOLVED by the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority that the Municipal Finance Disclosure Policies and Procedures annexed hereto shall be adopted and shall apply to all disclosure undertakings.

Dated: January 25, 2017

METROPOLITAN TRANSPORTATION AUTHORITY

and

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

Municipal Finance Disclosure Policies and Procedures

Introduction

The Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority are committed to ensuring that disclosures made in connection with their respective municipal finance offerings and required periodic filings related thereto are fair, accurate, and comply with applicable federal and state securities laws, including common law antifraud provisions under state law and any other applicable laws. Further, it is the policy of both the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority to satisfy in a timely manner their contractual obligations undertaken pursuant to Continuing Disclosure Undertakings entered into in connection with municipal finance offerings.

In furtherance of these objectives and policies, and to promote best practices relating to disclosures, the Boards of the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority have adopted the Disclosure Policies and Procedures set forth below, which shall apply to all disclosure undertakings.

Definitions

Capitalized terms used in these Disclosure Policies and Procedures shall have the meanings set forth below:

“Annual Disclosure Statement” means the financial information and operating data required to be filed pursuant to MTA’s Continuing Disclosure Undertakings, including the “MTA Annual Disclosure Statement” (formerly “Appendix A”), the audited financial statements of MTA, NYCTA, TBTA and the TBTA Independent Engineer’s Report, which are incorporated by specific reference in certain other MTA and TBTA Disclosure Documents. The information includes narrative information relating to MTA Headquarters and each of the operating entities, as well as information that MTA has specifically contracted with bondholders to update on an annual basis in accordance with Securities and Exchange Commission Rule 15c2-12 (“Rule 15c2-12”).

“Authority” means, as the context permits or requires, any or all of the following: Metropolitan Transportation Authority (MTA); Triborough Bridge and Tunnel Authority (TBTA); Long Island Rail Road Company (LIRR); Manhattan and Bronx Surface Transit Operating Authority (MaBSTOA); Metro-North Commuter Railroad Company (MNCRC); New York City Transit Authority (NYCTA); Staten Island Rapid Transit Operating Authority (SIRTOA); MTA Bus Company (MTA Bus); MTA Capital Construction Company (MTACC); First Mutual Transportation Assurance Company

(FMTAC); and any other affiliate or subsidiary hereafter created having a common board with the MTA.

“Board” means the MTA Board and/or the TBTA Board, as appropriate.

“Bonds” or **“bonds”** shall refer to any bonds, notes or other securities offered by any Authority, the disclosure relating to which is subject to the requirements of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934, including Rule 10b-5 thereunder, and Securities Exchange Commission Rule 15c2-12.

“Budget Staff” means the Budget Director and each deputy for each applicable Authority agency.

“Capital Programs Staff” means the Director of Capital Programs and each deputy for each applicable Authority agency.

“Co-Bond Counsel” means any attorney or firm of attorneys of nationally recognized standing in the field of law relating to the issuance of obligations by state and municipal entities selected by the Authority. At any time MTA/TBTA retains more than one pair of Co-Bond Counsel, all references to Co-Bond Counsel shall be deemed to include one or more pair of Co-Bond Counsel, as deemed appropriate by the Deputy General Counsel, Finance.

“Continuing Disclosure Undertakings” means MTA’s and TBTA’s contractual obligations entered into with the trustee by either Authority in connection with each issuance of Bonds.

“Disclosure Counsel” means the special disclosure counsel to the Authority retained by the MTA, and shall be a firm or firms with attorneys of nationally recognized standing in the field of law relating to the issuance of obligations by state and municipal entities and expertise in the federal and State laws applicable to investor disclosure obligations of public issuers of debt instruments selected by the Authority.

“Disclosure Documents” means MTA’s and TBTA’s documents and materials specifically prepared, issued, and distributed in connection with MTA’s and TBTA’s disclosure obligations under applicable federal securities laws or that otherwise could potentially subject MTA and TBTA to liability under such laws, and shall include, but not be limited to the following:

- Annual Disclosure Statement
- Quarterly Updates to the Annual Disclosure Statement and any periodic Supplements thereto
- Official Statements
- Any filing made by MTA and TBTA with EMMA pursuant to a Continuing Disclosure Undertaking, including material event notices
- Any voluntary filing made by MTA and TBTA that is posted on EMMA

- Any document or other communication (such as postings on the MTA website or Twitter) from MTA and TBTA that could be viewed as reasonably expected to reach investors and the trading market for MTA's and TBTA's Bonds
- Any other document that is reviewed and approved in accordance with these Disclosure Policies and Procedures

"EMMA" means the Electronic Municipal Market Access system maintained by the Municipal Securities Rulemaking Board.

"Finance Staff" means the MTA's Director, Finance and each deputy for each applicable Authority agency and the MTA Comptroller.

"Financial Advisor" means the firm or firms retained by the MTA to act in a financial advisory capacity to MTA in connection with the issuance of bond by the Authority.

"MTA" means the Metropolitan Transportation Authority, a public benefit corporation of the State of New York.

"Official Statements" means, collectively, preliminary and final official statements, remarketing circulars or offering memoranda used in connection with the offering of Bonds. Official Statements do not attempt to repeat the information in the Annual Disclosure Statement, but instead generally include such information by specific cross-reference, as expressly authorized by Rule 15c2-12, and updates only the information that has materially changed.

"Quarterly Updates" means the updates to the Annual Disclosure Statement which shall be filed with EMMA shortly following the presentation to the Board of financial plan updates in July, November and February. Each Quarterly Update shall contain any material updates to the financial information and operating data contained in the Annual Disclosure Statement.

"Rule 15c2-12" means Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, including any official interpretations thereof.

"Staff" means employees of the Authority, including Budget Staff and Finance Staff.

"State" means the State of New York.

"Supplements" means the periodic updates to the Annual Disclosure Statement which shall be filed with EMMA if, on the advice of Disclosure Counsel after consultation with the Deputy General Counsel/Finance, Finance Staff and Co-Bond Counsel, events have occurred which merit updates to the financial information and operating data contained in the Annual Disclosure Statement.

"TBTA" means the Triborough Bridge and Tunnel Authority.

I. General Disclosure Practices

1. The Board, through approval of the documentation relating to individual financings and the review of the related Staff Summary, delegates authority and responsibility to Staff to prepare and distribute an Official Statement, which will be prepared in accordance with these Disclosure Policies and Procedures unless the Board otherwise directs.

2. The Board, pursuant to a resolution adopted annually, delegates authority and responsibility to Staff to prepare an Annual Disclosure Statement and any other Disclosure Documents other than Official Statements that may be required to be filed throughout the existing year, which will be prepared in accordance with these Disclosure Policies and Procedures unless the Board otherwise directs.

3. The Deputy General Counsel/Finance, Finance Staff and other Staff deemed necessary, with the assistance of Disclosure Counsel, Co-Bond Counsel, Financial Advisor and advice and direction of General Counsel, shall prepare all Disclosure Documents, including the Annual Disclosure Statement, and shall prepare and submit any other disclosure filings that may be required throughout the year. All Disclosure Documents and any other disclosure filings shall be prepared in accordance with these Disclosure Policies and Procedures unless the Board otherwise directs.

4. The timeline for any particular bond financing for which a Disclosure Document will be prepared shall vary depending on the type of bonds being offered, the security for the bonds, the purpose for the financing, and other factors unique to each bond financing.

II. On-Going Disclosure

1. The Deputy General Counsel/Finance, Finance Staff, Disclosure Counsel, Bond Counsel and Financial Advisor shall monitor State and national markets generally as well as other developments affecting MTA business, performance, financial planning, and capital plans and, in consultation with the General Counsel, determine whether there is a need for additional disclosure by way of additional periodic filings with EMMA or any recommended supplement to a Disclosure Document.

2. Management's Discussion and Analysis and the Notes to annual and quarterly financial statements (collectively, MD&N) shall be reviewed by the Chief Financial Officer, Finance Staff, and the Deputy General Counsel/Finance, in consultation with General Counsel, prior to their being finalized. The Chief Financial Officer, Finance Staff and the Deputy General Counsel/Finance shall consult with staff with specific knowledge of various elements of the MD&N and Disclosure Counsel or Co-Bond Counsel as they deem appropriate.

III. Official Statement Review and Disclosure Processes

1. The Deputy General Counsel/Finance and Finance Staff shall timely identify those who, for a particular financing, are appropriate to assist Disclosure Counsel, Co-Bond Counsel, underwriter(s), underwriter's counsel, Financial Advisor, and appropriate Staff in the preparation and review of the related Official Statement.

2. The Deputy General Counsel/Finance and Finance Staff (or their designees) shall be responsible for soliciting material information from Authority departments, subsidiaries, affiliates, or State or other governmental officials, for inclusion in the applicable Official Statement, and shall identify Staff and any State or other governmental officials who may have information necessary to prepare or who should review portions of the Official Statement. Staff and State or other governmental officials should be timely contacted and informed that their assistance will be needed for the preparation of the Official Statement.

- a. The Staff and State or other governmental officials shall be contacted as soon as reasonably practical in order to provide adequate time for such individuals to perform a thoughtful and critical review or draft of those portions of the Official Statement assigned to them.
- b. The request for information shall provide that Staff must raise any item which could be material for inclusion in the offering document.
- c. The appropriate outside agency auditors should be apprised of the Authority's schedule for publishing such Official Statement.

3. Finance Staff, Financial Advisor and Co-Bond Counsel shall receive the draft of the preliminary Official Statement for review and comment. As necessary, the Chief Financial Officer, the General Counsel, the Budget Director, the Director of Capital Programs and their delegees, relevant Staff at the operating agencies included in the financing and MTA auditors shall receive the draft of the preliminary Official Statement for review and comment.

4. Other Staff shall be consulted if an issue arises concerning items as to which they have specific knowledge.

5. The draft preliminary Official Statement shall be made available to the senior managing underwriter and its counsel for review and comment prior to mailing on negotiated transactions.

6. If deemed necessary, based on the advice of Disclosure Counsel, Co-Bond Counsel and the General Counsel, the Deputy General Counsel/Finance and Disclosure Counsel shall hold due diligence sessions with the appropriate Staff and State officials, in addition to such sessions held in connection with the Quarterly Updates, prior to the printing or posting of a preliminary Official Statement.

7. Disclosure Counsel shall provide written discussion topics or questions in the form of an agenda in advance of the due diligence sessions, if any, to the extent practical, to permit all required Staff and State officials, as well as underwriters and their counsel on negotiated transactions, to prepare for the due diligence session and to consider additional matters they deem material to the offering. The due diligence session shall not be limited to the list of written topics or questions or other questions solely from Disclosure Counsel. Disclosure Counsel, Financial Advisor and, in the case of a negotiated transaction, the underwriters and underwriters' counsel shall participate in such due diligence session.

8. At the time of the sale of the Bonds, the Deputy General Counsel/Finance, in conjunction with Finance Staff, Disclosure Counsel and Co-Bond Counsel, shall prepare a final Official Statement and satisfy themselves that at the time of sale that such Official Statement is in satisfactory form and that no additional disclosure is required.

9. Annual audited MTA or TBTA financial statements and those for the most recent MTA or TBTA unaudited quarterly reporting period shall be incorporated by reference into the Official Statements. Before the printing of any preliminary or final Official Statement, the Deputy General Counsel/Finance, Disclosure Counsel and Bond Counsel shall obtain e-mail or other written confirmations from the applicable General Counsel or Deputy General Counsel, that they know of no material litigation that has been filed (or threatened with a reasonable likelihood of being filed) against any relevant Authority not previously disclosed in a Disclosure Document.

10. Disclosure Counsel may be invited to attend any MTA or TBTA presentations to rating agencies and investors made in connection with the offering of bonds. Disclosure Counsel, the Deputy General Counsel/Finance, Finance Staff and Financial Advisor shall review any materials used in presentations, meetings or telephone conferences with rating agencies or investors for consistency with the appropriate Official Statement.

IV. The Annual Disclosure Statement (Rule 15c2-12)

1. The Deputy General Counsel/Finance in conjunction with Finance Staff shall distribute sections of the Annual Disclosure Statement and Quarterly Updates to Staff with specific knowledge of various areas. Staff shall review and update said sections. The request for information shall provide that Staff must raise any item which could be material for inclusion in the Annual Disclosure Statement or Quarterly Updates, as applicable.

2. The audited financial statements of MTA on a consolidated basis, NYCTA and TBTA shall be attached to the Annual Disclosure Statement in accordance with MTA's Continuing Disclosure Undertakings under Rule 15c2-12. The Finance Staff shall review the MD&N to Financial Statements before they are finalized.

3. The State Division of the Budget shall be requested to provide updates regarding State revenues. Budget Staff shall review this information for consistency.

Disclosure Counsel, Deputy General Counsel/Finance, the Chief Finance Officer, Finance Staff, Budget Staff and Capital Programs Staff shall review any drafts, make suggestions for changes and raise questions about content and topics not discussed in such drafts.

4. Diligence sessions shall be held with the operating agencies and headquarters Staff at which presentations shall be made by such groups based upon an agenda prepared by Disclosure Counsel circulated in advance of the sessions. Finance Staff, Deputy General Counsel/Finance, Disclosure Counsel and representatives of all MTA and TBTA underwriters and all rotating underwriters' counsel shall have the opportunity to ask questions.

5. Upon finalizing the Annual Disclosure Statement, the Deputy General Counsel/Finance shall obtain written certifications as to information for which they are responsible, by e-mail or otherwise, by the Staff determined by Deputy General Counsel/Finance and Finance Staff.

6. The Annual Disclosure Statement, pursuant to MTA's and TBTA's Continuing Disclosure Undertakings, shall be filed at the end of April of each year or in any event in compliance with MTA's Continuing Disclosure Undertakings. Each Quarterly Update shall be filed shortly following any presentations to the Board of financial plan updates in July, November and February.

V. Role of Disclosure Counsel

1. MTA and TBTA will require Disclosure Counsel and, as necessary, Co-Bond Counsel to perform the following:

- a. review and comment on MTA's and TBTA's Disclosure Documents;
- b. coordinate the due diligence process in the manner provided above;
- c. review presentations and, if requested, attend and/or listen to rating agency or investor presentations related to MTA's and TBTA's bonds, notes and other securities;
- d. advise MTA and TBTA regarding:
 - (1) specific disclosure issues relating to MTA's and TBTA's financial operations, operating performance and capital program development, including funding, progress and problems;
 - (2) standards of disclosure under applicable securities laws;
 - (3) adequacy of MTA's and TBTA's disclosure in any Disclosure Document;

- (4) completeness and clarity of the information provided by the State in any Disclosure Document; and
 - (5) other matters as directed by MTA or TBTA;
- e. interface with the Deputy General Counsel/Finance and Finance Staff with respect to any Disclosure Document;
- f. provide a securities law supplemental opinion for each financing transaction;
- g. participate in the preparation, review and approval of the Annual Disclosure Statement; and
- h. conduct periodic training of Staff on the disclosure process contemplated by the Disclosure Policies and Procedures set forth herein as may be requested from time to time by the Deputy General Counsel/Finance and Finance Staff.

VI. Disclosure Practices Training

Training for Board members and Staff shall be conducted by either Disclosure Counsel or MTA General Counsel or their designee(s) regarding disclosure practices under applicable state and federal law. It is intended that this training shall assist these individuals in (1) understanding their responsibilities; (2) identifying significant items which may need to be included in the Disclosure Documents; and (3) reporting issues and concerns relating to disclosure. A refresher training program shall be conducted on a periodic basis as determined by Deputy General Counsel/Finance with the advice of Disclosure Counsel.

1. Board Members

- a. Board members shall be advised of their general disclosure responsibilities and the extent they may delegate to and rely on Staff's preparation of Disclosure Documents.
- b. Board Members shall be advised of their fiduciary duties under the State's Public Authorities Law.
- c. Specialized training regarding MTA and TBTA disclosure responsibilities may be conducted for the members of the Finance Committee of the Board.

2. Staff

- a. Staff with responsibility for collecting, preparing or reviewing information that is provided for inclusion in a Disclosure Document or for certifying or

confirming its accuracy in accordance with these Disclosure Policies and Procedures, and those persons responsible for executing them, shall attend disclosure training sessions.

- b. The determination as to whether or not a class of employee shall receive such training shall be made by the MTA General Counsel or Deputy General Counsel/Finance in consultation with Disclosure Counsel and, as necessary, Co-Bond Counsel and the Chief Financial Officer.

VII. Disclosure-Related Document Retention Practices

MTA's Records Management Program Manual sets forth MTA's document retention schedule. Consistent with MTA's Continuing Disclosure Undertakings, the following documents shall be maintained at least as long as required by MTA's Records Management Program:

- Annual Continuing Disclosure Filings
- Bond Issue Bound Books or CD-ROMs containing bond issue documents
- Bond Issue Executed Documents
- Disclosure Documents
- Investor Materials
- MTA Financial Statements related to bonds
- Rating Agency Presentation Materials
- Records of all Disclosure Activities, including but not limited to telephone calls, emails and other inquiries from investors
- Unaudited Quarterly and Annual Financial Statements Audited by Outside Auditing Firms

VIII. General Principles Relating to Disclosure

1. Each Staff member participating in the disclosure process shall be responsible for raising potential disclosure items at all times in the process.

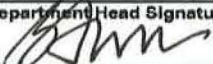

2. Each Staff member participating in the disclosure process should raise any issue regarding disclosure with the MTA General Counsel or Deputy General Counsel/Finance at any time.

3. Recommendations for improvement of these Disclosure Policies and Procedures shall be solicited and considered by the Deputy General Counsel/Finance and Disclosure Counsel and if revision is deemed to be appropriate will be reviewed by the General Counsel and the Chief Financial Officer.

4. The process of revising and updating Disclosure Documents should not be viewed as mechanical insertions of more current information; everyone involved in the process should consider the need for revisions in the form and content of the sections for which they are responsible.




A copy of these Disclosure Policies and Procedures shall be posted on the MTA's website. Any updates to these Disclosure Policies and Procedures shall be distributed to Board members and all Staff participating in the disclosure process upon issuance.

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
January 20, 2017
Vendor Name
Various
Contract Number
Various
Contract Manager Name
Various
Table of Contents Ref ,#

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	1/23/2017	X		
2	Board	1/25/2017	X		

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

PURPOSE:

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

DISCUSSION:

of Actions \$ Amount

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

Schedules Requiring Majority Vote

Schedule G: Miscellaneous Service Contracts

- New Canvas Digital, Inc.

1 \$ 194,600.00

MTAHQ proposes to award Competitive procurements in the following categories:

Schedules Requiring Majority Vote

Schedule F: Personal Services Contracts

6 \$ 8,580,439.00

Schedule G: Miscellaneous Service Contracts

1 \$ 172,120,487.00

SUBTOTAL 8 \$ 180,895,526.00

MTAHQ presents the following procurement actions for Ratification:

None None

TOTAL 8 \$ 180,895,526.00

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, JANUARY 2017
NON-COMPETITIVE PROCUREMENTS

METROPOLITAN TRANSPORTATION AUTHORITY

Procurements Requiring Majority Vote:

G. Miscellaneous Service Contracts

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

- | | | |
|---|------------------|--------------------------------------|
| 1. New Canvas Digital, Inc. | \$194,600 | <u>Staff Summary Attached</u> |
| Upgrade MTA Metro-North Train Time App | | |
| Contract No. 900000000002024 | | |

Non-competitive

To recommend that the Board approve a non-competitive, Miscellaneous Services Contract to New Canvas Digital, Inc. ("Canvas") to upgrade Metro-North Railroad's ("MNR") Train Time Application in order to comply with current application technology standards and properly support current-generation devices. The new App will leverage train schedule, station, and fare information and status functionality already developed by Canvas for a new Grand Central Terminal application developed on behalf of MTA Metro-North. The new application will not include Grand Central Terminal retail information. This upgrade and refactoring service is required as the code from the current application is four iOS generations old, and has reached the point where minor updates have become difficult to impossible to complete due to incompatibilities with current software and application store standards. Canvas initially provided a \$200/hour rate which is 20% below their standard hourly rate of \$250/hour for mobile development services. Further negotiations yielded an additional 5% reduction. The final negotiated hourly rate of \$190/hour is deemed fair and reasonable. There are no MWBE participation opportunities as Canvas is the only authorized provider of the software upgrade.

Staff Summary

Schedule G: Miscellaneous Service Contracts

Page 1 of 1

Item Number:

Vendor Name (& Location): New Canvas Digital, Inc.	Contract Number: 900000000002024	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description: Refactoring of MNR's Train Time App	Total Amount: \$194,600.00	
Contract Term (including Options, if any): One Year	Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Requesting Dept/Div & Dept/Div Head Name: MTAIT , Sohaib Mallick	
Procurement Type: <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	Contract Manager: R. Mamudiseeti	
Solicitation Type: <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Sole Source		

DISCUSSION:

To recommend that the Board approve a non-competitive, Miscellaneous Services Contract to New Canvas Digital, Inc. ("Canvas") to upgrade Metro-North Railroad's ("MNR") Train Time Application in order to comply with current application technology standards and properly support current-generation devices.

In 2012, Canvas designed and developed MTA Metro-North Train Time Application ("App") specific to MNR's requirements to provide information to customers.

The new App will leverage train schedule, station, and fare information and status functionality already developed by Canvas for a new Grand Central Terminal application developed on behalf of MTA Metro-North. The new application will not include Grand Central Terminal retail information.

This upgrade and refactoring service is required as the code from the current application is four iOS generations old, and has reached the point where minor updates have become difficult to impossible to complete due to incompatibilities with current software and application store standards.

Key priorities for refactoring:

- Refactor the Cordova codebase to deliver iOS and Android versions of the application that comply with all current technical standards.
- Upgrade design elements and the user interface as required to support large-screen phones (the current UI was designed for the iPhone 4) and provide flexibility for future UI enhancements.
- Maintain the overall structure and user experience of the application, including all current business logic.
- Maintain integration with MTA eTix, including bi-directional handoff between the two applications.
- Maintain integration with Metro-North API to provide real-time schedule information and train status.
- Maintain latest MTA brand look and feel design.

This work will take approximately 16 weeks to complete at a fixed fee of \$111K. The updated Train Time application is expected to launch by May 30, 2017. Warranty support is included and will begin immediately at delivery of the final application build and will continue for 90 days. All subsequent additional enhancements is payable at the same hourly rate of \$190/hour.

Canvas initially provided a \$200/hour rate which is 20% below their standard hourly rate of \$250/hour for mobile development services. Further negotiations yielded an additional 5% reduction. The final negotiated hourly rate of \$190/hour is deemed fair and reasonable. There are no MWBE participation opportunities as Canvas is the only authorized provider of the software upgrade.

Funding is available in the MTA IT Operating Capital Budget.

LIST OF PROCUREMENTS FOR BOARD APPROVAL, JANUARY 2017
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

1-5. AFT projects at five NYCT Subway Stations on the Astoria Line – AFT to provide technical design, fabrication, crating, storage, delivery and oversight of installation of materials at the station specified below:

Competitively negotiated - 318 proposals - 18 months.

Sarah Morris, 39 Ave - NYCT (\$249,000)

Competitively negotiated - 318 proposals - 18 months.

Maureen McQuillan, 36 Ave - NYCT (\$249,000)

Competitively negotiated - 318 proposals - 18 months.

Diane Carr, Broadway Station - NYCT (\$249,000)

Competitively negotiated - 318 proposals - 18 months.

Stephen Westfall, 30 Ave Station - NYCT (\$249,000)

Competitively negotiated - 318 proposals - 18 months.

Elizabeth Condon, Ditmars Blvd - NYCT (\$84,439)

6. All Agency Obstructive Sleep Apnea Testing	\$7,500,000	<u>Staff Summary Attached</u>
Contract No. 16139-0100 thru 0400		

a. ENT & Allergy / Night & Day Sleep Services

b. Respira, Inc.

c. Northwell Health, Inc.

d. CHSLI

Competitively negotiated –13 proposals – 36 months

To recommend that the Board approve the award of four (4) competitively negotiated, all-agency, personal services contracts to provide medical services to screen, manage, coordinate and monitor medical treatment for select employees for obstructive sleep apnea testing and treatment (“Sleep Medicine”) for MTA agencies’ employees. Each contract will be awarded on a zero-dollar basis. The firms will perform monitoring of medical treatment for select employees for obstructive sleep apnea testing and treatment (“Sleep Medicine”) based on geographic coverage areas for MTA agencies’ employees on an as-needed basis for the period of 3 years (with a 2 year option) for a not-to-exceed amount of \$7,500,000.

METROPOLITAN TRANSPORTATION AUTHORITY
COMPETITIVE PROCUREMENTS

G. Miscellaneous Service Contracts

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

7. **Armed, Unarmed and Security Operations** **\$172,120,487** *Staff Summary Attached*
Center Monitoring Security Services
Contract No. 15264-0100 thru 0200
a. Universal Protection Services, LLC d/b/a Allied Universal Security Services
b. Summit Security Service, Inc.

Competitively negotiated – 7 proposals – 36 months

To recommend the Board approve the award of two competitively negotiated All-Agency Miscellaneous Service Contracts to Universal Protection Services, LLC d/b/a Allied Universal Security Services and Summit Security Service, Inc. for Unarmed, Armed and Security Operations Center Monitoring Security Services for a period of five years from February 1, 2017 to January 31, 2022, in an amount not to exceed \$172,120,487 which includes a 10% contingency. As a result of negotiations Procurement obtained a savings of \$12.7 million or 7.5% off the projected costs over the next five years. Procurement negotiated fixed pricing for each year of the five-year term.

Staff Summary

Schedule F: Personal Service Contracts



Page 1 of 2

Item Number: Dept & Dept Head Name: David L. Mayer, MTA Chief Safety Officer <i>[Signature]</i> Division & Division Head Name: Anne E. Kirsch, Sr. Advisor Corp. Safety Initiatives						SUMMARY INFORMATION Vendor Name: Various Contract Number: 16139-0100 thru 0400 Description: MTA All Agencies' Obstructive Sleep Apnea Testing Total Amount: \$7,500,000 Contract Term (Including Options, if any) 3 year (with a 2 year option) Option(s) Included In Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive Solicitation Type: <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Funding Source: Varies by agency <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Board Reviews							
Order	To	Date	Approval	Info	Other		
1	Finance	1/23/17	X				
2	Board	1/25/17	X				
Internal Approvals							
Order	Approval	Order	Approval				
1	Procurement <i>[Signature]</i>	4	DDCR <i>[Signature]</i>				
2	MTA Chief Safety Officer <i>[Signature]</i>	5	Legal <i>[Signature]</i>				
3	Chief of Staff <i>[Signature]</i>	6	CFO <i>[Signature]</i>				

Narrative

I. PURPOSE/RECOMMENDATION

To recommend that the Board approve the award of four (4) competitively negotiated, all-agency, personal services contracts to the firms listed below to provide medical services to screen, manage, coordinate and monitor medical treatment for select employees for obstructive sleep apnea testing and treatment ("Sleep Medicine") for MTA agencies' employees. Each contract will be awarded on a zero-dollar basis. The firms will perform monitoring of medical treatment for select employees for obstructive sleep apnea testing and treatment ("Sleep Medicine") based on geographic coverage areas for MTA agencies' employees on an as-needed basis for the period of 3 years (with a 2 year option) for a not-to-exceed amount of \$7,500,000.

1. ENT & Allergy / Night & Day Sleep Services
2. Respira, Inc.,
3. Northwell Health, Inc.,
4. CHSLI

II. DISCUSSION

The MTA through the existing agency Occupational Health Services (OHS) will perform an initial screening of identified employees. These screenings are performed utilizing industry best practices and will include an evaluation of an employee's body mass index (BMI), neck circumference, a medical questionnaire related to sleep and sleep patterns, and relevant medical history. Those employees who are deemed at risk based upon the initial screening will be sent for further testing and potential diagnosis and treatment.

Staff Summary

In order to provide these services, a Request for Proposals (RFP) was publicly advertised and letters advising potential proposers of the RFP's availability were electronically sent to thirty-eight (38) firms. Thirteen (13) proposals were received and provided to a Selection Committee that consisted of representatives from MTA Headquarters, MTA, MTA Metro-North Railroad and MTA Long Island Rail. Additionally, technical advisors served as representatives from MTA Department of Corporate Safety Initiatives.

Eight firms were short-listed, and technical evaluations and oral presentations were conducted. Vendor evaluations were based on established selection criteria contained within the RFP documents and included: understanding of work scope requirements, detailed description of how the services will be performed, commitment of relevant resources to the project, including the qualifications of key personnel and reliability to perform the services, demonstrated past experience and skills provided on similar projects, and overall cost. Critical to this procurement is the geographic coverage that the vendors provide in order to service the MTA employees as well as the understanding that the vendors will work with MTA employee health coverage to minimize any out of pocket costs.

The four selected vendors' technical and cost proposals conveyed a comprehensive understanding of MTA requirements. As a result, the Selection Committee unanimously selected ENT & Allergy / Night & Day Sleep Services, Respira, Inc., Northwell Health, Inc., and CHSLI as the best qualified and cost-effective firms for these services. These firms demonstrated extensive expertise in Obstructive Sleep Apnea/Sleep Disorder and proposed geographically advantageous resources with specialized medical experience. A budgetary amount of \$7,500,000. is being proposed for this program. MTA has established unit pricing that will remain fixed throughout this program. This procurement will be funded by MTA's Operating Budget.

MTA HQ Procurement conducted a responsibility review and associated due diligence on the four firms, which were deemed to be responsible and qualified for contract award.

These as-needed services will be performed based on the negotiated cost for administrative fees associated with running the program. MTA anticipates that generally, all employees will have MTA agency provided insurance coverage which covers the majority of Sleep Medicine services required by MTA and that a medical service provider will be paid through the insurance coverage.

III. D/M/WBE INFORMATION

MTA Department of Diversity and Civil Rights have assigned 15% MBE and 15% WBE goals to this contract. ENT&Allergy/Night & Day Sleep Services, Respira Inc., Northwell Health Inc., and CHSLI, have not completed any MTA contracts with goals; therefore, no assessment of the firm's MWDBE performance can be determined at this time. Award will not be made until the DDCR approval is obtained.

IV. IMPACT ON FUNDING

This contract is being funded by MTA's Operating Budget

V. ALTERNATIVES

1. Perform the Services in-house. This alternative is not feasible. MTA and its agencies do not have the medical sleep laboratories, related resources and experienced qualified personnel to perform these medical services.
2. Do not approve award of these contracts. This is not practical or cost effective. This would adversely impact and compromise MTA's ability to effectively and efficiently provide medical services to screen, manage, coordinate and monitor medical treatment for obstructive sleep apnea testing and treatment ("Sleep Medicine") for MTA agencies' employees. Without the award of these contracts, the MTA will not be able to sustain its industry leadership on this important safety issue.

Staff Summary

Schedule G: Miscellaneous Service Contracts

Page 1 of 1

Item Number:

Vendor Name (& Location): Universal Protection Services, LLC d/b/a Allied Universal Security Services & Summit Security Service Inc.
Description: Armed, Unarmed, and Security Operations Center Monitoring Security Services
Contract Term (including Options, if any): February 1, 2017 to January 31, 2022
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:

Contract Number: 15264-0100 thru 0200	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Amount: \$172,120,487 (NTE)	
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: CFO/MTA Facilities/B. Foran /P. DeCapua	
Contract Manager: Scott Mayclim	

DISCUSSION:

To recommend the Board approve the award of two competitively negotiated All-Agency Miscellaneous Service Contracts to Universal Protection Services, LLC d/b/a Allied Universal Security Services and Summit Security Service, Inc. for Unarmed, Armed and Security Operations Center Monitoring Security Services for a period of five years from February 1, 2017 to January 31, 2022, in an amount not to exceed \$172,120,487 which includes a 10% contingency.

The current MTAHQ and Agencies Unarmed, Armed And Security Operations Center Monitoring Services contracts are expiring. In order to continue these essential services and as part of the MTAHQ procurement consolidation an all-agency competitive Request for Proposal (RFP) was conducted. The Office of Civil Rights established 15% MBE and 15% WBE goals to the RFP. The scope includes services for more than 40 locations in eight counties in New York and two counties in Connecticut. The RFP was publicly advertised, and letters that announcing the availability of the RFP package were sent to 20 firms, including 10 certified D/M/WBE firms. The selection committee (which included representatives from MTA HQ, Metro-North, Long Island Rail Road, and NYCT Security and Revenue and MTA Bus) received seven proposals.

The selection committee met and deemed five of the seven suppliers technically qualified. After reviewing the cost proposals, the committee selected four suppliers to participate in oral presentations. After oral presentations, the selection committee unanimously agreed and requested that MTA HQ Procurement ("Procurement") negotiate with two suppliers (Universal Protection Services, LLC d/b/a Allied Universal Security Services and Summit Security Service, Inc.).

As a result of negotiations Procurement obtained a savings of \$12.7 million or 7.5% off the projected costs over the next five years. Procurement negotiated fixed pricing for each year of the five-year term. Procurement conducted a responsibility review and associated due diligence on the two firms, and determined both responsible and qualified for contract award.

Summit Security have achieved its previous MWDBE goals on previous MTA contracts and Universal Protection Services, LLC d/b/a Allied Universal Security Services has not completed any MTA contracts with goals; therefore, no assessment of the firm's MWDBE performance can be determined at this time.


BOARD 2017
MTA REAL ESTATE
LIST OF REAL ESTATE ACTION ITEMS FOR BOARD APPROVAL

MTA LONG ISLAND RAIL ROAD

License with L&W Yellow, LLC, for 6 taxi parking spaces at Wantagh, Nassau County

Lease with Robert Nidzyn's Scales & Tails, Inc. for a café at Speonk, Suffolk County

Staff Summary

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

Date	JANUARY 23, 2017
Vendor Name	
Contract Number	
Contract Manager Name	
Table of Contents Ref. #	

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	1/23/17	X		
2	Board	1/25/17	X		

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

AGENCY: MTA Long Island Rail Road Company ("LIRR")

LICENSEE: L&W Yellow, LLC

LOCATION: Wantagh Station, County of Nassau

ACTIVITY: 6 taxi parking spaces

ACTION REQUESTED: Approval of terms

TERM: 10 years; terminable upon 60 days' notice

SPACE: Approximately 120 square feet per space

COMPENSATION: \$5,700 first year with 3% increases annually thereafter during the term

COMMENTS:

6 existing taxi parking spaces at LIRR's Wantagh station were included in a recent RFP. They are located along the south side of the right of way under the elevated Babylon Branch between Wantagh Avenue and Grove Street. L&W Yellow, LLC is the current taxi operator licensed to use those spaces and they were also the sole proposer.


The offered compensation was \$47,417.18 (NPV) for the proposed ten year term.

Licensee will be responsible for installing new taxi parking signs and repainting stripes to delineate the parking spaces, as well as providing standard insurance coverages, at their sole cost and expense.

The proposed compensation is within the estimated range of fair market value for the non-exclusive right to provide taxi services at LIRR's Wantagh station facility.

Based on the foregoing, MTA Real Estate requests authorization to enter into a license with L&W Yellow, LLC, on the above-described terms and conditions.

Staff Summary

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

Date JANUARY 23, 2017
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	1/23/17	X		
2	Board	1/25/17	X		

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

AGENCY: MTA Long Island Rail Road Company ("LIRR")

LESSEE: Robert Nidzyn's Scales & Tails Inc.

LOCATION: Speonk Station, Suffolk County

ACTIVITY: Cafe

ACTION REQUESTED: Approval of terms

TERM: 10 years

SPACE: Approximately 600 s/f

RENT: \$3,600 first year with 3% increases annually thereafter during the term

COMMENTS:

LIRR's former station building at Speonk was included in a recent RFP. It is located on the south side of the right of way, east of North Phillips Avenue, situated within the commuter parking facility. It was converted into a café by the current occupant and has been continuously operated since its inception by Robert Nidzyn's Scales & Tails Inc. ("Nidzyn").

Nidzyn was the sole proposer and offered \$29,944.89 (NPV) rent for the proposed ten year term.

Lessee will be responsible for refurbishing and maintaining the interior of the café, as well as providing standard insurance coverages, at its sole cost and expense. Lessee will also make a significant capital expenditure to upgrade existing conditions in accordance with applicable codes and regulations.

The proposed rent is within the range of fair market value estimated in advance by MTA Real Estate's independent consultant.

Based on the foregoing, MTA Real Estate requests authorization to enter into a lease with Robert Nidzyn's Scales & Tails Inc., on the above-described terms and conditions.

PROCUREMENTS

The Procurement Agenda this month includes 3 actions for a proposed expenditure of \$106.6M.

Subject	Request for Authorization to Award Various Procurements				
Department	Materiel – NYC Transit				
Department Head Name	Stephen M. Plochochi				
Department Head Signature					
Project Manager Name	Rose Davis				
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	1/23/17			
2	Board	1/25/17			

January 13, 2017			
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:

<u>Procurements Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule A: Noncompetitive Purchases and Public Work Contracts	1	\$ 95.1 M
• New Flyer of America, Inc. \$ 95.1 M		
SUBTOTAL	1	\$ 95.1 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:

Schedules Requiring Majority Vote:

Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	1	\$	5.6 M
Schedule L:	Budget Adjustments to Estimated Quantity Contracts	1	\$	5.9 M
SUBTOTAL		2	\$	11.5 M

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

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

NYC Transit proposes to award Ratifications in the following categories: NONE

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

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

TOTAL 3 \$ 106.6 M

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

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

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

BOARD RESOLUTION

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

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

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

NOW, the Board resolves as follows:

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

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

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

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

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

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

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

JANUARY 2017

LIST OF NONCOMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

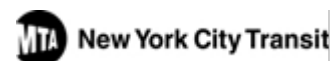
Procurements Requiring Two-Thirds Vote:

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. New Flyer of America, Inc.
Contract# B-40671 | \$95,039,286 (Est.) | <u>Staff Summary Attached</u> |
| Purchase of 110 low-floor 60-foot articulated compressed natural gas buses. | | |

Schedule A: Noncompetitive Purchases and Public Work Contracts



Item Number: 1

Vendor Name (Location) New Flyer of America, Inc. (St. Cloud, Minnesota)
Description Purchase of 110 low-floor 60-foot articulated compressed natural gas buses
Contract Term (including Options, if any) May 31, 2017–December 31, 2023
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: Noncompetitive

Contract Number B-40671	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Amount: \$95,039,286 (Est.)	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept./Div., Dept./Div. Head Name: Department of Buses, Darryl C. Irick	

Discussion:

It is requested that the Board declare competitive bidding impractical or inappropriate pursuant to subdivision 9(b) of Section 1209 of the Public Authorities Law on the grounds that the item to be purchased is available only from one single responsible source and approve this sole-source purchase of 110 low-floor 60-foot articulated compressed natural gas (“CNG”) buses from New Flyer of America, Inc. (“New Flyer”).

The new buses will replace 40-foot buses that have reached the end of their 12-year useful life. Additionally, as the majority of these buses have CNG tanks that, by federal regulations, can only be used for 15 years from the date of manufacture, the buses must be taken out of service or undergo a cost prohibitive and technically intrusive CNG tank replacement program. These buses represent an expansion of articulated bus operation. Converting a route to articulated bus operation has an immediate impact on operating costs: Four 40-foot buses are replaced with three 60-foot articulated buses, resulting in a reduction in operator-related costs, fewer miles being driven, and a need for fewer buses to meet peak-service requirements. These buses will be operated out of the West Farms and Jackie Gleason depots in the Bronx and Brooklyn respectively.

This sole-source solicitation was advertised in September 2016. Additionally, nine bus manufacturers were directly contacted, all of which indicated that they do not manufacture a low-floor 60-foot articulated CNG bus. New Flyer is currently the only bus manufacturer in North America that manufactures a low-floor 60-foot articulated CNG bus. Nova Bus, a division of Prevost Car (US), Inc., the only other bus manufacturer with a structurally qualified low-floor 60-foot articulated bus under NYC Transit’s New Bus Qualification Program, indicated that it has not yet developed a low-floor 60-foot articulated CNG bus and is not in a position to provide NYC Transit with these buses.

New Flyer will build five pilot buses in order to expedite delivery of the production buses. Pilot buses are scheduled to be delivered in September 2017, and will be used for configuration audit and qualification testing. Delivery of the production buses is scheduled to begin in March 2018 and be completed in November 2018. This contract is subject to review and approval of the Office of the New York State Comptroller and award will not be made prior to this approval. This delivery schedule is based on the assumption that Notice of Award will be issued on or before May 31, 2017.

New Flyer submitted its initial proposal for \$872,700 per bus. Through negotiation, the price was reduced to \$851,368/bus, representing a savings of \$21,332/bus or \$2,346,520. The total contract award of \$95,039,286 will consist of \$93,650,480 for the 110 buses (\$851,368/bus), \$726,937 for manuals, diagnostic tools and qualification testing, \$349,850 for an estimated quantity of training, and \$312,019 for capital spares. The final price has been deemed fair and reasonable by the Cost Price Analysis Unit based on the results of a cost audit conducted by MTA Audit Services.

These buses will be outfitted with new features including improved driver visibility, pedestrian turn warning Wi-Fi, USB charging ports, automatic passenger counters, and new branding.

It should be noted that while all 110 buses will be manufactured in St. Cloud, Minnesota, a portion of the work will be performed at New Flyer’s recently opened facility in Jamestown, New York.

An MBE/WBE goal was not established for this procurement. However, New Flyer has submitted utilization plans indicating a total MWBE content of 2.88% for this contract and will report on attainment to NYC Transit on a quarterly basis.

JANUARY 2017**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL****Procurements Requiring Majority Vote:****H. Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services**

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

1. **Parsons Brinckerhoff, Inc.** **\$5,592,204 (Est.)** **Staff Summary Attached**
Contract# CMM-1570.5

Modification to the contract for worldwide technical inspections, in order to extend the contract term for nine months.

L. Budget Adjustments to Estimated Quantity Contracts

(Expenditures which are anticipated to exceed the lesser of \$250,000 or \$50,000 in the event such expenditures exceed 15% of the adjusted contract budget, including any contract modifications.)

2. **StrataGen Systems, Inc.** **\$5,927,513** **Staff Summary Attached**
Contract# 04F8952

Provide additional funding for continued software development, maintenance, and support of the Adaptive Decision Engine for Passenger Transportation and Interactive Voice Response System.

Item Number: 1

Vendor Name (Location) Parsons Brinckerhoff, Inc. (New York, New York)
Description Consultant for Worldwide Technical Inspection Services
Contract Term (including Options, if any) November 2, 2009–January 31, 2017
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> 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 checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Dept./Div., Dept./Div. Head Name: Department of Materiel, Stephen M. Plochochi

Contract Number CMM-1570	AWO/Mod. #: 5
Original Amount:	\$ 31,000,000
Prior Modifications:	\$ 14,476,800
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 45,476,800
This request:	\$ 5,592,204 (Est.)
% of This Request to Current Amount:	12.3%
% of Modifications (including This Request) to Original Amount:	64.7%

Discussion:

This modification is to extend the contract term nine months, from February 1, 2017 to October 31, 2017. Parsons Brinckerhoff, Inc. ("PB") will continue to provide worldwide technical inspection services to allow time to complete a competitive RFP and, if a new contractor is selected, to allow time to transition to the new contractor.

The base contract was competitively negotiated and approved by the Board.

PB performs in-plant inspections of materials throughout the world before those materials are shipped, as well as supplies inspectors with multidisciplinary expertise that is not available in-house and who are required to travel throughout the United States and abroad. The inspections are required to ensure that materials and supplies purchased by NYC Transit, as well as those provided by contractors for capital projects, adhere to NYC Transit's specifications. In addition to in-plant inspections, PB develops inspection protocols (detailed scripts for determining whether materials comply with the specification requirements), performs quality audits of production processes, and prepares reports documenting and detailing compliance or noncompliance with material specifications. The types of material inspected under this contract include safety-sensitive materials and equipment such as specially fabricated track work materials; rails, railroad ties and related products; structural steel and other fabricated steel pieces; electrical products, signal and communications equipment; paints and chemicals; and other miscellaneous materials.

A competitive RFP for a renewal contract is in progress. Proposers must be prepared to provide highly skilled staff with the expertise to inspect the wide variety of materials listed above throughout the world. Due to the extensive scope and complex nature of this contract, previous solicitations have elicited limited competition. Additional time was therefore required prior to the solicitation to perform additional outreach and allow potential proposers adequate time to prepare project teams.

Under this modification, PB will continue to provide domestic and international inspections. For this modification, the rates will remain unchanged from those in Modification 3. This compares favorably with the Bureau of Labor Statistics Producer Price Index for Engineering Services, which indicated an increase of 2.2% annually. The price was found to be fair and reasonable.

In connection with previous contracts awarded to PB, PB 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 in March 2008. No new SAI has been found relating to PB and PB has been found to be responsible.

2.	StrataGen Systems, Inc.	Original Amount:	\$	1,044,720
	Contract# 04F8952	Prior Modifications:	\$	19,607,693
	June 1, 2004–March 31, 2020	Prior Budgetary Increases:	\$	4,801,261
		Current Amount:	\$	25,453,674
		This Request:	\$	5,927,513
		% of This Request to Current Amount:		23.3%
		% of Mods/Budget Adjustments (including This Request) to Original Amount:		2,904% ¹

Discussion:

Approval of the Board is requested for a budget adjustment to provide additional funds for the continued maintenance and support as well as programming of new enhancements to the Paratransit scheduling/dispatching software program, Adaptive Decision Engine for Passenger Transportation (“ADEPT”), a product of StrataGen Systems, Inc. (“StrataGen”); and for Paratransit’s Interactive Voice Response (“IVR”) system, a product of Unified Dispatch, Inc. and supplied through StrataGen, which provides customer access to ADEPT scheduling and detailed trip information via telephone and the Internet.

Paratransit has utilized ADEPT since 2001 as the premium scheduling software program which provides superior capacity, speed, functionality, and state-of-the-art solutions for paratransit scheduling challenges. The scale of NYC Transit Paratransit operations is unprecedented and requires a system that provides optimal functionality, efficiency, and responsiveness in scheduling and dispatch. NYC Transit has made a strategic business decision to continue to utilize ADEPT over many years to leverage its investment in the ADEPT enterprise license, as new software functionality incorporated over the years adapted the program to yield significant savings. For example, implementation of the Intermodal Trip Planner, which incorporates trip-by-trip eligibility utilizing fixed route and feeder service (a trip that is made partly by Paratransit and partly by fixed route bus service) into Paratransit trip scheduling, produced a savings of \$34 million since its implementation in April 2011. To date, no other commercially available Paratransit scheduling software has been identified that can accommodate the current scheduling requirement of NYC Transit’s 25,000 trips per day or greater (up to 50,000 trips per day).

This budget adjustment does not extend the contract term or modify the contract provisions. The ADEPT and IVR maintenance fees and labor rates for programming new enhancements will continue at the contractual rates established in prior modifications.

Funding of \$4,027,839 is being requested for ADEPT maintenance commencing April 1, 2017, and for IVR maintenance commencing August 17, 2018, both up to March 31, 2020. Maintenance costs were only partially funded in prior years, as it was anticipated that a new version of ADEPT would be introduced by StrataGen and adopted by the end of 2016, but this new version has been delayed.

Funding of \$1,899,674 is being requested for enhancements to ADEPT and IVR software, such as real time location data enabling both the customer and call center to know the location of the vehicle; immediate itinerary confirmation for customers utilizing the self-service option to schedule trips via desktop or mobile devices; and ensuring that the appropriate vehicle type is allocated in accordance with a customer’s eligibility profile. The Paratransit project office believes these enhancements will improve the experience of the customer and the performance of the Paratransit Call Center. This funding will also support the migration of computer servers that operate these programs from the Paratransit Command Center to the MTA IT Data Center, which will provide a larger server capacity. MTA IT reviewed and validated StrataGen’s proposal including the number of days and level of effort required for these enhancements.

In advance of the contract ending in 2020, Paratransit and Procurement are researching the marketplace to identify competition. Procurement will publicly advertise a Request for Information in early 2017 in trade publications to identify the existence, and capabilities of providers of scheduling/dispatching software programs in order to conduct a competitive solicitation.

¹ NYC Transit initially acquired ADEPT in 2001 for \$3,676,490 through a subcontract to the Paratransit Call Center Contract held by First Transit. Under that agreement, StrataGen licensed its software directly to NYC Transit, giving NYC Transit all rights for the use of this software. The \$1,044,720 cited above was the balance remaining for the cost of ADEPT upon the expiration of the Call Center Contract. This balance of \$1,044,720 was transferred to NYC Transit and used to establish the original award amount for Contract 04F8952 with StrataGen. When the acquisition amount of \$3,676,490 is used in calculating the “% of Mods/Budget Adjustments (including this request) to Original Amount” in the table above, the result is 825%.



Metro-North Railroad

Action Item

Staff Summary

Subject Third Memorandum of Understanding (MOU) between MNR and City of Newburgh for Reimbursement of Ferry Landing/ Parking Lease	Date January 5, 2017
Department Operations Planning and Analysis	Vendor Name N/A
Department Head Name James McCormack <i>JM (S)</i>	Contract Number N/A
Department Head Signature	Contract Manager Name N/A
Project Manager Name Scott Ornstein <i>SO</i>	Table of Contents Ref#

Board Action					
Order	To	Date	Approval	Info	Other
	M-N Comm. Mtg.		X		
	MTA Board Mtg.		X		

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

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	VP Planning <i>[Signature]</i>	3	Government Relations <i>MEA</i>		Labor Relations	2	General Counsel <i>RKS</i>
	Press		VP Human Resources		Human Resources	4	Executive Vice-President <i>[Signature]</i>

PURPOSE: To obtain MTA Board approval for Metro-North to enter into a Third Memorandum of Understanding (Third MOU) with the City of Newburgh, New York (the City) for Metro-North to reimburse the City for lease payments for the parking and ferry landing facilities used by the Newburgh-Beacon ferry for the period February 1, 2017 through December 31, 2018.

DISCUSSION: In August 2004 Metro-North and the City entered into an agreement concerning the mooring, docking, and use of facilities in Newburgh to be used for the Newburgh-Beacon Ferry. Under that agreement, the City would lease from a private landowner the land and facilities to create a ferry dock and 250-space parking facility for ferry riders. At the same time, the City and the New York State Department of Transportation (NYSDOT) entered into a contract by which NYSDOT reimbursed the City for the rent payments under the lease; that contract has since expired and will not be renewed by NYSDOT. NYSDOT has reimbursed the City for the lease payments through April 2015. Under an MOU dated May 26, 2015 between Metro-North and the City previously approved by the MTA Board, Metro-North reimbursed the City for lease payments from May through December 2015, at the monthly rate of \$21,278. A second MOU dated January 26, 2016 extended this agreement under the same terms.

In September, 2016, the property on which the Newburgh Ferry Dock and Parking Facility is located, was sold. The City has negotiated a lease extension with the new owner of this property through December 31, 2018, which provides for no increase in rental payments from the current lease. Under the proposed Third MOU, Metro-North will reimburse the City for the same period of time as the lease extension (February 1, 2017 – December 31, 2018). The Third MOU also provides that the City and Metro-North will continue to work together in a diligent, cooperative and time sensitive manner to identify and make available alternative locations for the Ferry Service and parking facility, should the current site not be available in the future, as well as work together to identify possible other sources of funding. The Third MOU has been authorized and executed by the City.

The City does not have the resources to shoulder the expense of the ferry facility property lease. If Metro-North does not reimburse the City for the expense of leasing the ferry facility lands, the lease will terminate and the Newburgh-Beacon Ferry service would be interrupted.

NYSDOT has committed to provide Metro-North with Congestion Mitigation/Air Quality ("CMAQ") funds, which may be used as reimbursement for assistance payments made to the City by Metro-North to fund the lease extension through December 31, 2018. The MTA Board approved Metro-North's acceptance of these funds for various connecting services-related projects, including the Newburgh-Beacon Ferry. Of the CMAQ funds, \$255,336 will be used to fund the reimbursement to the City upon proof of payment of the monthly lease cost..

BUDGET IMPACT: Metro-North applies for reimbursement from NYSDOT as the payments are made to the City of Newburgh. There is a zero net impact on the operating budget.

ALTERNATIVE: If Metro-North does not enter into this Third MOU, then the City would terminate the lease agreement for the Newburgh-Beacon Ferry landing, parking facility, and mooring rights. The likely impact of this action would be interruption of the ferry service while a new site is identified, procured, and any required improvements are constructed.

RECOMMENDATION: That the MTA Board grant approval for MNR to enter into a Third Memorandum of Understanding with the City of Newburgh regarding reimbursement of lease expenses paid by the City for land used for the Newburgh-Beacon ferry landing and parking facility for the period February 1, 2017 through December 31, 2018.

LONG ISLAND RAILROAD COMMITTEE

MTA BOARD

PROCUREMENT PACKAGE

January 2017

Staff Summary



Subject Request for Authorization to Award Various Procurements					
Department Law and Procurement					
Department Head Name Evan M. Eisland					
Department Head Signature <i>[Signature]</i>					
Board Action					
Order	To	Date	Approval	Info	Other
1	Long Island Rail Road Joint Committee	1/23/17	X		
2	Board	1/25/17	X		

Date: January 17, 2017			
Vendor Name			
Contract Number			
Contract Manager Name			
Internal Approvals			
	Approval		Approval
4	President <i>[Signature]</i>	3	Executive Vice President <i>[Signature]</i>
2	Vice President, Program Controls <i>[Signature]</i>	1	Chief Procurement Officer <i>[Signature]</i>

PURPOSE

To obtain the approval of the Board to adopt a resolution/declaration and, to inform the Long Island Rail Road Committee of these procurement actions.

DISCUSSION

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

Schedules Requiring Two-Thirds Vote:

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

	<u># of Actions</u>	<u>\$ Amount</u>
	<u>1</u>	<u>\$ TBD</u>
SUBTOTAL	1	\$ TBD
TOTAL	1	\$ TBD

Budget Impact:

To be determined.

Recommendation:

That the resolution/declaration be adopted as proposed. (The item is included in the resolution of approval at the beginning of the Procurement Section.)

MTA Capital Construction Company

BOARD RESOLUTION

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

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

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

NOW, the Board resolves as follows:

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

JANUARY 2017

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

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

- | | | | |
|----|---|------------------------------|--------------------------------------|
| 1. | Contractor To Be Determined
Contract Term to Be Determined
Contract No. MC-852 | Cost To Be Determined | <u>Staff Summary Attached</u> |
|----|---|------------------------------|--------------------------------------|

Pursuant to Subdivision 4(f) of section 1265-a of the Public Authorities Law, and Article III(B) (6) of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board adopt a resolution declaring competitive bidding is impractical or inappropriate and it is in the public interest to issue a competitive Request for Proposal ("RFP") to obtain On-Call Miscellaneous Construction Services for the East Side Access Project.

Item Number: 1					
Dept & Dept Head Name: Law & Procurement, E. Eisland <i>E. Eisland</i>					
Division & Division Head Name: Procurement, D. Cannon <i>Daniel X Cannon</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	LI Committee	1/23/17	X		
2	Board	1/25/17	X		
Internal Approvals					
	Approval		Approval		
2	Executive Vice President <i>AD</i>	1	President <i>Ge</i>		

SUMMARY INFORMATION	
Vendor Name	Contract Number
RFP Authorizing Resolution	MC-852
Description On-Call Miscellaneous Construction Services For the East Side Access Project	
Total Amount N/A	
Contract Term (including Options, if any) To Be Determined	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

I. PURPOSE/RECOMMENDATION

To request and recommend that the Board adopt a resolution declaring that competitive bidding is impractical or inappropriate and that, pursuant to Subdivision 4(f) of Section 1265-a of the Public Authorities Law and Article III(B)(6) of the All Agency General Contract Procurement Guidelines, it is in the public interest to issue a competitive Request for Proposal ("RFP") to obtain On-Call Miscellaneous Construction Services for the East Side Access Project ("ESA") on an as-needed basis.

II. DISCUSSION

In accordance with Subdivision 4(f) of Section 1265-a of the Public Authorities Law and Article III(B)(6) of the All Agency General Contract Procurement Guidelines, MTACC is requesting that the Board declare competitive bidding to be impractical for this solicitation and authorize MTACC to enter into a competitive RFP process to award contracts for miscellaneous construction services to multiple contractors who could provide competitive bids for various construction projects on an as-needed task-order basis. MTACC has successfully used this type of as-needed contract since 2011 to meet certain construction requirements on an expedited basis. The budget for these as yet defined scopes of work is \$25M. The duration of this contract will be three years with an option to extend for an additional two years.

This contract will facilitate the award of work on expedited basis, predominantly in the Harold Interlocking, to take advantage of Long Island Rail Road and Amtrak resources (jointly referred to herein as "Railroad resources") that become available and address other expedited needs that may arise. In connection with the ESA work in the Harold Interlocking, certain scopes of work have been deleted from contract packages for various reasons, but predominantly because Railroad resources were or will not be available to support the work to support the contract schedule. Traditionally, these deleted scopes of work were then added to other contract packages by change order, when Railroad resources became available. The downside to that approach is that the change orders were negotiated rather than competitively bid and, in some cases, impacted the schedules of existing contract.

The creation of this contract will, in certain circumstances, allow MTACC to competitively bid these scope transfers on an expedited basis when Railroad resources become available without impacting the schedules of existing contracts. The contractors selected through this RFP process will demonstrate experience and ability in areas such as general construction, demolition, site excavation, structural steel repairs, plumbing, installation of catenary, tracks, signals and switches and roadway repairs. As specific scopes of work are identified, the selected contractors will be invited to bid on those scopes and the work will be awarded to the lowest bidders by task orders. Funds from the aggregate contract amount will be allocated to individual task orders to pay contractors for the work they perform.

As noted above, this competitive RFP method of selection is in the public interest because it provides the following benefits:

- 1) It allows MTACC to award work on an expedited basis to take advantage of Railroad resources as they become available and to address potential emergencies or other unforeseen conditions;
- 2) It affords price competition for work that would otherwise be added by change order; and
- 3) It reduces schedule impacts to existing contracts.

Accordingly, MTACC deems it to be in the public interest to request that the Board adopt a resolution to declare competitive bidding impractical in favor of contract award by means of a competitive request for proposal process.

III. D/M/WBE

The MTA's Department of Diversity and Civil Rights will assign applicable goals prior to issuance of the Request for Proposals.

IV. IMPACT ON FUNDING

Funding for this Contract will be from the Federal, other funds and Capital Budget in an amount of \$25M.

V. ALTERNATIVES

The alternatives are to use a standard competitive bidding process to award each scope of work as it arises, or to add the work as modifications to existing contracts. Using individual competitively bid contracts is impractical because the time it takes to award such contracts does not allow MTACC to take full advantage of Railroad resources that become available or otherwise respond to issues in a timely manner. Adding this work to existing contracts is an alternative, but the recommended approach will reduce the need to do so and, thus, increase competition and decrease impact to existing contracts.



Bridges and Tunnels

Toll Violation Enforcement (Action item)



Staff Summary

Subject	Toll Violation Enforcement
Department	Law
Department Head Name	M. Margaret Terry <i>MMT</i>
Department Head Signature	
Project Manager Name	

Date	January 25, 2017
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	B&T Committee	01/23/17			
2	Board	01/25/17			

Internal Approvals			
Order	Approval	Order	Approval
3	President <i>PS</i>		VP Procurement
	General Counsel		VP Operations
2	Executive VP <i>ED</i>		VP Labor Relations
	VP Operations Support		VP & Chief Engineer

Internal Approval (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	Chief Financial Officer <i>Alison</i>		Chief Security Officer		Chief Maintenance Officer		Other
	Chief Information Officer		Chief Health & Safety Officer		Affirmative Action		Other

PURPOSE: To obtain the Board's approval of a Resolution (i) adopting the Authority's revised toll violation enforcement regulations to increase the violation fee imposed on owners from \$50.00 to \$100.00 for toll violations at the Bronx-Whitestone, Robert F. Kennedy, Throgs Neck and Verrazano-Narrows Bridges and Hugh L. Carey and Queens Midtown Tunnels, while continuing to impose a \$50.00 violation fee for toll violations at the Henry Hudson, Cross Bay Veterans Memorial or Marine Parkway-Gil Hodges Memorial Bridges and adding provisions prescribing the procedural protections for owners seeking to have their tolls and unpaid violation fees dismissed or transferred from vehicle rental and leasing companies to renters and lessees and warning that owners who persistently fail to pay tolls and violation fees may have their vehicle registrations suspended by the New York State Department of Motor Vehicles (DMV); and (ii) authorizing the President of the Authority or his designee to take all such steps that may be necessary and desirable to establish, implement and permanently adopt, pursuant to law, the revised regulation (attached as Attachment 1).

DISCUSSION: On October 28, 2016, the Board authorized the Authority to take the requisite preliminary steps to revise the Authority's toll violation enforcement regulations. The Authority's proposed regulations would increase the violation fee from \$50.00 to \$100.00 per violation for failure to pay tolls at the Bronx-Whitestone, Robert F. Kennedy, Throgs Neck and Verrazano-Narrows Bridges and the Hugh L. Carey and Queens Midtown Tunnels, while continuing to impose the \$50.00 fee per violation upon owners for failure to pay tolls at the Henry Hudson, Cross Bay Veterans Memorial and Marine Parkway-Gil Hodges Memorial Bridges. In addition, the proposed regulations continue to (i) make it clear that owners have an opportunity to dispute their responsibility for toll violations and have them dismissed or transferred before being subject to a \$50.00 or \$100.00 violation fee per violation or, if persistent violators, the suspension of their vehicle registrations by the legal name of MTA Bridges and Tunnels is Triborough Bridge and Tunnel Authority.

DMV; (ii) prescribe the information required in violation notices; the process for disputing toll violations; the grounds for dismissing toll violations; the process for vehicle rental and leasing companies to transfer responsibility for tolls and violation fees to renters and lessees, as well as the required evidence; and (iii) state that owners who persistently fail to pay their tolls and violation fees or have them dismissed or transferred may have their vehicle registrations suspended by DMV.

Notice of the proposed revised regulations was published in the *New York State Register* on November 16, 2016, soliciting public comments. No comments have been received by the Authority.

Finally, the Board is asked to delegate to the President or his designee authority to take all necessary and desirable steps to adopt the revised Part 1021.3 of Title 21 of the New York Codes, Rules and Regulations.

IMPACT ON FUNDING: It is anticipated that increasing the violation fee to \$100.00 per toll violation at the Bronx-Whitestone, Robert F. Kennedy, Throgs Neck and Verrazano-Narrows Bridges and the Hugh L. Carey and Queens Midtown Tunnels and strengthening the Authority's toll violation enforcement procedures will increase toll revenue at Authority Open Road Tolling facilities by deterring toll evasion.

RECOMMENDATION: It is recommended that the Board adopt the revised toll violation enforcement regulations increasing the violation fee from \$50.00 to \$100.00 per toll violation at the Bronx-Whitestone, Robert F. Kennedy, Throgs Neck and Verrazano-Narrows Bridges and the Hugh L. Carey and Queens Midtown Tunnels and strengthening the toll violation enforcement procedures.

RESOLUTION

WHEREAS, the Triborough Bridge and Tunnel Authority (Authority) has been given the statutory right and duty to make rules and regulations for establishment and collection of tolls on its bridges and tunnels; and

WHEREAS, on October 28, 2016, the Board authorized the President of the Authority or his designee to take requisite preliminary steps to revise its toll violation enforcement regulations to increase the violation fee from \$50.00 to \$100.00 per violation for failure to pay tolls at the Bronx-Whitestone, Robert F. Kennedy, Throgs Neck and Verrazano-Narrows Bridges and the Hugh L. Carey and Queens Midtown Tunnels, while continuing to impose the \$50.00 fee per violation upon owners for failure to pay tolls at the Henry Hudson, Cross Bay Veterans Memorial and Marine Parkway-Gil Hodges Memorial Bridges and continue to (i) make it clear that owners have an opportunity to dispute their responsibility for toll violations and have them dismissed or transferred before being subject to a \$50.00 or \$100.00 violation fee per violation or, if persistent violators, the suspension of their vehicle registrations by DMV; (ii) prescribe the information required in violation notices; the process for disputing toll violations; the grounds for dismissing toll violations; the process for vehicle rental and leasing companies to transfer responsibility for tolls and violation fees to renters and lessees, as well as the required evidence; and (iii) state that owners who persistently fail to pay their tolls and violation fees or have them dismissed or transferred may have their vehicle registrations suspended by New York Department of Motor Vehicles (DMV); and

WHEREAS, notice of the proposal for revised regulations was published in the *New York State Register* on November 16, 2016, soliciting public comments and no comments were received by the Authority;

NOW, THEREFORE, IT IS:

RESOLVED, that the prior Part 1021.3 of Title 21 of the New York Codes, Rules and Regulations shall be and hereby is repealed and the new Toll Violation Enforcement regulations as set forth in the attachment to this resolution, shall be and hereby is adopted; and be it further,

RESOLVED, that the President of the Authority or his designee is hereby fully authorized and directed to take such steps as may be necessary or desirable to repeal the prior Part 1021.3 of Title 21 of the New York Codes, Rules and Regulations and establish, implement and adopt the proposed Toll Violation Enforcement regulations, annexed hereto, in the new Part 1021.3 of Title 21 of the New York Codes, Rules and Regulations, pursuant to law.

January 25, 2017
New York, New York

ATTACHMENT 1

Part 1021.3 Toll Violation Enforcement

TBTA TOLL VIOLATION ENFORCEMENT REGULATIONS

Section 1021.3 Toll Violation Enforcement

1. The owner, as defined in Public Authorities Law § 2985(3), of any vehicle crossing a bridge or tunnel without paying the crossing charge prescribed by the Triborough Bridge and Tunnel Authority ("Authority") at the place and time and in the manner established for the collection of such crossing charge commits a violation of toll collection regulations.
 - (a) Payment of crossing charges by E-ZPass shall be made by means of a properly mounted E-ZPass tag of the proper class that is classified as valid at the time of the toll transaction. For each such violation, the owner shall be charged the full undiscounted crossing charge for fare media other than E-ZPass. Nothing in this section shall be construed to limit the liability of an E-ZPass account holder for administrative violation fees established and imposed by the E-ZPass agreement for failure to pay crossing charges by means of a properly mounted E-ZPass Tag of the proper class that is classified as valid at the time of the transaction.
 - (b) Payment of crossing charges by fare media other than E-ZPass shall be made at the place and time and in the manner established for the collection of such crossing charge. Nothing in this section shall be construed to limit the liability of a video account holder for administrative violation fees established and imposed by the applicable video account agreement for failure to pay the crossing charges at the place and time and in the manner established for the collection of such crossing charges.
2. The owner of any vehicle which violates toll collection regulations by crossing a bridge or tunnel without paying the crossing charge prescribed by the Authority at the place and time and in the manner established for the collection of such crossing charge shall be liable to the Authority for an administrative fee, known as the toll violation fee. The fee shall be in the amount of \$50.00, for each such violation arising from crossing the Henry Hudson Bridge, the Cross Bay Veterans Memorial Bridge and the Marine Parkway-Gil Hodges Memorial Bridge; and, \$100.00 for each such violation arising from crossing the Bronx-Whitestone Bridge, the Hugh L. Carey Tunnel, the Queens Midtown Tunnel, the Robert F. Kennedy Bridge, the Throgs Neck Bridge and the Verrazano-Narrows Bridge. The toll violation fee shall be in addition to the applicable crossing charge and any fines and penalties otherwise prescribed by law or by agreement.
3. A Notice of Violation shall be sent by the Authority's authorized agent ("Authorized Agent") to the individual or business alleged to be liable for the toll violation as owner and shall contain:
 - (a) the name and address of the individual or business alleged to be liable for the toll violation as owner;
 - (b) the registration number and state of the vehicle alleged to have been involved in the violation;
 - (c) the location, date and time of each use of the facility that forms the basis of such violation;
 - (d) the amount of the assessed toll and toll violation fee; and
 - (e) an image of the license plate of the vehicle being used or operated on the toll facility, provided that an image of each such license plate in the Notice of Violation shall be provided by the Authorized Agent upon request.

4. The individual or business alleged to be liable for the toll violation as owner may dispute the violation by submitting a Declaration of Dispute to the Authorized Agent at the time and place and in the manner established in the Notice of Violation and such toll violation and associated toll violation fee shall be dismissed if such individual or business provides a certification that:
 - (a) The individual or business was not the registered owner of the vehicle at the time of the toll transaction that forms the basis of such alleged violation and submits to the Authorized Agent:
 - (i) a copy of the plate surrender receipt from the Department of Motor Vehicles; (ii) proof of sale of the vehicle; (iii) a copy of the report to a law enforcement agency that the plate was lost; and/or (iv) a copy of the report to a law enforcement agency that the vehicle was stolen; or
 - (b) The toll was paid by E-ZPass and the toll posted to an E-ZPass Account and submits to the Authorized Agent a copy of the E-ZPass statement showing the toll posting; or
 - (c) The toll was paid in cash at the time and submits to the Authorized Agent a copy of the toll receipt; or
 - (d) The registered owner's vehicle was not present at the facility at the time of the violation(s) or for other good cause shown.
5. If the owner is a vehicle rental or leasing company which seeks to perform a Transfer of Responsibility to the vehicle lessee or renter, the owner shall submit to the Authorized Agent at the time and place and in the manner established in the Notice of Violation a signed lease or rental agreement and certification of the name and address of the lessee or renter of the vehicle at the time of the toll transaction that forms the basis for the violation. A Notice of Violation or toll invoice shall be sent by the Authorized Agent to such lessee or renter within forty-five days of receipt of the signed lease or rental agreement and certification and such lessee or renter shall be deemed to the owner of such vehicle and shall be liable for the payment of tolls and any toll violation fees.
6. The Authorized Agent shall send the owner a written determination of the Declaration of Dispute under subdivision four.
 - (a) The owner may request a review by the Authority of the Authorized Agent's determination of the Declaration of Dispute by submitting a Request for Review to the Authority at the place and time and in the matter established in the Authorized Agent's written determination of the Declaration of Dispute.
 - (b) The Authorized Agent's determination of the Declaration of Dispute under subdivision four shall be final and binding on the owner unless overturned by the Authority upon review.
 - (c) The Authority's determination of the owner's Request for Administrative Review shall be final and binding on the owner unless overturned by a Court of competent jurisdiction of the State of New York, County of New York, under Article 78 of the New York Civil Practice law and Rules or a United States Court located in New York City, under the procedures and laws applicable in that court.
7. The individual or business alleged to be liable for each toll violation as owner shall be liable for each unpaid toll and toll violation fee unless: (i) such unpaid toll and/or toll violation fee has been dismissed under subdivision four or subdivision six; (ii) there has been a Transfer of Responsibility under subdivision five; or (iii) after payment of such toll, the toll violation fee has

been dismissed or reduced under the Fee Waiver Policy adopted by the Authority. Such owners who fail to pay each toll and toll violation fee in response to a Notice of Violation may also have their vehicle registrations suspended under vehicle and traffic law section 510(3)(d) and implementing regulations.

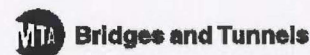


Bridges and Tunnels

Procurements January 2017



Staff Summary



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

Date	01/11/2017
Vendor Name	
Contract Number	
Contract Manager Name	
Table of Contents Ref #	

Board Action					
Order	To	Date	Approval	Info	Other
1	President	01/11/17	<i>DS</i>		
2	MTA B&T Committee	01/23/17			
3	MTA Board	01/25/17			

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

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

PURPOSE:

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

DISCUSSION:

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

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

<u>Schedules Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule C: Competitive Requests for Proposals	1	\$18.500M
 <u>Schedules Requiring Majority Vote:</u>	 <u># of Actions</u>	 <u>\$ Amount</u>
Schedule F: Personal Service Contracts	2	\$ 10.167M
Schedule I: Modifications to Purchase & Public Works Contracts	1	\$ 24.200M
SUBTOTAL	4	\$ 52.867M

MTA B&T presents the following procurement actions for Ratification:

<u>Schedules Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule D: Ratification of Completed Procurement Actions	1	\$ 0.470M
TOTAL	5	\$53.337M

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
JANUARY 2017

MTA BRIDGES & TUNNELS

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. Tully Construction Co. Inc.	\$18,500,000.00	<u>Staff Summary Attached</u>
Contract No. RK-21		

3yr Contract- Competitive RFP

B&T is seeking Board Approval under the All Agency General Contract Procurement Guidelines to award a competitively solicited public work contract for Design/Build Services for the Installation of Fire Standpipe and Upgrade to the Fire Protection System at the Robert F. Kennedy Bridge (RFK) to Tully Construction Co. Inc.

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. EnTech Engineering, P.C.	\$7,199,171.00	<u>Staff Summary Attached</u>
Contract No. PSC-15-2983		

4yrs, 4 months Contract- Competitive RFP

B&T is seeking Board Approval under the All Agency Service Contract Procurement Guidelines to award personal service contract, PSC-15-2983 Construction Administration and Inspection Services, for Project HH-88B, Reconstruction of the Upper and Lower Level Toll Plazas and Southbound Approach at the Henry Hudson Bridge.

2.HAKS Engineers, Architects & Land Surveyors, P.C.	\$2,967,601.87	<u>Staff Summary Attached</u>
Contract No. PSC-16-2992		

3yrs, 6 months Contract- Competitive RFP

B&T is seeking Board Approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for Design/Build Quality Oversight for Project TUN-MIT-01, Flood Mitigation for the Hugh L. Carey and Queens Midtown Tunnel.

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL
JANUARY 2017

I: Modifications to Purchase & Public Works Contracts

(Approvals/Staff Summaries required for individual change orders greater than \$750K. Approvals without Staff Summaries required for change orders greater than 15% of previous approved amount which are also at least \$250K)

1. DeFoe Corp.	\$24,200,000.00	<u>Staff Summary Attached</u>
Contract No. RK-23A		

3yr Contract- Competitive Bid

B&T is seeking Board Approval under the All Agency General Contract Procurement Guidelines to amend a public works contract, Contract RK-23A, for the necessary civil, structural and electrical infrastructure for Open Road Tolling (ORT) at the Manhattan approach to the Robert F. Kennedy Bridge.

Staff Summary

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Item Number Item 1 (Final)					
Dept & Dept Head Name: <i>Walter Hickey</i> Engineering and Construction, Walter Hickey, P.E.					
Division & Division Head Name: <i>Joe Keane</i> Engineering and Construction, Joe Keane, P.E., V.P.					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	1/11/17			
2	MTA B&T Committee	1/14/17			
3	MTA Board	1/24/17			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Executive Vice President <i>[Signature]</i>		
2	General Counsel <i>[Signature]</i>	5	President <i>[Signature]</i>		
3	Chief Procurement Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
Vendor Name Tully Construction Co Inc.	Contract Number RK-21
Description: Design/Build Services for the Installation of Fire Standpipe & Upgrade to Fire Protection System at the Robert F. Kennedy Bridge	
Total Amount \$18,500,000	
Contract Term (including Options, if any) 3 years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency General Contract Procurement Guidelines to award a competitively solicited public work contract for Design/Build Services for the Installation of Fire Standpipe and Upgrade to the Fire Protection System at the Robert F. Kennedy Bridge (RFK) to Tully Construction Co Inc. (Tully) for a period of 3 years at a cost of \$18,500,000.00. In accordance with the MTA Design-Build Best Practice Guidance, in order to enhance competition and defray proposal costs, this solicitation included stipends to be paid to each unsuccessful proposer in the amount of \$35,000 whose proposal met a defined standard. Accordingly, approval is also requested to pay stipends totaling \$70,000.

II. DISCUSSION

In November 2015, the Board authorized B&T to enter into a competitive Request for Proposal (RFP) process for design-build services for the Installation of Fire Standpipe and Upgrade to the Fire Protection System at the Robert F. Kennedy Bridge (RFK). The work requires the design and construction of a new fire standpipe in specified areas of the RFK Bridge including the Bronx Span, Manhattan Harlem River Lift span, Randall's and Ward's Island viaducts, and the Queens Approach Viaduct and upgrades to existing fire protection systems including new bollards and other approved barriers to protect both new and existing fire department connections from vehicular damage.

The service requirements were publicly advertised; three firms submitted qualification information and based on a review of their qualifications, all three firms were deemed qualified to receive the RFP. All three firms submitted proposals: Jett Industries, Inc. (Jett), John P. Picone, Inc. (Picone) and Tully Construction Co., Inc. (Tully). The proposals were evaluated

(rev. 4/07/10)

Staff Summary

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against established criteria set forth in the RFP, including proposed price, design-build technical approach, key personnel and management approach, and oral presentations.

The committee recommended Tully as the highest rated firm based on: (i) the most advantageous cost, (ii) an aggressive schedule, (iii) a successful historical working relationship between Tully and its proposed design engineering firm, STV, Inc., (iv) technical alternatives resulting in overall cost savings; and (v) a commitment to achieving the M/WBE goals. The committee found Jett and Picone capable of performing the work, however Tully's proposed schedule and cost best optimized efficiencies available via the design build process.

Tully submitted a proposal of \$21,995,036. Negotiations were conducted and the parties agreed to \$18,500,000 which is 8% above the Engineer's estimate of \$17,100,000. The negotiated amount is deemed to be fair and reasonable as the estimate understated the level of effort for coordination with ongoing projects and third party agencies. Tully is deemed to be a responsible contractor.

III. D/M/WBE INFORMATION

The MTA DDCR has established goals of 15% MBE and 15% WBE for the referenced contract. Tully Construction Co. has achieved its previous MWDBE goals on previous MTA contracts.

IV. IMPACT ON FUNDING

Funding is available under Project RK-21 in the 2015-19 Capital Budget.

V. ALTERNATIVES

There are no recommended alternatives. The Authority does not possess the resources required to perform these services.

Staff Summary

Page 1 of 2

Item Number 1 (Final)					
Dept & Dept Head Name: Engineering and Construction, Joe Keane, P.E. <i>Joe Keane</i>					
Division & Division Head Name: Engineering and Construction Walter Hickey, P.E. <i>Walter Hickey 1/3/17</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	1/5/17			
2	MTA B&T Committee	1/23/17			
3	MTA Board	1/25/17			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Chief of Staff		
2	General Counsel <i>[Signature]</i>	5	Executive Vice President		
3	Chief Procurement Officer	6	President <i>[Signature]</i>		

SUMMARY INFORMATION	
Vendor Name EnTech Engineering, PC. (WBE)	Contract Number PSC-15-2983
Construction Administration and Inspection Services for Project HH HH-88B, Reconstruction of the Upper and Lower Level Toll Plazas and Southbound Approach at the Henry Hudson Bridge	
Total Amount \$7,199,171	
Contract Term (including Options, if any) Four (4) years, four (4) months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract PSC-15-2983 Construction and Administrative Services for Project HH-88B, Reconstruction of the Upper and Lower Level Toll Plazas and Southbound Approach at the Henry Hudson Bridge to EnTech Engineering, PC (EnTech) located at 11 Broadway, New York, NY 10004 for a duration of four (4) years, four (4) months in the amount of \$7,199,171.

II. DISCUSSION

B&T requires the services of a consulting engineering firm to provide the construction administration and inspection services necessary to assist B&T's Engineering and Construction Department in the oversight of construction work to be performed under Project HH-88B/HH-13A, Reconstruction of the Upper and Lower Level Toll Plazas and Southbound Approach at the Henry Hudson Bridge.

The services to be provided are: (i) pre-construction; (ii) construction administration and inspection; and (iii) project closeout. The construction Scope of Work includes but is not limited to: (i) removal and reconstruction of the upper and lower level plazas at the HHB; (ii) demolition and reconstruction of North and South bound approach roadways; (iii) relocation of existing and installation of new electrical/utility feeds; (iv) reconstruction of the on-grade approach; (v) replacement of roadway joints, deck and support bearings; (vi) relocation of lower level interior support columns to the outside edge of the roadway; (vii) replacement of the south abutment and wing wall; (viii) rock excavation and tieback system installation; (ix) removal of contaminated soils and underground fuel storage tanks; (x) replacement and rehabilitation of sewage holding tanks and (xi) abatement of lead and asbestos containing materials.

(rev. 3/22/07)

Staff Summary

Page 2 of 2

The service requirements were publicly advertised, nine firms submitted qualification information. Four firms: EnTech Engineering, PC (EnTech); HAKS Engineers, Architects and Land Surveyors, PC (HAKS); Gibbons, Esposito & Boyce Engineers, PC (GEB) and STV, Inc. (STV) were selected to receive the RFP. All four firms submitted proposals. The proposals were evaluated against established criteria set forth in the RFP, including an understanding of the technical requirements, expertise of the proposed personnel, and cost. The Selection Committee unanimously recommended that B&T enter into negotiations with EnTech, the highest rated firm. The recommendation stressed the strength of EnTech's proposed team. The Resident Engineer, Assistant Resident Engineer and Chief Inspector all demonstrated extensive structural steel experience, which is a critical aspect of the Project. EnTech's team also demonstrated experience and expertise in other critical areas that include: temporary support systems; maintenance and protection of traffic; traffic management and staged bridge demolition and reconstruction.

EnTech submitted a cost proposal in the amount of \$8,699,389. The Engineer's estimate is \$7,197,000. Negotiations resulted in B&T and EnTech agreeing to the negotiated amount totaling \$7,199,171 which is .03% above the Engineer's estimate and is fair and reasonable. EnTech's proposal is deemed most advantageous to B&T. EnTech is considered a responsible consultant.

III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 15% MBE and 15% WBE for the referenced contract. EnTech is a certified Woman Business Enterprise and EnTech has achieved their M/WBE goals on previous MTA contracts.

IV. IMPACT ON FUNDING

Funding is available in the 2015 – 2019 Capital Program under Project HH-88B (\$6,399,171) and Project HH-13A (\$800,000).

V. ALTERNATIVES

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

(rev. 3/22/07)

Staff Summary

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Item Number 2 (Final)					
Dept & Dept Head Name: Engineering & Construction					
Joe Keane, P. E. <i>Joe Keane</i>					
Division & Division Head Name:					
Romolo DeSantis, P. E. <i>Romolo DeSantis</i>					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	President	1/5/17			
2	MTA B&T Committee	1/23/17			
3	MTA Board	1/25/17			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Executive Vice President		
2	General Counsel <i>[Signature]</i>	5	President <i>[Signature]</i>		
3	Chief Procurement Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
Vendor Name	Contract Number
HAKS Engineers, Architects & Land Surveyors, P.C.	PSC-16-2992
Description	
Design-Build Quality Oversight for Project TUN-MIT-01, Flood Mitigation at the Hugh L. Carey Tunnel and Queens Midtown Tunnel	
Total Amount	
\$2,967,601.87	
Contract Term (including Options, if any)	
Three (3) years, six (6) months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

Narrative

I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for Design/Build Quality Oversight for Project TUN-MIT-01, Flood Mitigation for the Hugh L. Carey Tunnel and Queens Midtown Tunnel to HAKS Engineers, Architects & Land Surveyors, PC (HAKS) located at 40 Wall Street, New York, NY 10005 in the negotiated amount of \$2,967,601.87 for a duration of three (3) years, six (6) months.

II. DISCUSSION

B&T requires the services of a consulting engineering firm to provide quality assurance oversight and administration services during the Design/Build (D/B) contract for Project TUN-MIT-01, Flood Mitigation at the Hugh L. Carey and Queens Midtown Tunnels. The services that shall be provided include: (i) reviewing D/B compliance with all Contract requirements; (ii) design quality assurance oversight; (iii) reviewing design submittals; (iv) monitoring the progress of the D/B Contract work; (v) construction quality assurance oversight; (vi) acting as the on-site representative for B&T; (vii) evaluating the Design/Builder's payment requests; (viii) preparing and submitting monthly project reports; and (ix) performing project closeout.

The service requirements were publicly advertised and seven (7) firms submitted qualification information. All seven

Staff Summary

firms, HAKS Engineers, Architects, & Land Surveyors PC (HAKS), Mott MacDonald, NY, (MMNY), LiRo Engineers, Inc. (LiRo), STV, Inc. (STV), SYSTRA Engineering, Inc.; Tectonic Engineering & Surveying Consultants P.C. (Tectonic), and WSP/Parsons Brinkerhoff (WSP/PB) were selected to receive the RFP based on a review of their qualifications. Five (5) firms: HAKS, LiRo, MMNY, Tectonic and WSP/PB submitted proposals. The proposals were evaluated against established criteria set forth in the RFP, including an understanding of the technical requirements and expertise, proposed personnel, oral presentations and cost. The Selection Committee unanimously recommended that B&T should enter into negotiations with HAKS. The recommendation stressed HAKS's extensive experience providing QA oversight for a similar design-build flood mitigation project. HAKS also has demonstrated strong experience and knowledge of B&T facilities. HAKS emphasized the importance of Operation and Maintenance manuals (O&M), which is of particular importance to this project given the rapid response required during a storm event. In addition, HAKS' cost proposal represented the best value to B&T.

HAKS submitted a cost proposal in the amount of \$3,095,776. The Engineer's estimate is \$4,433,000. Discussions and negotiations resulted in B&T and HAKS agreeing to the negotiated amount totaling \$2,967,601.87. The cost estimate is 33.1% higher than the negotiated amount and is primarily attributed to higher estimated hourly rates. The negotiated amount of \$2,967,601.87 is considered fair and reasonable.

After investigation by B&T, HAKS 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 on January 12th, 2017.

III. D/M/WBE INFORMATION

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

IV. IMPACT ON FUNDING

Funding is available in the 2010-2014 Sandy Capital Program under Projects ED010301 (\$1,483,800.94), ED010304 (\$1,083,174.68), ED050303 (\$385,788.24) and the 2015-2019 Capital Program under Project D703HC63 (\$14,838.01).

V. ALTERNATIVES

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

Schedule I: Modifications to Purchase and Public Works Contracts

Item Number: 1 (Final)

Vendor Name (& Location) DeFoe Corp., Mount Vernon, NY	Contract Number RK-23A	AWO/Modification #9
Description Reconstruction and Rehabilitation of the 125 th Street Manhattan Approach Ramps to the RFK Bridge	Original Amount:	\$68,300,000.70
Contract Term (including Options, if any) December 22, 2014 – December 21, 2017	Prior Modifications:	\$651,660.01
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:	\$68,951,660.71
Solicitation Type <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:	This Request:	\$24,200,000.00
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amount:	35.1%
Requesting Dept/Div & Dept/Div Head Name: Engineering & Construction, Joe Keane, P.E.	% of Modifications (including This Request) to Original Amount:	36.4%

Discussion:

B&T is seeking Board Approval under the All Agency General Contract Procurement Guidelines to amend a public works contract, Contract RK-23A, with DeFoe Corp. (DeFoe) for the necessary civil, structural and electrical infrastructure for Open Road Tolling (ORT) at the Manhattan approach to the Robert F. Kennedy Bridge in the negotiated amount of \$24,200,000.00.

The Contract was awarded to DeFoe in December 2014 in the amount of \$68,300,000.70 (inclusive of an incentive totaling \$1,165,440.00) subsequent to a competitive sealed bid process. The Scope of Work required replacing the on-and off-bound ramps from 125th Street in Manhattan to the RFK Bridge and incidental lead abatement and maintenance and protection of traffic.

On October 5, 2016, New York State Governor Cuomo announced the implementation of cashless all-electronic ORT for adoption at all B&T facilities as part of the New York Crossings Project. As a result, B&T is embarking on full implementation of ORT at Authority facilities which requires necessary civil, structural and electrical infrastructure construction work to install ORT gantries prior to the installation of E-ZPass tag readers, cameras, system software and integration that is to be performed by others. Additionally, portions of the deck will be replaced to avoid interfering with ORT functioning and maintain the roadway in a state of good repair, and Toll Booths will be demolished to move to a fully open road environment.

The goals for the ORT implementation are to reduce customer travel time, reduce congestion at B&T's facilities, as well as reduction of vehicular exhaust emissions caused by idling traffic. B&T has determined that the most reliable and expeditious means to accomplish the implementation of ORT at the Manhattan approach to the RFK Facility is to amend Contract RK-23A. Efficiencies realized by amending Contract RK-23A include mobilization cost savings, early commitment for long lead items, enhanced coordination and overall reduction of project schedule and risk. In addition, including this work in an existing contract where the contractor is mobilized at the site minimizes the duration of customer delays due to lane closures, ensures safe passage and restores the facility to a state of good repair and normal operations in an expedited manner.

Existing Toll Booths at Manhattan Plaza must be demolished in order to facilitate an "open road" environment. In addition, interim deck replacement for the Manhattan Toll Plaza must be completed in the same time frame to ensure customer comfort and safety. The original plan was to complete the deck repair work as part of the Manhattan Plaza Interim Deck Restoration under RK-65B.

DeFoe's cost proposal of \$26.4M includes the installation of ORT gantries, replacement of portions of the deck, and a not-to-exceed allowance of \$4,000,000 for toll booth demolition. The Engineer's estimate is \$22.8M.

Negotiations resulted in B&T and DeFoe agreeing to the amount of \$24,200,000.00, which is 6.1% above the Engineer's estimate. During negotiations it was discovered that the Engineer's estimate did not account for applicable wage rate increases and the latest design revisions. It was agreed to include an allowance of \$4,000,000 for toll booth demolition. Therefore, based on the above, the agreed aggregate amount of \$24,200,000.00 is considered to be fair and reasonable. In order to meet the current ORT implementation schedule, B&T authorized DeFoe to proceed in an amount not to exceed \$687,000 to order long lead time items and begin preliminary work.

Funding for the proposed ORT infrastructure and civil work at the Manhattan approach to the RFK in the amount of \$12,500,000.00 is available in the 2015-2019 Capital Program (Project D703/RK63/D03950)., \$11,700,000.00 is available in the 2015-2019 Capital Program (Project D702RK65/D03965). The strategy for funding the ORT initiatives will be through a combination of efficiencies generated from other projects including existing toll plaza work that did not assume open road tolling as the means of toll collection. No critical state of good repair work is affected as a result of these programmatic modifications.



Bridges and Tunnels

Ratification

LIST OF RATIFICATION PROCUREMENTS FOR BOARD APPROVAL
JANUARY 2017

MTA BRIDGES & TUNNELS

Procurements Requiring Two-Thirds Vote:

D: Ratification of Completed Procurement Actions

(Ratifications are to be briefly summarized with Staff Summaries attached only for unusually large or especially significant items)

- | | | |
|---------------------------------------|---------------------|--------------------------------------|
| 1. ANC Sports Enterprises, LLC | \$469,662.00 | <u>Staff Summary Attached</u> |
| Contract No. 16-MNT-2962 | | |

1yr Contract- Non-Competitive Other (Prototype Contract)

B&T is seeking to inform the Board and obtain its ratification for the award of a contract for the purchase and installation of a prototype LED roadway display sign on the Bronx Truss of the Robert F. Kennedy Bridge (RFK) with ANC Sports Enterprises, LLC.

Schedule D: Ratification of Completed Procurement Actions

Item Number: 1 (Final)

Vendor Name (& Location) ANC Sports Enterprises, LLC, Purchase, New York	Contract Number 16-MNT-2962	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description Prototype Installation of LED Roadway Display Sign on the Bronx Truss Span of the Robert F. Kennedy Bridge	Total Amount: \$469,662.00	
Contract Term (including Options, if any) September 29, 2016 – September 28, 2017	Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Requesting Dept/Div & Dept/Div Head Name: Maintenance and Operations/Patrick Parisi	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	Contract Manager: Brian A. Walsh	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Prototype Contract		

Discussion:

To inform the Board and obtain its ratification for the award of a contract for the purchase, installation, maintenance and graphic services of a prototype LED roadway display sign on the Bronx Truss of the Robert F. Kennedy Bridge (RFK) to ANC Sports Enterprises, LLC, (ANC) with offices located at 2 Manhattanville Road, Purchase, New York 10577, in the negotiated amount of \$469,662.

In conjunction with the New York Crossings Project, the MTA and B&T are undertaking new initiatives and exploring new technologies to improve and upgrade its facilities, which includes upgrading signage. B&T desired to demonstrate, evaluate and test the applicability of a technologically advanced sign as a pilot project and installed a prototype high resolution LED sign on the Bronx Truss of the RFK Bridge. B&T installed this sign and is monitoring its ability to provide a multitude of data including directional sign information, message sign advisories, enhanced sign visibility and clarity, brightness and dimming; performance and durability regarding vibration, life cycle cost and obsolescence. The purpose of this pilot LED message and display sign is to provide information regarding the potential future applicability of utilizing high resolution LED message and display signs at strategic locations at B&T facilities, in lieu of metal and current variable message signs. The information obtained from this pilot program is enabling B&T to develop performance specifications for its upcoming Request For Proposal to competitively procure technologically advanced signage intended to best meet its current and future needs.

ANC was selected as a leading provider of turnkey technologies for high resolution video display, digital signage for transportation hubs, retail facilities and sports venues. ANC currently provides signage for the Fulton Center transportation hub as well as the World Trade Center. Initially, B&T contemplated leasing the prototype LED sign for the pilot but a cost analysis determined that it was more advantageous for B&T to purchase the sign due to the fixed costs of the engineering and structural retrofitting to mount the sign, providing electrical power and communication to the sign location, graphic design services, the continuous monthly rental cost of the sign and the extended duration that the sign is to be evaluated and in service.

ANC submitted pricing to furnish, install, maintain and provide graphic services in an amount totaling \$469,662. The price to rent the LED display for twelve weeks, through December 31, 2016 was \$429,205 and \$8,100/week additional rental charges thereafter. The estimate totals \$441,803. After review of the costs incurred and potential future rental costs, B&T determined it most advantageous to purchase the prototype LED display sign in the amount of \$469,662, which is 6.3% above the estimate and is considered fair and reasonable.

Funding in the amount for \$469,662 is available in the 2015-2019 Capital Program (Project D704AW80). Funds are being reallocated in the 2015-2019 Capital program to establish Project D704AW81 for the "Installation of Digital Roadway Signage at all Facilities". This action modifies B&T's 2015-2019 Capital Program to reflect this new project.