



Metropolitan Transportation Authority

# June 2018

**MTA Board Action Items**



**MTA Board Meeting**  
2 Broadway - 20th Floor Board Room  
New York, N.Y. 10004  
Wednesday, 6/20/2018  
9:00 AM - 12:00 PM ET

**1. PUBLIC COMMENT PERIOD**

**2. APPROVAL OF MINUTES**

**MTA Regular Board Minutes - May 23, 2018**

*MTA Minutes - May 23, 2018 - Page 5*

**NYCT/MaBSTOA/SIRTOA/MTA Bus Company Regular Board Minutes - May 23, 2018**

*NYCT/MaBSTOA/SIRTOA/MTA Bus Company Minutes - May 23, 2018 - Page 11*

**MTA Metro-North Railroad Regular Board Minutes - May 23, 2018**

*Metro-North Minutes - May 23, 2018 - Page 16*

**MTA Long Island Rail Road Regular Board Minutes - May 23, 2018**

*LIRR Minutes - May 23, 2018 - Page 21*

**Triborough Bridge & Tunnel Authority Regular Board Minutes - May 23, 2018**

*TBTA Minutes - May 23, 2018 - Page 29*

**MTA Capital Construction Regular Board Minutes - May 23, 2018**

*MTACC Minutes - May 23, 2018 - Page 34*

**3. COMMITTEE ON FINANCE**

**Action Items**

**i. 2018 State PWEF Assessment**

*2018 State PWEF Assessment - Page 36*

**MTAHQ Procurements Report**

*MTAHQ Procurements Report - Page 37*

**i. Non-Competitive**

*Non-Competitive - Page 39*

**ii. Competitive**

*Competitive - Page 45*

**iii. Ratifications**

*Ratifications - Page 48*

**Real Estate Items**

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

*Real Estate Agenda and Staff Summaries - Page 51*

**4. COMMITTEE ON NYCT & BUS**

**Action Item**

**i. Staten Island Express Bus Restructuring**

*Staten Island Express Bus Restructuring - Page 71*

**NYCT & Bus Procurements Report**

*NYCT June Procurement Staff Summary and Resolution - Page 110*

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

**ii. Competitive**

*NYCT Competitive Actions - Page 115*

**iii. Ratifications**

*NYCT Ratifications - Page 125*

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

**MNR Procurements Report**

*MNR Procurements - Page 127*

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

**ii. Competitive**

*MNR Competitive - Page 131*

**iii. Ratification (no items)**

**LIRR Procurements Report**

*LIRR Procurements - Page 143*

**i. Non-Competitive**

*LIRR Non-Competitive - Page 147*

**ii. Competitive**

*LIRR Competitive - Page 148*

**iii. Ratifications (no items)**

**MTACC Procurements Report**

*MTA CC Procurements - Page 150*

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

**ii. Competitive**

*MTA CC Competitive Procurements - Page 153*

**iii. Ratification**

*MTA CC Ratifications - Page 159*

**6. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS**

**B&T Procurements Report**

*B&T Procurements - Page 163*

**i. Non-Competitive**

*B&T Non Competitive - Page 166*

**ii. Competitive**

*B&T Competitive - Page 168*

**iii. Ratifications (no items)**

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

Date of Next Meeting: Wednesday, July 25, 2018

**Metropolitan Transportation Authority  
Minutes of  
Regular Board Meeting  
2 Broadway  
New York, NY 10004  
May 23, 2018  
9:00 a.m.**

**The following members were present:**

**Hon. Joseph J. Lhota, Chairman  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Norman E. Brown  
Hon. Ira Greenberg  
Hon. David Jones  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Scott Rechler  
Hon. Andrew Saul  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. Peter Ward  
Hon. Carl Weisbrod  
Hon. Carl V. Wortendyke**

**The following alternate non-voting members were also present:**

Hon. Andrew Albert  
Hon. Randolph Glucksman  
Hon. John Samuelson

**The following members were absent:**

**Hon. Susan Metzger  
Hon. James Vitiello  
Hon. Neal Zuckerman**

Patrick Foye, MTA President, Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Susan J. Doering, Executive Vice President, Metro-North Railroad, Cedrick Fulton, President TBTA, Darryl Irick, President, MTA Bus Operations, and Stephen Morello, Counselor to the Chairman, also attended the meeting.

The Board of the Metropolitan Transportation Authority also met as the Boards 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 SESSION.**

Mr. Morello called speakers' attention to the countdown clock and asked that each speaker limit their comments to two minutes.

The following twenty-one (21) speakers commented during the public speakers' session. 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 content of speakers' statements.

Bradley Brashears – PCAC  
James Temples, III - TSO  
William Henderson – PCAC  
Christopher Greif – PCAC  
Jean Ryan – Disability in Action  
Douglas Dawkins – AHRC  
Janice Bartley – AHRC  
Colin Wright – Transit Center  
Kate Slevin – RPA  
Jason Piniero – private citizen  
Alan T. Lunceford – private citizen  
Harold Schroer – private citizen  
Jessica Murray – Rise & Resist  
Omar Vera – private citizen  
Miriam Fischer – private citizen  
Vijay Duggal – private citizen  
Joe Rappaport – Bklyn Center for Independence  
Valerie Joseph – BCID  
Gabriela Amari – private citizen  
Mary Parrison – CURES  
Victor Andrews – BCID

**2. CHAIRMAN'S REMARKS.**

Chairman Lhota welcomed everyone to the May Board meeting.

Chairman Lhota stated that at the LIRR Committee meeting Phillip Eng, LIRR President, introduced the railroad's new "Fast Forward" Program, outlining a new vision for the LIRR to improve reliability and to modernize the LIRR system.

Chairman Lhota stated that today President Byford will present details of NYCT's new "Fast Forward" Management Program, which includes an analysis of NYCT's modernization and revitalization plan.

Chairman Lhota thanked everyone who assisted President Phillip Eng and President Andy Byford with developing their agencies' revitalization plans, which the Chairman indicated are extraordinary.

The Chairman noted that the costing process for NYCT's plan is not completed, and he stated that any cost estimate for NYCT's plan will undergo a very rigorous process. Chairman Lhota stated that he wanted to take advantage of the work being done by the MTA Procurement and Cost Containment Task Forces to better refine the NYCT's cost. Additionally, the Chairman stated that the cost of NYCT's Plan must be looked at in the context of the entire 2020-2024 MTA Capital Plan, and accordingly, Chairman Lhota stated that all estimates are premature and inaccurate. Chairman Lhota stated that the point of today's presentation is to outline a sound roadmap for the revitalization and modernization of the subway system.

The details of Chairman's Lhota's comments are contained in the video recording of the meeting, produced by the MTA and maintained in the MTA records

**3. President Andy Byford's Presentation.**

Chairman Lhota introduced NYCT President Andy Byford, who summarized for the Board the NYCT new "Fast Forward" Management Program.

The details of Mr. Byford's presentation, Board Members' comments and discussions are contained in the video recording of the meeting, produced by the MTA and maintained in the MTA records.

**4. MINUTES.** Upon motion duly made and seconded, the Board approved the minutes of the Regular Board Meeting held on April 25, 2018.

**5. COMMITTEE ON FINANCE.**

**A. Action Item.** Upon motion duly made and seconded, the Board approved the following action item. The specifics are set forth in the staff summary and documentation filed with the meeting materials. Chairman Lhota acknowledged the help and support from the New York City Transit Riders Council and elected officials in the implementation of the Atlantic Ticket Field Study.

1. Atlantic Ticket Field Study. Approved the Atlantic Ticket Field Study, which is designed to study the impacts of reduced fares resulting in a lower cost of travel on LIRR to Atlantic Terminal from selected New York City stations, including the

impacts on customer travel choices, utilization of available capacity and impacts on operations.

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

1. Infinite Peripherals, Inc. – Repair of On-Board Ticket Issuing Machine Sleds for LIRR and MNR – No. 90000000002617. Approved the award of a non-competitive contract for as-needed repair of point-of-sale Linea-Pro sleds used for on-board ticket issuing machines (OBTMs).
2. TEOCO Corporation – Maintenance and Support Services of the SONET/ATM Network Management System – No. 06%3309 Mod. #5. Approved the extension of a non-competitive contract for three years for maintenance and support services for the SONET/ATM (Synchronous Optical Networking/Asynchronous Transfer Mode) Network Management System (NMS).
3. A&D Project – NYCT Subway Station – Lenox Avenue Line. Approved the award of an A&D competitively negotiated procurement contract to Derek Fordjour to provide technical design, fabrication, crating, storage, delivery and oversight of installation of materials at the NYCT 145th Street Station.
4. Various Contractors – Real Estate Appraisal Services. Approved the award of the following fourteen (14) competitively negotiated, personal services contracts for real estate and fixture appraisal services and court testimony on an as-needed basis for a period of five years: Avison Young – New York, LLC; Cornerstone Group (fixtures)(MBE); Cushman Wakefield, Inc.; Jerome Haims Fealty, Inc.; Michael Haberman Associates, Inc.; The Weitzman Group Inc. (WBE); Aaron Valuation Inc. (MBE); Patjo Appraisal Services Inc. (MBE); Sterling Appraisals, Inc.; Charles Land (fixtures); Newmark Knight Frank; Goodman-Marks Associates, Inc.; Beckman Appraisals, Inc.; and R.P. Hubbell and Company, Inc.
5. CorVel Healthcare Corporation (“CorVel”) – All-Agency Medical Bill Review Services – No. TBD. Approved modification of a previously Board-approved all agency competitively negotiated personal services contract with CorVel to extend the contract an additional twelve months, effective January 1, 2018.
6. Ratification of Various Contracts – Executive Order 168 (“E.O. 168”). In accordance with the emergency provisions in Article III(B)(1) of the All Agency General Contract Procurement Guidelines and Article III(C)(3) of the All Agency Service Contract Procurement Guidelines, the Board ratified actions for NYCT competitive contracts, awarded pursuant to E.O. 168 and its extensions.

**C. Information Item.**

1. 2017-2018 Station Maintenance Billing. The Board was advised of the submission of the station maintenance billings to New York City and the counties for the period of April 1, 2017 to March 31, 2018.

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

**New York City Transit Authority**

1. License agreement with Shema Kolainu – Hear Our Voices for the operation of a parking lot at 4318 New Utrecht Avenue, Brooklyn, N.Y
2. License agreement with a tenancy-in-common comprised of various entities for parking of approximately 137 buses in support of the Canarsie Tunnel Reconstruction on property located at 46-81 Metropolitan Avenue (Queens Block 2611 partial Lot 71), Maspeth, N.Y.
3. Resolution authorizing proceeding with the acquisition by negotiated agreement or eminent domain of space from a tenancy-in-common comprised of various entities for temporary parking of approximately 137 buses in support of the Canarsie Tunnel Reconstruction on property located at 46-81 Metropolitan Avenue (Queens Block 2611 Lot 71), Maspeth, N.Y.

**Long Island Railroad**

4. License agreement with Shiekh & Sons, Inc., whose sole or principal shareholder is Muhammad M. Afzal, for a retail newsstand at the Central Islip Station, Central Islip, N.Y.
5. License agreement with Island News of Freeport Inc., whose sole or principal shareholder is Nisha Kapoor, for retail and storage space at the Freeport Station, Freeport, N.Y.

6. **FIRST MUTUAL TRANSPORTATION ASSURANCE COMPANY (FMTAC).** This meeting served as FMTAC's annual Board meeting. The Board was provided information concerning FMTAC's 2017 activities and operations.

7. **EXECUTIVE SESSION.**

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

Upon motion duly made and seconded, the Board approved a collective bargaining agreement between Metro-North Railroad and the International Brotherhood of Electrical Workers representing supervisors (IBEW-S).

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

Chairman Lhota announced that the next regularly scheduled Board meeting will be held on Wednesday, June 20, 2018 at 9:00 a.m.

8. **ADJOURNMENT.** Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:25 p.m.

Respectfully 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, May 23, 2018  
9:00 a.m.**

**The following members were present:**

**Hon. Joseph J. Lhota, Chairman  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Norman E. Brown  
Hon. Ira Greenberg  
Hon. David Jones  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Scott Rechler  
Hon. Andrew Saul  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. Peter Ward  
Hon. Carl Weisbrod  
Hon. Carl V. Wortendyke**

**The following alternate non-voting members were also present:**

Hon. Andrew Albert  
Hon. Randolph Glucksman  
Hon. John Samuelson

**The following members were absent:**

**Hon. Susan Metzger  
Hon. James Vitiello  
Hon. Neal Zuckerman**

Veronique Hakim, Managing Director; Patrick Foye, MTA President; Helene Fromm, Chief of Staff; Janno Lieber, MTA Chief Development Officer; Robert Foran, Chief Financial Officer; Donald Spero, Deputy Chief Financial Officer; Thomas J. Quigley, General Counsel; Andy Byford, President, NYCT; Phillip Eng, President, Long Island Rail Road; Susan J. Doering, Executive Vice President, Metro-North Railroad; Cedrick Fulton, President TBTA; Darryl Irick, President, MTA Bus; and Stephen Morello, Counselor to the Chairman, also attended the meeting.

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

**2. PUBLIC COMMENT PERIOD**

The following speakers spoke on MTA NYC Transit/Staten Island Rapid Transit Operating Authority/MTA Bus Company matters during the public speakers session.

Bradley Brashears, PCAC  
James Temples III, NYCT employee  
William Henderson, PCAC  
Jean Ryan, Disability in Action  
Janice Bartley, AHRC  
Douglas Dawkins, AHRC  
Colin Wright, TransitCenter  
Kate Slevin, Regional Plan Association  
Jason Pinero, private citizen  
Alan Timothy Lunceford, private citizen  
H.P. Schroer, private citizen  
Jessica Murray, Rise & Resist  
Omar Vera, private citizen  
Miriam Fischer, private citizen  
Vijay Duggal, private citizen  
Joe Rappaport, BCID  
Valerie Joseph, BCID

Please refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the content of the speakers' statements.

**3. CHAIRMAN'S REMARKS**

Chairman Lhota welcomed everyone to the May Board meeting.

Chairman Lhota stated that today President Byford will present details of NYCT's new "Fast Forward" Management Program, which includes an analysis of NYCT's modernization and revitalization plan. He also noted that Long Island Railroad President Phil Eng had presented his plan to revitalize the railroad, entitled LIRR Forward, during the May 2018 LIRR committee meeting. Chairman Lhota thanked everyone who assisted President Phillip Eng and President Andy Byford with developing their agencies' revitalization plans, which the Chairman indicated are extraordinary.

The Chairman noted that the costing process for NYCT's plan is not completed, and he stated that any cost estimate for NYCT's plan will undergo a very rigorous process. Chairman Lhota stated that he wanted to take advantage of the work being done by the MTA Procurement and Cost Containment Task Force to better refine the NYCT's cost. Additionally, the Chairman stated that the cost of NYCT's Plan must be looked at in the context of the entire 2020-2024 MTA Capital Plan, and accordingly, Chairman Lhota stated that all estimates are premature and inaccurate. Chairman Lhota stated that the point of today's presentation is to outline a sound roadmap for the revitalization and modernization of the subway system.

The details of Chairman Lhota's comments are contained in the video recording of the meeting, produced by the MTA and maintained in the MTA records

#### **4. FAST FORWARD: THE PLAN TO MODERNIZE NYC TRANSIT PRESIDENT BYFORD'S PRESENTATION**

Chairman Lhota introduced New York City Transit President Andy Byford, who summarized for the Board the new "Fast Forward" Management Program.

The details of Mr. Byford's presentation and the Board members' comments and discussion are contained in the video recording of the meeting, produced by the MTA and maintained in the MTA's records.

The entire Fast Forward plan is available at <https://fastforward.mta.info>.

#### **5. MINUTES**

Upon motion duly made and seconded, the Board unanimously approved the minutes of the meeting held on April 23, 2018, of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

#### **6. COMMITTEE ON FINANCE**

##### **Procurements:**

Ratifications: Upon motion duly made and seconded, the Board approved eight (8) NYCT-related ratifications requiring a majority vote (Schedule K in the Agenda). These ratifications were made in accordance with the emergency provisions in Article III(B)(1) of the All Agency General Contract Procurement Guidelines and Article III(C)(3) of the All Agency Service Contract Procurement Guidelines and involved procurement actions awarded pursuant to Executive Order 168 ("E.O. 168") and its extensions.

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

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

**Procurements:**

Noncompetitive Procurements: Upon motion duly made and seconded, the Board approved the noncompetitive procurement requiring a two-thirds vote (Schedule A in the Agenda).

Detail regarding the above item is set forth in the related staff summary, a copy of which is on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services: Upon motion duly made and seconded, the Board approved the modification action set forth in the Board materials (Schedule H in the Agenda).

Detail regarding the above item is set forth in the related staff summary, a copy of which is 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 procurement action set forth in the Board materials requiring a two-thirds vote (Schedule C in the Agenda).

Detail regarding the above item is set forth in related staff summary, a copy of which is on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

Ratifications: Upon motion duly made and seconded, the Board approved the ratification action requiring a majority vote (Schedule K in the Agenda).

Detail regarding the above item is set forth in related staff summary, a copy of which is on file with the records of the meeting of the Board of MTA NYC Transit /Staten Island Rapid Transit Operating Authority /MTA Bus Company.

**8. EXECUTIVE SESSION**

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

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

9. **ADJOURNMENT**

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

Respectfully submitted,  
**/s/James J. Gallagher**  
James J. Gallagher  
Acting Assistant Secretary

Minutes of the Regular Meeting  
Metro-North Commuter Railroad Company  
2 Broadway – 20<sup>th</sup> Floor  
New York, NY 10004  
Wednesday, May 23, 2018  
9:00 a.m.

The following members were present:

Hon. Joseph J. Lhota, Chairman  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Norman E. Brown  
Hon. Ira Greenberg  
Hon. David Jones  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Scott Rechler  
Hon. Andrew Saul  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. Peter Ward  
Hon. Carl Weisbrod  
Hon. Carl V. Wortendyke

The following alternate non-voting members were also present:

Hon. Andrew Albert  
Hon. Randolph Glucksman  
Hon. John Samuelson

The following members were absent:

Hon. Susan Metzger  
Hon. James Vitiello  
Hon. Neal Zuckerman

Patrick Foye, MTA President, Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Susan J. Doering, Executive Vice President, Metro-North Railroad, Cedrick Fulton, President TBTA, Darryl Irick, President, MTA Bus Operations, and Stephen Morello, Counselor to the Chairman, also attended the meeting.

Chairman Lhota called the meeting to order.

1. Public Speakers:

There were 21 registered 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 the speakers' statements.

2. Chairman's Remarks:

Chairman Lhota discussed programs to improve and modernize the Long Island Rail Road and the New York City Transit Authority (NYCT). He noted that the MTA plans to modernize all MTA operating agencies.

Chairman Lhota introduced NYCT President Andrew Byford, who presented a summary for the Board of the plan to modernize NYCT.

The details of Chairman Lhota's remarks and President Byford's presentation are contained in the minutes of the MTA and other agencies of this date and in the video recording of this meeting, produced by the MTA and maintained in the MTA records, which recording includes discussion between Board members regarding the Chairman's report and President Byford's presentation.

3. Approval of Minutes:

Upon motion duly made and seconded, the minutes of the Regular Board Meeting held on April 25, 2018 were approved.

4. Committee on Finance:

MTAHQ Procurements:

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

- Approval of a non-competitive contact with Infinite Peripherals, Inc. in the not-to-exceed amount of \$ 934,300 for as-needed repair of point-of-sale Linea-Pro sleds used for on-board ticket issuing machines used by Metro-North and LIRR conductors to accept credit cards and validate e-tickets aboard the train.

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

- Approval to award 14 competitively negotiated, personal services contracts in the not-to-exceed amount of \$5,000,000 for real estate and fixture appraisal services and court testimony on an as-needed basis for a period of five years.
- Approval to modify a previously Board-approved, all-agency, competitively negotiated, personal services contract with CorVel Healthcare Corporation in the not-to-exceed amount of \$ 3,865,000 to extend the contract to provide medical bill review and payment services for an additional 12-months, effective January 1, 2018.

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

Information Item:

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

- Submission of the station maintenance billings to New York City and the counties for the period April 1, 2017 to March 31, 2018.
- Annual Review of MTA Sponsored Pension and Retirement Funds as of December 31, 2017.

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

5. Committee on Metro-North Railroad:

Chairman Lhota presented the Metro-North report. He commended President Rinaldi and all at Metro-North for their sound judgment and proactive response earlier in the day of the terrible May 15, 2018 storm, which included numerous tornadoes in the outlying, upper portion of Metro-North's service territory. He stated that the strategic decisions and quick actions earlier that day kept Metro-North's customers safe and minimized disruptions, despite the need to suspend service due to over 170 fallen trees across Metro-North's territory. During that time, at outlying stations and in Grand Central Terminal, customers were kept informed of service changes both digitally, in person and through email and social media. He thanked the employees and managers of Metro-North for their tremendous effort. Chairman Lhota also thanked the Metropolitan Transportation Authority Police Department (MTAPD) for their assistance in Grand Central Terminal.

Chairman Lhota presented the proposed procurements.

Procurements:

The Board was presented with the following non-competitive procurements recommended to it by the Committee on MTA Metro-North Railroad.

- Approval to award a non-competitive, two-year purchase agreement in the not-to-exceed amount of \$3,600,000 with Siemens Industry, Inc. for the purchase of various original equipment manufacturer replacement parts for Metro-North's On-Board PTC equipment.
- Approval of a contract modification for additional funding in the total not-to-exceed amount of \$15,750,000 to an existing non-competitive miscellaneous purchase agreement with Bombardier Transportation North America for Original Equipment Manufacturer replacement parts for Metro-North's various railcar fleets.

Board member Albert asked how long the M-3 railcars are to remain in service on Metro-North and Long Island Rail Road. Executive Vice President Doering will provide this information to Board member Albert.

The Board was presented with the following competitive procurement recommended to it by the Committee on MTA Metro-North Railroad.

- Approval for a Metro-North Railroad and Long Island Rail joint procurement to award a competitively solicited general services contract to Med-Track, Inc. in the not-to-exceed amount of \$901,449 (Metro-North = \$450,725, LIRR = \$450,724) to perform compliance audits for the drug and alcohol testing programs of agency contractors who fall under Federal Railroad Administration Roadway Worker requirements.

The Board was presented with the following ratifications recommended to it by the Committee on MTA Metro-North Railroad.

- Approval of a non-competitive procurement with Progress Rail Services Corporation in the not-to-exceed amount of \$139,000 for the purchase of updated EM 2000 software and hardware for eight F-40 locomotives for Metro-North's west of Hudson fleet operated by New Jersey Transit.
- Approval of a non-competitive procurement deemed as an "Immediate Operating Need" with ORX Railway Corporation in the not-to-exceed amount of \$516,650 for the purchase of 225 axles for the Metro-North Railroad Coach Car and M-3 Fleets.
- Board ratification for a modification made on March 21, 2018 to Clearway Industries, LLC miscellaneous service Contract No. 100000000080241 to provide for additional funding for cutting and removal of trees that were dangerous, downed or damaged along Metro-North's system-wide right-of-way. Authorization of funding in the not-to-exceed amount of \$1,250,000 was deemed an "Immediate Operating Need" and granted by the agency president since it was imperative that Metro-North's system-wide right-of-way be restored in order to return to efficient operations.

Upon motion duly made and seconded, the Board approved the foregoing procurements. The details of the above procurements are contained in staff summaries and reports filed with the records of this meeting and in the video recording of the meeting produced by the MTA and maintained in the MTA records.

#### 6. Committee on Long Island Rail Road:

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

- Approval on behalf of Long Island Rail Road, on behalf of itself, and Metro-North to award separate Sole Source estimated quantity contracts, to LB Foster Rail Technologies, Inc., each for a three-year period in the following amounts: LIRR - not-to-exceed \$377,200, and MNR - not-to-exceed \$73,000. Under the Contracts, LIRR and Metro-North, will issue their own individual purchase orders to LB Foster on an as-needed basis to supply complete rail lubrication and traction applicators, as well as, replacement parts required to allow each agency to repair and maintain its existing respective rail lubrication and friction management systems manufactured by Portec Rail Products, Inc.

Board member Moerdler stated that the Bronx Borough President asked him to call attention to the people and workers of the Bronx who travel both northbound and southbound to New York City. Chairman Lhota understands the Borough President's point of view. He would

like to have the four stations in the Bronx built which would allow Metro-North to come into Penn Station.

Upon motion duly made and seconded, the Board approved the procurement. The details of the approved procurement are contained in the staff summaries and documentation filed with the minutes of the Long Island Rail Road Board meeting held this day and in the video recording of the meeting produced by the MTA and maintained in the MTA records.

7. First Mutual Transportation Assurance Co. (FMTAC):

The Board was presented with the following regarding the FMTAC annual meeting.

- Information concerning the FMTAC's 2017 activities and operations in connection with the May 23, 2018 annual FMTAC Board meeting.

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

8. Executive Session:

Upon motion duly made and seconded, the Board voted to convene an Executive Session, in accordance with Section 105(1)(e) of the Public Officer's Law to discuss matters relating to collective bargaining. In Executive Session, upon motion duly made and seconded, the Board approved amendments and changes to the Collective Bargaining Agreement between Metro-North and the International Brotherhood of Electrical Workers (Supervisors) Local 1573 representing Assistant Engineers-ET Supervisors, Assistant Supervisors and Foremen in the Electric Traction Department for the period January 16, 2017 through June 1, 2019. The details of the above item are contained in a staff summary and documentation filed with the records of this meeting.

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

9. Public Session Resumed:

The Chairman announced that during Executive Session the Board approved amendments and changes to a collective bargaining agreement between Metro-North Railroad and the International Brotherhood of Electrical Workers Supervisors.

10. Adjournment:

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:25 a.m.

Respectfully submitted,



Linda Montanino  
Assistant Secretary

**Minutes of the Regular Board Meeting  
Long Island Rail Road Company  
2 Broadway  
New York, NY 10004  
Wednesday, May 23, 2018  
9:00 a.m.**

The following members were present:

Hon. Joseph J. Lhota, Chairman  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Norman E. Brown  
Hon. Ira Greenberg  
Hon. David Jones  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Scott Rechler  
Hon. Andrew Saul  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. Peter Ward  
Hon. Carl Weisbrod  
Hon. Carl V. Wortendyke

The following alternate non-voting members were also present:

Hon. Andrew Albert  
Hon. Randolph Glucksman  
Hon. John Samuelson

The following members were absent:

Hon. Susan Metzger  
Hon. James Vitiello  
Hon. Neal Zuckerman

Patrick Foye, MTA President, Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Susan J. Doering, Executive Vice President, Metro-North Railroad, Cedrick Fulton, President, TBTA, Darryl Irick, President, MTA Bus Operations, and Stephen Morello, Counselor to the Chairman, also attended the meeting.

Chairman Lhota called the meeting to order.

1. Public Speakers

Stephen Morello, Counselor to the Chairman, indicated that nineteen (19) speakers had signed up to speak (ultimately, a total of twenty-one (21) persons appeared as public speakers). Mr. Morello asked all speakers to limit their comments to two (2) minutes.

Two (2) of the speakers commented on matters relating to the Long Island Rail Road (“LIRR”):

Bradley Brashears of the New York City Transit Riders Council (the “Riders Council”) spoke in favor of Long Island Rail Road’s (“LIRR”) proposed Atlantic Ticket Field Study, a pilot program to the Council’s Freedom Ticket proposal, and thanked the Finance Committee for approving it. He stated that the proposed Atlantic Ticket would fill 10,000 empty seats on LIRR trains between southeast Queens stations and Atlantic Terminal, would reduce fares for many MTA customers, and would reduce a two-hour commute for some customers to 45 minutes.

Christopher Greif of the Riders Council spoke in favor of the proposed Atlantic Ticket, stating that we need this fare, especially care workers, seniors, and people in wheelchairs. He stated that subways are overcrowded and that for many, there are no other options at present.

Kate Slevin of the Regional Plan Association spoke in favor of the proposed Atlantic Ticket.

Mary Parisen, Chair of Civics United for Railroad Environmental Solutions (“CURES”), asked LIRR President Phillip Eng to stop putting the rights of New York & Atlantic Railway (“NYAR”) above the rights and duties of LIRR. She stated that NYAR’s operations inflict harm on neighboring communities and that LIRR should not turn a blind eye to this, and has a duty to protect such communities. She further stated that LIRR allows NYAR to operate polluting locomotives, and to haul mixed waste in gondola cars. She added that LIRR allowed the sale of four (4) older locomotives to NYAR, inflicting a public health emergency. She criticized the renewal of the Transfer Agreement with NYAR and noted that the National Council for Occupational Safety and Health (“NCOSH”) had listed NYAR as one of its “Dirty Dozen” employers of the year. She urged LIRR to replace eight (8) of the older locomotives being operated by NYAR with Tier IV switcher locomotives.

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 Remarks

Chairman Lhota stated that this meeting would be conducted in a manner similar to the last meeting: a presentation, followed by the regular Board meeting, followed by an Executive Session.

Chairman Lhota thanked all who helped LIRR President Phillip Eng and New York City Transit (“NYCT”) President Andrew Byford develop their respective plans for revitalizing their agencies. He stated that the funding for Mr. Byford’s plan was not yet complete.

Chairman Lhota further stated that he wanted to capitalize on the work of the Cost Containment working group, and that Mr. Byford’s plan needs to be looked at in the context of the next (2020-2024) MTA Capital Plan.

3. Fast Forward: The Plan to Modernize New York City Transit.

Chairman Lhota introduced NYCT President Andrew Byford, who gave a presentation on Fast Forward: The Plan to Modernize New York City Transit.

The details of such presentation, along with certain discussion between Board members with respect to the presentation, are contained in the minutes of the MTA Board meeting held this day, and in the video recording of the meeting, produced by the MTA and maintained in MTA records.

4. Approval of Minutes

Chairman Lhota asked for a motion to approve the minutes of the Regular Board Meeting of April 25, 2018. Upon motion duly made and seconded, the minutes of the Regular Board Meeting of April 25, 2018 were approved.

5. Committee on Finance

Chairman Lhota acknowledged the support of the Riders Council and of local elected officials for the proposed Atlantic Ticket.

Action Items

The Board was presented with one (1) action item, which related to the Long Island Rail Road:

- **Atlantic Ticket Field Study** – To obtain Board approval to conduct the Atlantic Ticket Field Study. During the study, the MTA will lower the cost of travel on LIRR to Atlantic Terminal from select New York City stations. The Field Study is designed to study the impacts of these lower railroad fares on customer travel choices, utilization of available capacity, and impacts on operations. Due to the lowered railroad fares, and potential time savings and convenience, some NYCT customers may switch modes from subway and bus to LIRR. Additionally, due to the introduction of a price differential between Penn Station and Atlantic Terminal, some existing LIRR customers may switch destinations. The Field Study will provide insight into travel dynamics and inform future planning and operations.

Board Member Andrew Albert thanked everyone involved in moving this item forward. He stated that Atlantic Ticket will change travel patterns, fill empty seats, and be revenue neutral or perhaps better.

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

#### Procurement Items

The Board was presented with twenty-six (26) procurement items recommended to it by the Committee on Finance, sixteen (16) of which related to Long Island Rail Road:

#### Non-Competitive Procurement:

- **Infinite Peripherals, Inc. – Repair of On-Board Ticket Issuing Machine Sleds for LIRR and MNR – NTE \$934,300** – Board approval is sought for a non-competitive contract award for as-needed repair of point-of-sale Linea-Pro sleds used for on board ticket issuing machines (OBTMs). Linea-Pro sleds are used by MNR and LIRR conductors to accept credit cards and validate e-tickets aboard the train. These sleds have built-in scanner and credit card magnetic stripe readers that are compatible with the iPhones used by conductors. This service agreement provides as needed repair for 2,500 sleds for both MNR and LIRR.

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.

#### Competitive Procurements:

- **Various – Real Estate Appraisal Services – NTE \$5,000,000** – Competitively negotiated. 16 proposals. 60 months.
  1. Avison Young – New York, LLC
  2. Cornerstone Group (Fixtures) (MBE)
  3. Cushman & Wakefield, Inc.
  4. Jerome Haims Realty, Inc.
  5. Michael Haberman Associates, Inc.
  6. The Weitzman Group Inc. (WBE)
  7. Aaron Valuation Inc. (MBE)
  8. Patjo Appraisal Services, Inc. (MBE)
  9. Sterling Appraisals, Inc.
  10. Charles Land (fixtures)
  11. Newmark Knight Frank

12. Goodman-Marks Associates, Inc.

13. Beckman Appraisals, Inc.

14. R.P. Hubbell and Company, Inc.

Competitively negotiated. 16 proposals. 60 months.

Board approval is sought to award fourteen competitively negotiated, personal services contracts for real estate and fixture appraisal services and court testimony on an as-needed basis for a period of five years. Appraisals are performed by outside firms for properties the MTA or an MTA agency seeks to acquire. Such appraisals are required in order to provide the Real Estate Department with the basis for offers to purchase/lease property as well as for condemnation proceedings should circumstances warrant. The hourly rates negotiated are in the same range established under the current contract for these services awarded 5 years ago and are deemed fair and reasonable.

- **Corvel – All Agency Medical Bill Review Services – NTE \$3,865,000** – Board approval is sought to modify a previously Board-approved, all agency, competitively negotiated, personal services contract with CorVel Healthcare Corporation (Corvel) to extend the contract an additional twelve months, effective January 1, 2018. In November 2017, the Board approved a competitively negotiated replacement contract with Corvel to continue its medical bill review and payment services. That procurement is on hold pending resolution of matters relating to a solicitation for a Workers Compensation PPO Network. This modification will permit Corvel to continue to provide medical bill review and payment services to support the MTA and its agencies' compliance with New York State Workers Compensation and No-Fault laws, while MTA solicits and implements a Workers Compensation PPO Network and coordinates the network provider scope with the scope of Corvel's replacement contract for bill review services to ensure statutory scope requirements are met.

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 five (5) real estate items recommended to it by the Committee on Finance, two (2) of which related to Long Island Rail Road:

- **License Agreement at Central Islip Station** – License with Shiekh & Sons Inc. for a retail newsstand at Central Islip Station. License term: 5 years, terminable at will by LIRR with 60 days' notice, at no cost. Compensation: \$54,000 first year, with 3% annual increases.
- **License Agreement at Freeport Station** – License with Island News of Freeport, Inc. for retail and storage space at Freeport Station. License term: 5 years, terminable

at will by LIRR with 60 days' notice, at no cost. Compensation: \$32,300 first year (combined Unit 2 and 6), with 3% annual increases thereafter.

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.

6. LIRR Committee

Procurement Items

The Board was presented with five (5) procurement items recommended to it by the LIRR Committee, three (3) of which were for the Long Island Rail Road and two (2) of which were for MTA Capital Construction Company ("MTACC"):

Procurements by Long Island Rail Road:

Non-Competitive

- **LB Foster Rail Technologies, Inc.** – LIRR, on behalf of itself and Metro-North Railroad ("MNR"), request Board approval to award separate Sole Source estimated quantity contracts to LB Foster Rail Technologies, Inc., each for a three-year period in the following amounts: LIRR not-to-exceed \$377,200 and MNR not to exceed \$73,000, to supply complete rail lubrication and traction applicators, as well as replacements parts required to allow each Agency to repair and maintain its existing respective rail lubrication and friction management systems manufactured by Portec Rail Products, Inc.
- **North American Equipment Sales** – LIRR requests Board approval to award a sole source contract for a 36-month period to North American Equipment in the total amount not-to-exceed \$415,000 for replacement parts required by LIRR to operate and maintain various pieces of Little Giant/Badger cranes, Teleweld rail heaters and Airtec impact tools.

Board Member Andrew Saul reminded the Board that at the last meeting, he pointed out that an MTACC procurement that was supposedly competitive was not truly competitive because the same electrical contractor, Five Star, participated in all three (3) bids. Mr. Saul asked for Janno Lieber to comment on what MTA is doing to ensure that competitive procurements are in fact competitive.

MTA Chief Development Officer Janno Lieber responded, stating that this matter will be addressed jointly through the Procurement and Cost Containment working groups. Mr. Lieber stated that it all depends on how far down the contracting chain you wish to go, and that he will come back to the Board with recommendations.

Chairman Lhota responded, stating that he heard Mr. Saul's concerns loud and clear.

Board Member Charles Moerdler stated that the Bronx Borough President had asked him to call attention to the needs of Bronx residents, who travel both down to the City and to upstate New York. He suggested that MTA consider creating a "Bronx Ticket" in the same manner as the Atlantic Ticket.

Chairman Lhota responded, stating that he appreciated that point of view but that his priority was to accomplish the four (4) new stations planned in the Bronx.

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.

Competitive:

- **Harsco Rail** – LIRR requests Board approval to issue a contract modification in the amount of \$3,271,600 to Harsco Rail for additional use of the Track Laying Machine and Tie Rack Car Rental Service in support of the annual State of Good Repair Track Program and Port Jefferson Branch concrete tie replacement program, thus extending the contract through 12/31/18.

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.

Procurements by MTA Capital Construction Company:

Ratifications:

- **Michels Corporation – Contract No. CH061A, Modification No. 11 - \$1,030,000** – In accordance with Article VIII of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board ratify a modification for the additional costs due to a Differing Site Condition encountered during the excavation for the Track A Approach Structure in the Harold Interlocking.
- **Tutor Perini Corporation – Contract No. CQ033, Modification No. 11 - \$870,000** - In accordance with Article VIII of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board ratify a modification to furnish and install two new catenary structures and modify four existing catenary structures in the Harold Interlocking.

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

7. Executive Session

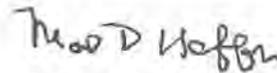
Chairman Lhota asked for a motion to move the meeting into Executive Session, for purposes of discussing a matter related to collective bargaining, pursuant to Section 105(1)(e) of the New York Public Officers Law. Upon motion duly made and seconded, the meeting was moved into Executive Session.

8. Adjournment

Upon coming out of Executive Session and resuming the public session of the meeting, Chairman Lhota asked for motion to adjourn the meeting.

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 11:25 A.M.

Respectfully submitted,



Mark D. Hoffer,  
Secretary

**TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY**

**BOARD MINUTES**

**May 23, 2018**

Minutes of the Regular Meeting  
Triborough Bridge and Tunnel Authority  
May 23, 2018

Meeting Held at  
2 Broadway, 20<sup>th</sup> Floor  
New York, New York 10004

9:00 a.m.

The following members were present:

Hon. Joseph J. Lhota, Chairman  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Norman E. Brown  
Hon. Ira Greenberg  
Hon. David Jones  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Scott Rechler  
Hon. Andrew Saul  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. Peter Ward  
Hon. Carl Weisbrod  
Hon. Carl V. Wortendyke

The following alternate non-voting members were also present:

Hon. Andrew Albert  
Hon. Randolph Glucksman  
Hon. John Samuelsen

The following members were absent:

Hon. Susan Metzger  
Hon. James Vitiello  
Hon. Neal Zuckerman

Patrick Foye, MTA President, Veronique Hakim, Managing Director, Helene Fromm, Chief of Staff, Janno Lieber, MTA Chief Development Officer, Robert Foran, Chief Financial Officer, Thomas J. Quigley, General Counsel, Andrew Byford, President, New York City Transit Authority, Phillip Eng, President, Long Island Rail Road, Susan J. Doering, Executive Vice President, Metro-North Railroad, Cedrick T. Fulton, President, Triborough Bridge and Tunnel Authority, Darryl Irick, President, MTA Bus Operations, 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 twenty-one (21) public speakers. None of the speakers specifically commented on issues regarding the Triborough Bridge and Tunnel Authority.

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

**2. Chairman Lhota's Opening Remarks**

Chairman Lhota opened his remarks by discussing the new Forward Program that Long Island Rail Road has developed to improve reliability and modernize the system and the new Fast Forward Plan that the New York City Transit Authority (NYCT) has developed to completely modernize the NYCT System. Andy Byford, President of NYCT, delivered a presentation on the Fast Forward Plan.

The details of Chairman Lhota's remarks and the presentation 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 Minutes of Regular Meeting April 25, 2018**

Upon a motion duly made and seconded, the minutes of the Regular Board Meeting held on April 25, 2018 were approved.

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

**Procurements**

Commissioner Moerdler stated that there are five (5) procurements totaling \$14.2 million.

**Non-Competitive Procurements**

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

**Competitive Procurements**

Commissioner Moerdler stated that there are five (5) competitive procurements totaling \$14.2 million.

**Personal Service Contracts**

Henningson, Durham & Richardson Architecture and Engineering PC	Contract No. PSC-17-3007 TBTA is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for Construction Inspection and Administration Services for Project VN-10, Rehabilitation of the Anchorages at the Verrazano-Narrows Bridge to Henningson, Durham & Richardson Architecture and Engineering, PC.	\$3,355,076.18
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Hardesty & Hanover, LLC	Contract No. PSC-17-3005C TBTA is seeking Board approval under the All Agency Service Contract Procurement Guidelines to award a personal service contract for the 2018 Biennial Bridge Inspections at the Verrazano-Narrows Bridge: Main Spans (Contract PSC-17-3005C) to Hardesty & Hanover, LLC.	\$3,137,757.00
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**Modifications to Personal Service Contracts and Miscellaneous Service Contracts Awarded as Contracts for Services**

Amman & Whitney/WSP JV	Contract No. PSC-16-2996 TBTA is seeking Board approval under the All Agency Service Contract Procurement Guidelines to amend personal service Contract PSC-16-2996 for additional funding to provide additional design services.	\$4,294,325.00
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WSP USA Corp.	Contract No. PSC-15-2969 TBTA is seeking Board approval under the All Agency Service Contract Procurement Guidelines to amend this personal service contract with WSP USA Corp. to provide construction support services for Project VN-10, Rehabilitation of the Anchorages at the Verrazano-Narrows Bridge.	\$871,887.96
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**Modifications to Purchase & Public Works Contracts**

Paul J. Scariano, Inc.	Contract No. RK-75 Phase IIb TBTA is seeking Board approval under the All Agency General Contract Procurement Guidelines to modify this contract with Paul J. Scariano, Inc. for work associated with demolition of occupied spaces beneath the Manhattan Plaza at the Robert F. Kennedy Bridge.	\$2,531,329.00
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**Ratifications**

Commissioner Moerdler stated that there are no ratifications.

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

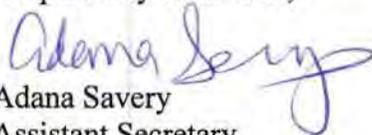
5. **Executive Session**

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

6. **Adjournment**

Upon a motion duly made and seconded, the Board unanimously voted to adjourn the meeting at 11:25 a.m.

Respectfully submitted,



Adana Savery  
Assistant Secretary

**Regular Board Meeting**  
**MTA Capital Construction Company**  
**2 Broadway**  
**New York, NY 10004**  
**Wednesday, May 23, 2018**  
**9:00 AM**

The following members were present:

Hon. Joseph J. Lhota, Chairman  
Hon. Fernando Ferrer, Vice Chairman  
Hon. Norman E. Brown  
Hon. Ira Greenberg  
Hon. David Jones  
Hon. Charles G. Moerdler  
Hon. John J. Molloy  
Hon. Mitchell H. Pally  
Hon. Scott Rechler  
Hon. Andrew Saul  
Hon. Lawrence Schwartz  
Hon. Polly Trottenberg  
Hon. Veronica Vanterpool  
Hon. Peter Ward  
Hon. Carl Weisbrod  
Hon. Carl V. Wortendyke

The following alternate non-voting members were also present:

Hon. Andrew Albert  
Hon. Randolph Glucksman  
Hon. John Samuelson

The following members were absent:

Hon. Susan Metzger  
Hon. James Vitiello  
Hon. Neal Zuckerman

Patrick Foye, President, MTA, Veronique Hakim, Managing Director, MTA, Helene Fromm, Chief of Staff, MTA, Janno Lieber, Chief Development Officer, MTA, Robert Foran, Chief Financial Officer, MTA, Thomas J. Quigley, General Counsel, MTA, Andrew Byford, President, NYCT, Phillip Eng, President, Long Island Rail Road, Susan J. Doering, Executive Vice President, Metro-North Railroad, Cedrick Fulton, President, TBTA, Darryl Irick, President, MTA Bus Operations, Evan Eisland, Sr. Vice President, General Counsel and Secretary, MTACC, David Cannon, Chief Procurement Officer and Assistant Secretary, MTACC and, Stephen Morello, Counselor to the Chairman, also attended the meeting.

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.

Unless otherwise indicated, these minutes reflect items concerning the business of the MTA Capital Construction Company. Refer to the other agencies' minutes of this date for items on the agendas of the Boards of the other agencies.

Chairman Lhota called the meeting to order.

## **Public Comment Periods**

There were twenty-one (21) public speakers, none of whom spoke on MTA Capital Construction Company matters. The names and remarks of the public speakers are contained in the minutes of the Regular Meeting of the Metropolitan Transportation Authority and in the minutes of the other agencies of this date.

## **Approval of Minutes**

Upon motion duly made and seconded, the Board approved the minutes of the Regular Board Meeting of the Metropolitan Transportation Authority and the MTA Capital Construction Company held on April 25, 2018.

## **Long Island Rail Road Committee**

Board Member Andrew Saul inquired as to the actions that will be taken to ensure that lack of competition in the procurement of new contracts is reported to the Board. MTA Chief Development Officer Janno Lieber responded that the Procurement and Cost Containment Task Forces will be making a recommendation on how new contracts are reported to the Board and what should be included in the Staff Summary. Chairman Lhota stated that we heard Commissioner Saul's comments and that they will be addressed.

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

1. A Modification to Contract CH061A -- Track A Cut and Cover Structure for the East Side Access Project to reimburse the contractor for the additional costs due to a differing site condition encountered during excavation for the Track A Approach in the amount of \$1,030,000.
2. A Modification to Contract CQ033 -- Mid-Day Storage Yard for the East Side Access Project to furnish and install two new catenary structures and modify fourteen existing catenary structures in the amount of \$870,000.

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

## **Executive Session**

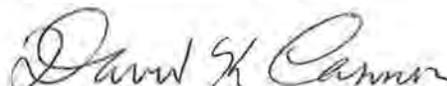
Upon motion duly made and seconded, the Board voted to convene into Executive Session pursuant to Section 105(1)(e) of the New York State Public Officers Law to discuss matters relating to collective bargaining negotiations.

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

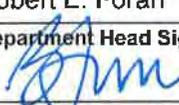
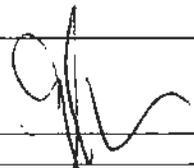
## **Adjournment**

Upon motion duly made and seconded, the Board voted to adjourn the public meeting at 11:25 a.m.

Respectfully submitted,

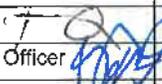
  
David K. Cannon  
Assistant Secretary

# Staff Summary

<b>Subject</b> 2018 State PWEF Assessment
<b>Department</b> Chief Financial Officer
<b>Department Head Name</b> Robert E. Foran
<b>Department Head Signature</b> 
<b>Project Manager Name</b> Douglas F. Johnson 

<b>Date</b> June 6, 2018
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Comm.	6/18	X		
2	Board	6/20	X		

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

**Purpose:** To authorize actions relating to the payment of the State assessment on the MTA and its constituent agencies for the Public Work Enforcement Fund for calendar 2018.

**Discussion:** Chapter 511 of the Laws of 1995, as amended, requires State agencies and authorities to pay to the State Comptroller an assessment based upon 1/10 of 1% of the value of public work (construction) contracts entered into (excluding rolling stock contracts). The assessments are deposited in the State Public Work Enforcement Fund to reimburse the State Department of Labor for its costs in enforcing the State's prevailing-wage law. The State and the MTA have entered into a simple annual estimate-and-settlement procedure agreement. Payments are made each year based upon the estimated amount of public works contracts, and are adjusted to reflect the actual experience from the prior year. The 2018 payment, therefore, is based upon a 2018 estimate and an adjustment for 2017.

Based on the actual average spending rates, it is assumed that in calendar year 2018, MTA's constituent agencies are projected to let \$2.908 billion worth of construction contracts, which is \$363 million decrease in contract values from the actual 2017 level of \$2.545 billion. These calculations include commitments from the April 25, 2018 Board approved 2015-2019 Capital Program Amendment as well as updated Superstorm Sandy estimates for 2010-2014.

In 2017, the estimated 2017 assessment of \$3,802,229 was more than the actual assessment of \$2,545,248 by \$1,256,980 (rounded). This overpayment, when deducted from the estimated 2018 assessment of \$2,908,107 requires a total payment of \$1,651,127.

**Financial Implications:** The 2018 MTAHQ Budget contains sufficient funds for this payment.

**Recommendation:** The Board should authorize staff to remit the 2018 assessment, including the adjustment for the 2017 overpayment, to the State Department of Labor.

# Staff Summary

<b>Subject</b> Request for Authorization to Award Various Procurements
<b>Department</b> MTA Business Service Center
<b>Department Head Name</b> Wael Hibri
<b>Department Head Signature</b> 
<b>Division Head Name</b> David N. Ross

<b>Date</b> June 6, 2018
<b>Vendor Name</b> Various
<b>Contract Number</b> Various
<b>Contract Manager Name</b> Various
<b>Table of Contents Ref #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance	6/18/2018	X		
2	Board	6/20/2018	X		

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

**PURPOSE:**

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

**DISCUSSION:**

**MTAHQ proposes to award Non-competitive procurements in the following categories:**  
Schedules Requiring Two Thirds Vote

	<u># of Actions</u>	<u>\$ Amount</u>
Schedule A: Non-Competitive Purchases and Public Work Contracts	2	\$ 1,091,936
<u>Schedules Requiring Majority Vote</u>		
Schedule J: Modifications to Miscellaneous Procurement Contracts	1	\$ 2,758,018
<b>SUBTOTAL</b>	<b>3</b>	<b>\$ 3,849,954</b>

**MTAHQ proposes to award Competitive procurements in the following categories:**  
Schedules Requiring Majority Vote

Schedule F: Personal Services Contracts	2	\$ 4,077,100
Schedule H: Modification to Personal Service/Miscellaneous Service Contracts	1	\$ 0
<b>SUBTOTAL</b>	<b>3</b>	<b>\$ 4,077,100</b>

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

Schedules Requiring Majority Vote

Schedule K: Ratification of Completed Procurement Actions	3	\$ 15,594,000
<b>TOTAL</b>	<b>9</b>	<b>\$ 23,521,054</b>

**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, JUNE 2018**  
**NON-COMPETITIVE PROCUREMENTS**

**METROPOLITAN TRANSPORTATION AUTHORITY**

*Procurements Requiring Two Thirds Vote:*

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

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

- 1. National Industries For The Blind** **\$305,136** **Staff Summary Attached**  
**Purchase of Atlantic Cotton Mop Heads** (not-to-exceed)  
**Contract No. 40000000001687**  
Non-Competitive - 36 months  
Board approval is sought for the purchases of Atlantic cotton mop heads for 3 years to clean stations, trains, bathrooms, floors, and wherever requires mop cleaning at LIRR. The current contract with National Industries for the Blind expired on May 23, 2018. An internet market research found that similar mop heads cost around \$5.46 – \$6.98 each. National Industries for the Blind is offering the Atlantic cotton mop heads for \$3.44 - \$3.84 each. Therefore, pricing is considered fair and reasonable.
- 2. National Industries For The Blind** **\$ 786,800** **Staff Summary Attached**  
**Purchase and Delivery of Hi-Visibility T-Shirts** (not-to-exceed)  
**Contract No. TBD**  
Non-Competitive - 36 months  
Board Approval is being requested for the award of a 3 year contract for the purchase, branding and delivery of Hi-Visibility T-Shirts in the not-to-exceed amount of \$786,800 to the National Industries for the Blind (NIB), a New York State Preferred Source Vendor, for use by Metro North Railroad (MNR). The unit price of \$16.00 and total bid price of \$786,800 is considered fair and reasonable.

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

**METROPOLITAN TRANSPORTATION AUTHORITY**

*Procurements Requiring Majority Vote:*

**J. Modifications to Miscellaneous Procurement Contracts**

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

- 3. Penta Corporation** **\$ 2,758,018** **Staff Summary Attached**  
**Upgrade of LIRR's Audio Visual Paging System** (not-to-exceed)  
**Contract No. 04-0953**

Base Amount = \$ 3,921,626

Board approval is sought to amend a miscellaneous procurement contract with Penta Corporation ("Penta") to provide hardware and software upgrades to Long Island Rail Road's Audio Visual Paging System (AVPS) along with five years of maintenance and support services. The LIRR AVPS provides real-time on-time performance information, train status, and customer service-orientation messages to passengers at 123 stations. The system was developed and customized specifically for LIRR passenger communications requirements by Penta in 2002. The current system has reached the end of its effective lifespan, resulting in multiple instances where the system became unstable and failures occurred during peak hours, causing service disruptions. Moreover, the system cannot support the new MTA Outfront Advertising Project. As such, the LIRR Engineering/Communications Department requires upgrades to the hardware and software at all 123 locations that comprise the LIRR AVPS. Replacing the entire AVPS System would be far costlier than the proposed upgrade as all the program logic and coding would have to be re-built and its new components would need to be reconfigured and re-integrated with other systems. The initial system procured in 2002 cost over \$6M and current pricing data suggests it would cost over \$10 million for an outright replacement today. All pricing has been deemed fair and reasonable.

# Staff Summary

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

Item Number:

<b>Vendor Name (&amp; Location):</b> National Industries For The Blind	<b>Contract Number:</b> 400000000001687	<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Description:</b> As-Needed Purchase of Atlantic Cotton Mop Heads	<b>Total Amount:</b> \$ 305,136	
<b>Contract Term (including Options, if any):</b> July 1, 2018 through June 30, 2021	<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> LIRR HSF Store Department/Leon Delmarco	
<b>Procurement Type:</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	<b>Contract Manager:</b> Vicky Wei	
<b>Solicitation Type:</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Preferred Source		

### DISCUSSION:

Board approval is sought for the purchases of Atlantic cotton mop heads for 3 years to clean stations, trains, bathrooms, floors, and wherever requires mop cleaning at LIRR. The current contract with National Industries for the Blind expired on May 23, 2018. This not-to-exceed contract of \$305,136 is for a period of performance from July 1, 2018 to June 30, 2021.

The pricing from National Industries for the Blind was submitted to the Office of General Services Preferred Source Team for review and confirmed the discounts provided are in accordance with New York State Preferred Source Program agreed contract. An internet market research found that similar mop heads cost around \$5.46 – \$6.98 each. National Industries for the Blind is offering the Atlantic cotton mop heads for \$3.44 - \$3.84 each. Therefore, pricing is considered fair and reasonable.

National Industries for the Blind is the only preferred source vendor for janitorial supplies. Preferred source procurements are exempt from M/WBE and SDVOB goals consideration by MTA Department of Diversity and Civil Right.



# Staff Summary

## Schedule J: Modifications to Miscellaneous Procurement Contracts

Item Number:

Page 1 of 1

<b>Vendor Name (&amp; Location):</b> Penta Corporation, 325 Edwards Ave., New Orleans, LA, 70123	<b>Contract Number:</b> Multi-Agency Contract No. 04-0953	<b>AWO/Modification #</b> 2
<b>Description:</b> Upgrade of LIRR's Audio Visual Paging System	<b>Original Amount:</b> \$ 2,421,634	
<b>Contract Term (including Options, if any):</b> December 1, 2015 - November 30, 2025	<b>Prior Modifications:</b> \$ 1,499,992	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Prior Budgetary Increases:</b> \$	
<b>Procurement Type:</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	<b>Current Amount:</b> \$ 3,921,626	
<b>Solicitation Type:</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Mod	<b>This Request:</b> \$ 2,758,018	
<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	<b>% of This Request to Current Amount:</b> 70%	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> LIRR Engineering/Communications (Michael Juchem)	<b>% of Modifications (including This Request) to Original Amount:</b> 175%	

### **DISCUSSION:**

Board approval is sought to amend a miscellaneous procurement contract with Penta Corporation (“Penta”) to provide hardware and software upgrades to Long Island Rail Road’s Audio Visual Paging System (AVPS) along with five years of maintenance and support services.

In July 2014, Long Island Rail Road (“LIRR”) received Board approval to award a sole source multi-agency contract to Penta for three-years with two one-year options. This contract provides maintenance and support services of all Penta communications systems installed at various MTA locations including Metro North Railroad’s Public Address System, NYC Transit’s PCx System and LIRR’s AVPS system. These systems were developed, configured and integrated by Penta in 2002. They are proprietary to Penta and all maintenance, support and upgrade services are only provided by Penta.

NYC Transit initiated an upgrade to their Penta System through a contract modification approved by the Board in April 2018 and Metro North initiated a full replacement of their Penta through a new contract that was approved by the Board in September 2017.

The LIRR AVPS provides real-time on-time performance information, train status, and customer service-orientation messages to passengers at 123 stations. The system was developed and customized specifically for LIRR passenger communications requirements by Penta in 2002. The current system has reached the end of its effective lifespan, resulting in multiple instances where the system became unstable and failures occurred during peak hours, causing service disruptions. Moreover, the system cannot support the new MTA Outfront Advertising Project. As such, the LIRR Engineering/Communications Department requires upgrades to the hardware and software at all 123 locations that comprise the LIRR AVPS.

Replacing the entire AVPS System would be far costlier than the proposed upgrade as all the program logic and coding would have to be re-built and its new components would need to be reconfigured and re-integrated with other systems. *The initial system procured in 2002 cost over \$6M and current pricing data suggests it would cost over \$10 million for an outright replacement today.*

Penta proposed an initial price of over \$3 million for all system components and implementation services but negotiations yielded a 23 percent (\$717k) reduction. In addition, maintenance and support for the upgraded system was reduced by 49% or \$397K. The prior 5-year maintenance cost of the old system was \$810K, and the new system’s 5-year maintenance will be \$414,423. There is no change to the hourly labor rates vis-a-vis the base agreement. This amendment also provides a training module for use in offline testing by the console operators. Penta confirmed that the total negotiated price of \$2,758,018 is the minimum and best pricing provided to any of their customers for similar equipment and upgrade services. Accordingly, all pricing has been deemed fair and reasonable.

This upgrade is expected to be completed within two years. Penta will design, furnish, integrate and test voice-over-IP audio and digital control of the LIRR AVPS to include redundant system servers in LIRR's operations control center, redundant servers in the backup control center, workstation consoles, and 123 station control computers. Each station control unit will have a unique IP address to allow data and voice messaging to be sent from consoles and system controllers. The new system will include the ability for live, ad-hoc, scheduled and automatically triggered voice and visual messages all delivered over the networks. The new system will also allow LIRR to retain existing station audio processors, amplifiers, speakers and visual messaging displays.

Once the upgrade is complete, LIRR will have a state of the art ADA compliant, IP-based system based on high speed networking with enhanced multimedia functionality which fully supports the Governor's Enhanced Stations Initiatives including the Countdown Clock project.

**LIST OF PROCUREMENTS FOR BOARD APPROVAL, JUNE 2018**  
**COMPETITIVE PROCUREMENTS**

*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

4. **A&D project at a NYCT Astoria Blvd. Subway Station** – A&D will provide technical design, fabrication, crating, storage, delivery and oversight of installation of materials at the station specified below:

Competitively negotiated – 235 proposals - 36 months

Jeffrey Gibson Studio – Astoria Blvd Station NYCT (\$350,000)

5. **Milliman, Inc.** **\$3,727,100** **Staff Summary Attached**  
**Multi-Agency Actuarial Consulting Services** (not-to-exceed)  
**for Pension and Other Post-Employment Benefit Plans**  
**Contract No. 9000005**

Competitively negotiated 3 proposals 60 months

Board approval is sought for the award of a competitively negotiated multi-agency personal services contract for actuarial services as mandated by law for a period of three years with two one-year renewal options. Tasks performed by the actuarial consultant will include the preparation of pension plan statements, financial reporting of post-retirement benefits, drafting summary plan descriptions, forecasting and analysis on funding requirements, and the preparation of five-year experience studies. The not to exceed cost of \$3,727,100 is determined to be fair and reasonable.

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

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

6. **Geneva World Wide, Inc.** **\$0**  
**Written Translation Services for Paratransit**  
**Contract No. 18205, Modification No. 1**

Board approval is sought to award a modification to extend the term for thirty-six months to continue to provide written translation services for Paratransit. In accordance with Title VI of the Civil Rights Act and the Federal Transit Administration’s Title VI guidance, provides individuals with Limited English Proficient (“LEP”) translations of certain written documents pertaining to the Paratransit services.

This contract was awarded in June 2017 pursuant to All-Agency Service Contract Procurement Guidelines, Article XII, which allows riding of the existing DCAS Contract MMA1 857-20136200826, which was competitively solicited and whose pricing and other commercial terms were deemed satisfactory. The DCAS option to renew this contract for an additional three (3) years was exercised, reflecting a June 2, 2021 expiration date. A market survey has been conducted and it has been determined beneficial to continue piggybacking the DCAS contract. Additional funding is not required at this time.

# Staff Summary

## Schedule F: Personal Service Contracts

Competitive

<b>Item Number:</b> Dept & Dept Head Name: Human Resources / Margaret Connor						<b>SUMMARY INFORMATION</b>																													
Division & Division Head Name:  Human Resources / Margaret Connor						Vendor Name: Milliman, Inc.			Contract Number: 0009000005																										
<table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="6">Board Reviews</th> </tr> <tr> <th>Order</th> <th>To</th> <th>Date</th> <th>Approv</th> <th>Info</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Finance</td> <td>6/18/2018</td> <td>X</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>Board</td> <td>6/20/2018</td> <td>X</td> <td></td> <td></td> </tr> </tbody> </table>						Board Reviews						Order	To	Date	Approv	Info	Other	1	Finance	6/18/2018	X			2	Board	6/20/2018	X			Description: Multi-Agency Actuarial Consulting Services for Pension and Other Post-Employment Benefit Plans					
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						Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																													
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						Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: Pension Plan Trust																													

### I. PURPOSE/RECOMMENDATION

Board approval is sought for the award of a competitively negotiated multi-agency personal services contract to Milliman Inc. ("Milliman") for actuarial services as mandated by law for a period of three years with two one-year renewal options. The combined cost for the five-year period will not exceed \$3,727,100.

### II. DISCUSSION

The MTA is responsible for administration of the MTA Defined Benefit Pension Plan, MTA Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA") Pension Plan, the Metro-North ("MNR") Cash Balance Plan, the Long Island Rail Road ("LIRR") Plan for Additional Benefits and for Other Post-Employment Benefits ("OPEB") ("Plans"). The participants in these plans consist of eligible active participants, retirees and beneficiaries receiving benefits, as well as terminated participants who have vested in a future benefit. The total assets of the MTA sponsored defined benefit plans is approximately \$8.0 billion.

The current/predecessor contract for actuarial consultant services, also with Milliman, will expire on June 30, 2018 and the MTA requires the continued services of an actuarial consultant firm. Tasks performed by the actuarial consultant will include the preparation of pension plan statements, financial reporting of post-retirement benefits, drafting summary plan descriptions, forecasting and analysis on funding requirements, and the preparation of five-year experience studies.

A Request for Proposals (RFP) was publicly advertised and letters advising potential proposers of the RFP's availability were mailed to 16 vendors. Three proposals were received. The Selection Committee included the Deputy Director of MTA Consolidated Pensions from Human Resources, the Senior Director of Labor Relations from Labor Relations & Human Resources and the Assistant Comptroller from MTA Consolidated Pensions Departments. The evaluation criteria were: (i) responsiveness to the RFP (ii) experience in performing Actuarial Consulting Services for defined benefit pension plans (iii) experience of key and non-key personnel (iv) experience performing actuary advisory services (v) proposed design and implementation approach (vi) proposed timing of deliverables (vii) cost and (viii) diversity practices.

Milliman was the highest rated proposer based on non-price criteria and offered the lowest pricing. Milliman offered highly skilled personnel, extensive union agreement negotiations experience, and a demonstrated understanding of the data complexities of the plans in scope.

A financial responsibility review revealed no significant adverse information regarding the firm within the All-Agency Responsibility Guidelines.

#### Contract Cost and Terms

Milliman is the most competitively priced proposal with a total not to exceed annual fee of \$745,420. The next lowest priced proposal was 6% higher than that of Milliman. The proposed hourly rates from Milliman are lower than those offered by the competing firms and vary from \$165 for a junior analyst to \$395 for an advanced Fellow of the Society of Actuaries (FSA)/Enrolled Actuary (EA). Milliman proposed an annual rate escalation of 2.5% for each year of the contract, but, through negotiations, it was agreed that the rates will be kept flat for the entire contract term. Due to Milliman proposing the lowest total maximum fee and the negotiated savings of \$191,072, the not to exceed cost of \$3,727,100 is determined to be fair and reasonable.

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

MTA Department of Diversity and Civil Rights assigned 0% MWBE goals due to the confidential, sensitive information associated with this procurement, no subcontracting opportunities are available.

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

Fees charged for actuarial services will be paid through the Pension Plan Trust Funds and participating Agencies' operating budgets.

### **V. ALTERNATIVES**

1. Do not approve award of the contract: This alternative is not feasible. MTA and its agencies require actuarial services as mandated by the operation of the Plans' documents, including those provisions concerning the fiduciary duties involved in administering the Plans.
2. Perform the services in-house: This is not a feasible alternative. MTA does not possess the internal resources to provide the actuarial services.

**LIST OF PROCUREMENTS FOR BOARD APPROVAL, JUNE 2018**

**PROCUREMENTS FOR RATIFICATION**

**METROPOLITAN TRANSPORTATION AUTHORITY**

*Procurements Requiring Majority Vote:*

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

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

- |        |                                |              |                                      |
|--------|--------------------------------|--------------|--------------------------------------|
| 7 - 9. | Various<br>Executive Order 168 | \$15,594,000 | <i><u>Staff Summary Attached</u></i> |
|--------|--------------------------------|--------------|--------------------------------------|
- This is a request that the Board ratify procurement actions awarded pursuant to Executive Order 168 (“E.O. 168”) and its extensions. The total estimated value for the 3 actions is \$15,594,000. All 3 actions are for NYC Transit and were found to be fair and reasonable.

# Staff Summary

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

<b>Vendor Name (&amp; Location):</b> Various	<b>Contract Number:</b> Various	<b>Renewal?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Description:</b> Ratification of Executive Order 168 Actions	<b>Total Amount:</b> \$15,594,000	
<b>Contract Term (Including Options, if any):</b> Various	<b>Funding Source:</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Option(s) included in Total</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Senior Director, Wael Hibri	
<b>Procurement Type:</b> <input type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive <input checked="" type="checkbox"/> Various	<b>Contract Manager:</b> Chief Procurement Officer, David N. Ross	
<b>Solicitation Type:</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Various		
<b>Approval</b>		
Office of the Chairman		

**PURPOSE:**

This is a request that the Board ratify procurement actions awarded pursuant to Executive Order 168 ("E.O. 168") and its extensions.

**DISCUSSION:**

On June 29, 2017, Governor Andrew M. Cuomo issued Executive Order No. 168, in which he declared a disaster emergency as a result of continued failures of tracks, signals, switches and other transportation infrastructure on MTA rail and subway systems and resulting outages, derailments, and service disruptions that have had a deleterious effect on MTA customers and the regional and New York State economy. The Governor declared that significant and immediate action must be taken to assist in the repair of such transportation infrastructure, and in remediation of track outages and service disruptions. E.O. 168, as extended, provides for the temporary suspension of statutory provisions and any implementing rules, regulations and guidelines for purposes of awarding any contracts, leases, licenses, permits or other written agreements to mitigate the disaster emergency.

Since time is of the essence in addressing the disaster emergency, the procurement actions listed below were procured using E.O. 168. In accordance with the emergency provisions in Article III(B)(1) of the All Agency General Contract Procurement Guidelines and Article III(C)(3) of the All Agency Service Contract Procurement Guidelines, the E.O. 168 procurement actions listed below are being submitted to the Board for ratification. The total estimated value for the three actions is \$15,594,000. The three actions are for NYC Transit; all three actions were found to be fair and reasonable.

**1 & 2.**

Agency	Award Date	Contractor	Description	Contract Number	Contract Amount	Solicitation Method
NYC Transit	04/26/2018	Ansaldo STS USA, Inc. (Pittsburgh, PA)	150 Left Hand Spring Stops	6%20755	\$1,312,500	Sole Source
			150 Right Hand Spring Stops	6%20753	\$1,312,500	
Total					\$2,625,000	

**Discussion:**

These 12-Month Estimated Quantity Contracts are for the purchase of 300 Spring Stops (150 Left Hand Spring Stops and 150 Right Hand Spring Stops). This material has been identified under the Subway Action Plan to support the repair of the signal system through a maintenance component replacement program to improve signal reliability.

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

Spring Stops are electro-pneumatic devices that are part of the signal system. They are used in conjunction with a stop arm mechanism to stop a train if a train passes a red (stop) signal. The stop arm engages a trip cock, a device on the train, that applies the air brakes to slow down the train and bring it to a complete stop if a train passes through a red signal. Spring Stops are installed in between the two running rails adjacent to one of the rails. The Left Hand Spring Stops are installed on the B Division (lettered lines) track, and the Right Hand Spring Stops are installed on the A Division (numbered lines) track.

These sole source procurements were awarded to the only approved manufacturer on the Qualified Products List, Ansaldo STS USA, Inc. (Ansaldo). Ansaldo has been issued a Letter of Intent and instructed to begin the procurement of long lead materials. Ansaldo commenced delivery in May 2018 and will complete orders by November 2018.

Ansaldo originally quoted a unit price of \$9,144.96 for both the left and right hand Spring Stops. Procurement obtained a reduction from Ansaldo of \$394.96 for each Spring Stop, reducing its price to \$8,750.00 each, for a total savings of \$118,488.00. The prices for the Spring Stops were found to be fair and reasonable.

This award will not be subject to prior approval by the Office of the State Comptroller, as the Executive Order has been invoked to expedite the award.

In connection with a previous contract awarded to Ansaldo, Ansaldo<sup>1</sup> 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 Managing Director in consultation with the MTA General Counsel in November 2017. No new SAI has been found relating to Ansaldo and Ansaldo has been found to be responsible.

### 3.

Agency	Award Date	Contractor	Description	Contract Number	Contract Amount	Solicitation Method
NYC Transit	05/02/2018	TAP Electric Contracting Service, Inc. (Holbrook, NY)	Retrofit 25Hz Frequency Convertors	P-36696	\$12,969,000	Informal Competition

#### Discussion:

TAP Electric Contracting Service, Inc. (“TAP”) was awarded this contract to retrofit 21 existing 25Hz Frequency Convertors (“FC”) at 11 Traction Power Substations. These FCs, installed in the late 1990s, are used to convert US standard 60Hz power to the required 25Hz power required in Manhattan and Queens. Failures of these legacy FCs disrupt signal power and severely impact service. Repeated maintenance has been needed for these FCs and consequently, an upgrade to modern state-of-the-art frequency conversion equipment is urgently required. To address this critical operating need, a declaration of emergency for the performance of critical electrical work was approved pursuant to Executive Order No. 168 to retrofit this FC equipment.

Multiple vendors with the requisite experience were informally solicited and four vendors: TAP, Voltamp Electrical Contractors, Inc., L.K. Comstock & Co., and TC Electric, LLC submitted bids. The lowest bid was submitted by TAP in the amount of \$12,969,000 and was 8% less than that of the second low bidder at \$14,139,805. TAP was awarded the contract which was determined to be fair and reasonable based on the price competition. Goals of 7.5% MBE and 7.5% WBE were assigned to the contract and TAP committed to achieve a combined M/WBE participation of approximately 28%.

<sup>1</sup> The SAI relates to conduct of the ultimate parent, Hitachi Ltd., and not directly to Ansaldo nor its immediate parent, Ansaldo STS, Spa.

**June 2018**  
**MTA REAL ESTATE**  
**LIST OF REAL ESTATE ACTION ITEMS FOR BOARD APPROVAL**

**MTA LONG ISLAND RAIL ROAD**

License agreement for a newsstand at Hempstead station

License agreements for ATMS at various Long Island Rail Road and Metro-North locations

License agreement for a newsstand at Lynbrook station

**MTA NEW YORK CITY TRANSIT**

Disposition of air rights & easement located at Dey Street, NY, NY

Lease modification and extension between Concord Business Services, Inc. and New York City Transit for paved parking lot use

License for parking spaces to support Canarsie Tunnel rehabilitation

Three sub-licenses for bus parking to support Canarsie Tunnel rehabilitation

Lease between DG Flatbush Management, LLC and New York City Transit for a Buses Swing Room at 1351 Flatbush Avenue, Brooklyn, NY

**MTA METRO NORTH RAILROAD**

License Agreement with Wells Fargo, N.A. for the operation of an ATM at Metro-North's White Plains station

Lease with Neuhaus Inc. for Retail Space B-60 at 42<sup>nd</sup> Street

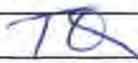
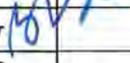
License agreements for ATMS at various Long Island Rail Road and Metro-North locations  
(Please see Action Item b. under MTA Long Island Rail Road)

# Staff Summary

Subject <b>LICENSE AGREEMENT FOR A NEWSSTAND AT HEMPSTEAD STATION</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JOHN N. LIEBER</b>
Department Head Signature 
Project Manager Name <b>ROBERT GOLDBERG</b>

Date <b>June 18, 2018</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

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

LICENSEE: Shiekh & Sons Inc., the principal of which is Muhammad M. Afzal

LOCATION: Hempstead Station, Hempstead, New York

ACTIVITY: License of space at LIRR's Hempstead Station for a retail newsstand

ACTION REQUESTED: Authorization to enter into license

TERM: 5 years, terminable at will by LIRR with 60 days' notice, at no cost

SPACE: Approximately 400 SF

COMPENSATION: \$17,200 first year, with 3% annual increases

**COMMENTS:**

The following proposal was received for the LIRR's Hempstead Station retail location pursuant to an RFP issued in November 2017:

Proposer Name	Year 1	Year 2	Year 3	Year 4	Year 5	Net Present Value
Muhammad M. Afzal	\$17,200.00	\$17,716.00	\$18,247.00	\$18,794.00	\$19,358.00	\$76,666.16

The Licensee will be responsible for renovating, operating and maintaining the space, as well as providing liability and insurance coverage, at its sole cost and expense. Renovations will include new custom made interior counters, fixtures and display racks. The principal, Mr. Afzal, will be personally guaranteeing all of the Licensee's obligations under the license agreement for the entire Term.

Based on the foregoing, MTA Real Estate requests authorization for LIRR to enter into a License Agreement with Shiekh & Sons, Inc. on the above-described terms and conditions.

# Staff Summary

<b>Subject</b> <b>LICENSE AGREEMENTS FOR ATMS AT VARIOUS LONG ISLAND RAIL ROAD AND METRO-NORTH LOCATIONS</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>JOHN N. LIEBER</b>
<b>Department Head Signature</b> 
<b>Project Manager Name</b> <b>DORRIE MASSARIA / ALICIA BIGGS</b>

<b>Date</b> <b>JUNE 18, 2018</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		
3	Metro-North Committee	6/18/18		X	

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

**AGENCY:** MTA Long Island Rail Road ("LIRR") and MTA Metro-North Railroad ("Metro-North")  
**LICENSEE:** Access One Solutions, Inc. ("Access")  
**LOCATIONS:** 7 LIRR stations and 6 Metro-North stations  
**ACTIVITY:** Licensing of exclusive rights to provide automated teller machines  
**ACTION REQUESTED:** Authorization for (i) LIRR to enter into a license agreement with Access for the 7 LIRR station Locations, and (ii) Metro-North to enter into a license agreement with Access for the 6 Metro-North station Locations.  
**TERM:** 5 years, subject to termination at will by MTA on 60 days' written notice, at no cost.  
**COMPENSATION:** 56% of each transaction surcharge

**COMMENTS:**  
 In response to recent RFPs for automated teller machines (ATMs) at 29 LIRR stations and 41 Metro-North stations, one proposal was received from Access One Solutions, Inc. Metro-North received an additional proposal from Wells Fargo for the White Plains station only, which is the subject of a separate staff summary. The RFP was marketed to numerous banks, but interest was not strong due to a decline in the ATM business and an industry trend to utilize third party vendors. Bank of America, the former operator of ATMs on LIRR, removed their machines in January of 2018, also referencing a significant decline in the ATM business.

Access proposed on seven LIRR station locations and eight Metro-North station locations, as was permitted in the RFP. The eight locations on which Access proposed included White Plains, which is being awarded to Wells Fargo and is the subject of a separate staff summary as stated above, and Bronxville, which was withdrawn from the RFP due to space considerations. The compensation offered is 56% of the \$3.00 surcharge which will yield \$1.68 per transaction to each railroad. Total compensation will therefore depend on the number of transactions. There is no minimum guarantee. In addition, Access offered a one-time \$2,000 fee for each machine that they install and operate.

Access will have the option to expand to other locations that were included in the RFP, subject to whether or not such locations remain available and subject to LIRR's or Metro-North's discretion at the time in question, and it will also have the option to remove machines that are deemed underperforming based on the number of transactions.

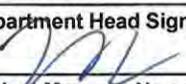
# Staff Summary

## FINANCE COMMITTEE MEETING

### LICENSE AGREEMENTS FOR ATMS AT VARIOUS LONG ISLAND RAIL ROAD AND METRO-NORTH LOCATIONS (Cont'd.)

Based on the foregoing, MTA Real Estate requests authorization for LIRR and Metro-North each to enter into a separate license agreement with Access. on the aforesaid terms and conditions.

# Staff Summary

Subject <b>LICENSE AGREEMENT FOR A NEWSSTAND AT LYNBROOK STATION</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JOHN N. LIEBER</b>
Department Head Signature 
Project Manager Name <b>ROBERT GOLDBERG</b>

Date <b>June 18, 2018</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal <i>TQ</i>		
2	Chief Development Officer <i>[Signature]</i>		
3	Chief Financial Officer <i>[Signature]</i>		
4	Chief of Staff <i>HF</i>		

AGENCY: MTA Long Island Rail Road ("LIRR")  
 LICENSEE: Shiekh & Sons Inc., the principal of which is Muhammad M. Afzal  
 LOCATION: Lynbrook Station, Lynbrook, New York  
 ACTIVITY: License of space at LIRR's Lynbrook Station for a retail newsstand  
 ACTION REQUESTED: Authorization to enter into license agreement  
 TERM: 5 years, terminable at will by LIRR with 60 days' notice, at no cost  
 SPACE: Approximately 80 SF  
 COMPENSATION: \$13,500 first year, with 3% annual increases

**COMMENTS:**

The following proposals were received for the LIRR's Lynbrook Station retail location pursuant to an RFP issued in November 2017:

Proposer Name	Year 1	Year 2	Year 3	Year 4	Year 5	Net Present Value
Muhammad M. Afzal	\$13,500.00	\$13,905.00	\$14,322.00	\$14,751.00	\$15,194.00	\$60,174.29
Abdul Lakhani	\$4,800.00	\$4,944.00	\$5,092.00	\$5,245.00	\$5,402.00	\$21,395.01

The Licensee will be responsible for renovating, operating and maintaining the space, as well as providing liability and insurance coverage, at its sole cost and expense. Renovations will include new custom made interior counters, fixtures and display racks. The principal, Mr. Afzal, will be personally guaranteeing all of the Licensee's obligations under the license agreement for the entire Term.

Based on the foregoing, MTA Real Estate requests authorization for LIRR to enter into a License Agreement with Shiekh & Sons, Inc. on the above-described terms and conditions.

# Staff Summary

<b>Subject</b> <b>DISPOSITION OF AIR RIGHTS &amp; EASEMENT</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>JOHN N. LIEBER</b>
<b>Department Head Signature</b> 
<b>Project Manager Name</b> <b>ROBERT PALEY / MUNSUN PARK</b>

<b>Date</b> <b>JUNE 18, 2018</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

**AGENCY:** New York City Transit ("NYCT") / Metropolitan Transportation Authority ("MTA")

**PURCHASER:** 187 Broadway Air Rights Owner LLC ("SL Green")

**LOCATION:** 189 Broadway, New York, NY or Manhattan Tax Block 63 Lot 13 (the "Subject Property")

**ACTIVITY:** Sale of 64,694 zoning square feet of surplus development rights; granting of light and air easement; and granting of cantilever easement

**ACTION REQUESTED:** Approval to enter into a: (1) zoning lot development agreement; (2) declaration of restrictions; (3) purchase and sale agreement; and other transaction agreements deemed necessary.

**SPACE:** ± 64,694 zoning square feet

**COMPENSATION:** ± \$17,273,298 (\$267 per zoning square foot)

**COMMENTS:**

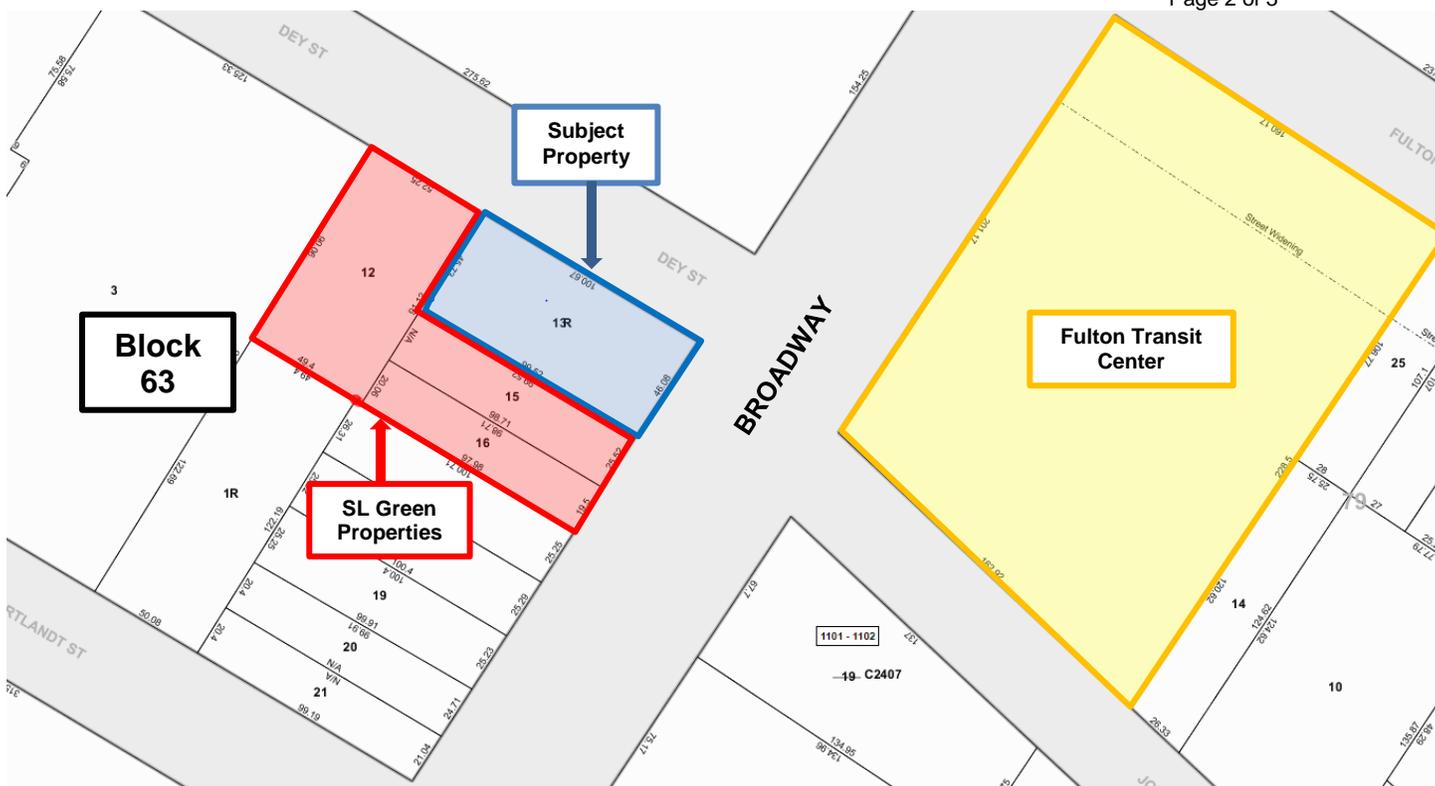
MTA, on behalf of NYCT, acquired the Subject Property by eminent domain in August 2005 as part of the Fulton Transit Center Project. The Subject Property was used to construct a new station entrance and head house that serves the Fulton Transit Center. MTA conveyed title to NYCT in June 2015.

SL Green, which owns the properties adjacent to the Subject Property, 183-187 Broadway and 5-7 Dey Street (the "SL Green Properties"), expressed interest in: (1) acquiring 64,694 zoning square feet of unused development rights from the Subject Property; (2) obtaining a light and air easement over the Subject Property which will allow for legal windows on the north and east sides of a future residential building on the SL Green Properties; and (3) obtaining an easement over the Subject Property for a cantilever that would project over a portion of the Subject Property ("Proposal Items").

SL Green intends to construct a 31-story commercial and residential building of approximately 200,000 square feet (including the 64,694 zoning square feet it seeks to purchase from NYCT) with commercial use on the first few floors and residential rental use above. The proposed cantilever, reviewed and approved by NYCT engineers and architects, will not encroach over the glass canopy of the Subject Property's station entrance.

# Staff Summary

## FINANCE COMMITTEE MEETING Disposition of Air Rights & Easement (Cont'd.)



As required by the Public Authorities Law, MTA Real Estate issued a request for proposals (“RFP”) in June 2017 for the purchase of the unused development rights and any related easement interests to which only SL Green responded.

In its RFP response, SL Green offered to pay \$6,469,000 (or \$100 per zoning square foot) for the Proposal Items and offered to serve as a facilitator of unused development rights from the Fulton Transit Center located on the east side of Broadway. The Fulton Transit Center includes the historic Corbin Building, which received landmark status in June 2015 as a result of an application by MTA in order to secure certain rights and benefits under the New York City Zoning Resolution that are afforded to zoning lots containing landmarked buildings. Such benefits include the ability to transfer unused development rights not only to adjacent and contiguous zoning lots, but also to certain limited zoning lots that may be across the street or diagonally across from the zoning lot with the landmarked building. The Fulton Transit Center has approximately 350,000 zoning square feet of unused development rights eligible for sale to other property owners. However, eligible receiving sites of the Fulton Transit Center’s unused development rights are limited. One eligible receiving site, as a result of the landmark status of the Fulton Transit Center, is the Subject Property and by merging the Fulton Transit Center zoning lot with the Subject Property’s, the Fulton Transit Center would be in a position, subject to the facilitation and cooperation of SL Green, to transfer its unused development rights to potential future development site(s) on Block 63.

Following several months of negotiations, SL Green agreed to pay \$328 per zoning square foot for the Proposal Items, less a value attributed to serving as a future facilitator of surplus development rights from the Fulton Transit Center to other adjacent properties on Block 63. The agreed-upon number of \$328 per zoning square foot was based on the appraised value of the Proposal Items for use in a future residential rental building. The agreed-upon net value of \$17,273,298 (or \$267 per zoning square foot) reflects the reasonable appraised value attributed to SL Green’s obligation to facilitate future development rights transfers from Fulton Transit Center to receiving sites on Block 63. The Compensation is consistent with the value of the interests that are being disposed of as reflected in an independent appraisal of such interests obtained by MTA Real Estate.

As part of the facilitation, SL Green (and any future owners of SL Green’s Properties) will be obligated to cooperate (at its own expense) with NYCT/MTA’s future sale of development rights from Fulton Transit Center to other zoning lots on Block 63. It would do so upon the request of NYCT/MTA triggering such facilitation obligation. NYCT/MTA would make such

# Staff Summary

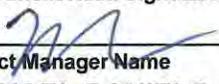
## FINANCE COMMITTEE MEETING Disposition of Air Rights & Easement (Cont'd.)

request only when (and if) one or more particular development projects are proposed that would utilize surplus development rights from Fulton Transit Center on other zoning lots on Block 63 and NYCT/MTA has complied with all relevant legal requirements, including the completion of an appropriate environmental review under the State Environmental Quality Review Act (SEQRA). SL Green also would be required to comply with certain MTA building restrictions on the SL Green Properties intended to maximize the potential value of the Fulton Transit Center development rights to other owners of zoning lots on Block 63.

In addition, SL Green will agree in the transaction documents to use the surplus development rights it is acquiring from the Subject Property to construct a rental residential and commercial building. In the event that the building is developed for or converted to residential condominium or cooperative ownership within 30 years of this transaction, SL Green (or the then owner of the SL Green Properties) will be required to notify MTA and to pay to MTA additional consideration equal to any difference between the Compensation and the fair market value of a condominium/cooperative use of the 64,694 zoning square feet of surplus development rights as of the date the owner of the SL Green Properties notifies MTA.

Based on the foregoing, MTA Real Estate requests the Board to authorize NYCT and/or MTA to enter into a zoning lot development agreement, declaration of restrictions, purchase and sale agreement, and other transaction documents deemed necessary to consummate this transaction with SL Green on the terms and conditions set forth above.

# Staff Summary

Subject <b>LEASE MODIFICATION AND EXTENSION FOR NYCT PARKING LOT</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JOHN N. LIEBER</b>
Department Head Signature 
Project Manager Name <b>MICHAEL DANIELS</b>

Date <b>JUNE 18, 2018</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

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

LANDLORD: Concord Business Services, Inc.

LOCATION: 242 Gold Street, Brooklyn, NY

USE: Parking for NYCT vehicles and storage of equipment

ACTIVITY: Modification and extension of existing lease

ACTION REQUESTED: Authorization to enter into a lease modification and extension

TERM: Five (5) year renewal

SPACE: Approximately 2,700 square feet of paved parking lot

BASE RENT: 1st Year- January 1, 2018 through December 31, 2018 at \$65,000.00 annum  
 2nd Year-January 1, 2019 through December 31, 2019 at \$66,625.00 annum  
 3rd Year-January 1, 2020 through December 31, 2020 at \$68,290.63 annum  
 4rd Year-January 1, 2021 through December 31, 2021 at \$69,997.89 annum  
 5rd Year-January 1, 2022 through December 31, 2022 at \$71,747.84 annum

TAX ESCALATION: None. MTA and the Landlord pursuant to the existing lease, have already caused the Location to benefit from the MTA's real estate tax exemption which will continue during the extended term

RENEWAL OPTION: None

TERMINATION RIGHT: Either party can terminate after the third anniversary of the lease extension on 6-months' prior notice

ELECTRICITY: NYCT's expense via direct meter

CLEANING AND MAINTENANCE: NYCT is responsible for removal of debris, snow and ice; and is responsible for maintenance of all fencing, paved areas and sidewalks

**COMMENTS:**

Since 2005, NYCT's Maintenance Shop and Emergency Response Operation groups have used the Location to

# Staff Summary

## FINANCE COMMITTEE MEETING

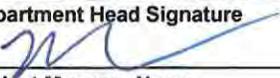
### LEASE MODIFICATION AND EXTENSION FOR NYCT PARKING LOT (Cont'd)

store emergency generators and provide 24/7 parking for trucks and vans. The agreement expired December 31, 2017 and the NYCT has been in hold-over since. Due to limited street parking in downtown Brooklyn, NYCT needs to secure off-street parking for its vehicles and equipment within reasonable proximity to the Hoyt Street Station.

MTA Real Estate was unable to identify any leased or owned space within NYCT's existing space inventory as an alternative to the Location suitable for the intended uses. Furthermore, a search using Costar (a real estate database) resulted in no viable options.

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

# Staff Summary

Subject <b>LICENSE FOR PARKING LOT AND SPACES TO SUPPORT CANARSIE TUNNEL</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JOHN N. LIEBER</b>
Department Head Signature 
Project Manager Name <b>ANGELA SZU</b>

Date <b>JUNE 18, 2018</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

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

OWNER: The City of New York ("City")

OPERATOR: SP Plus Corporation ("SP Plus")

LOCATION: Surface parking areas under the FDR Drive between 18th and 23rd Street, New York, NY (the "Property")

ACTIVITY: License of parking lot and additional spaces including an area required by NYCT to be used as a temporary open-air bus terminal in connection with the proposed alternative bus and ferry service plan for Canarsie Tunnel Rehabilitation (the "Project")

ACTION REQUESTED: Authorization to enter into a parking license agreement for the Property

TERM: 22 months with option to extend, not to exceed the Project's duration

SPACE: Up to 100 spaces

COMPENSATION: \$325.00 per space monthly

**COMMENTS:**

During the Project and temporary closure of Manhattan L train stations, NYCT will provide a high frequency ferry shuttle between the North Williamsburg landing in Brooklyn and the recently constructed Stuyvesant Cove landing in Manhattan as part of the joint MTA-NYC DOT travel alternatives strategy. A temporary, open-air bus terminal for boarding and discharge of passengers, storing of trailers and to serve as the bus layover and turnaround area will be required near Stuyvesant Cove landing for the temporarily extended M14 Select Bus Service (SBS).

The Property is owned by the City, leased by the City to New York City Economic Development Corporation ("EDC"), and operated by SP Plus pursuant to an operating agreement between SP Plus and EDC and includes a parking facility comprised of several lots. NYCT's proposed temporary open-air bus terminal will occupy the entire southernmost parking lot on the Property. The planned layout for the NYCT site will require the entrance to the parking facility to be relocated from the southern end of the facility to the northern end of the facility. As a result of this relocation, access to some of the spaces in another lot in the facility located to the north of the NYCT site and operated by SP Plus will be obstructed and the spaces rendered unusable during the period of such relocation.

# Staff Summary

**FINANCE COMMITTEE MEETING  
LICENSE FOR PARKING SPACES TO SUPPORT CANARSIE TUNNEL  
REHABILITATION (Cont'd.)**

avoids the need for that agreement to be amended, which EDC wanted to avoid. SP Plus agreed to a parking rate of \$325.00 per month for each parking space – there are 84 parking spaces in the NYCT lot. NYCT will also pay this parking rate for 4 parking spaces in the SP Plus lot to the north as a result of the relocation of the entrance to the parking facility. This is a reduced rate from the published parking rate of \$380.00 per month per space for the Property; but provides SP Plus with sufficient monies to cover its continued payment obligations to EDC under the operating agreement. This is below the appraised value of the parking spaces set by MTA Real Estate's appraiser. The proposed term includes additional time required in advance of the L train station closures to allow for necessary temporary modifications to the Property as well as time required following the re-opening of the L train stations to restore the Property to its pre-existing condition.

The Project will be using Federal funds and, as such, the MTA will be adhering to all applicable Federal statutes, regulations and requirements, including the National Environmental Policy Act (NEPA) environmental review process.

Based on the foregoing, MTA Real Estate requests authorization for NYCT to negotiate the final terms of a temporary parking license of the Property on the terms and conditions set forth above, and for NYCT to execute the same after completion of the NEPA process.

# Staff Summary

<b>Subject</b> <b>THREE SUB-LICENSES FOR BUS PARKING TO SUPPORT CANARSIE TUNNEL REHABILITATION</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>JOHN N. LIEBER</b>
<b>Department Head Signature</b> 
<b>Project Manager Name</b> <b>ANGELA SZU</b>

<b>Date</b> <b>JUNE 18, 2018</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

**AGENCY:** MTA New York City Transit ("NYCT")  
**LICENSOR:** The Port Authority of New York and New Jersey ("PANYNJ")  
**SUB-LICENSOR:** New Jersey Transit Corporation, acting by and through its wholly-owned subsidiary, NJ Transit Bus Operations, Inc. ("NJT")  
**LOCATION:** 40<sup>th</sup> Street and 10<sup>th</sup> Avenue, Manhattan Block 711, p/o Lot 1 ("Lot A"), 40<sup>th</sup> Street and 11<sup>th</sup> Avenue, Manhattan Block 711, p/o Lot 1 ("Lot F"), 38<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, Manhattan Block 735, p/o Lot 22 ("Lot J") (collectively, the "Properties")  
**ACTIVITY:** Three short term sub-license agreements for the overnight parking of approximately 50 articulated buses in support of the Canarsie Tunnel Rehabilitation (the "Project")  
**ACTION REQUESTED:** Authorization to enter into three short term sub-license agreements for the respective Properties  
**TERM:** 16 months with an option to extend, not to exceed the Project's duration or December 31, 2021, which is the expiration date of PANYNJ and NJT's parking licenses for the Properties  
**SPACE:** Lot A: 24,450± square feet  
 Lot F: 27,600± square feet  
 Lot J: 12,900± square feet  
**COMPENSATION:** Lot A: \$21,604.21 per month, 2.5% increase on January of the following year, (51% of NJT's license fee) (\$17.82 rsf), not to exceed \$28,805.61 per month at any time; and \$7,201.40 for the sublicense fee to PANYNJ equal to 1/3 of the license fee payable by NYCT to NJT  
 Lot F: \$30,209.59 per month, 2.5% increase on January of the following year, (64% of NJT's license fee) (\$17.59 rsf), not to exceed \$40,279.45 per month at any time; and \$10,069.86 for the sublicense fee to PANYNJ equal to 1/3 of the license fee payable by NYCT to NJT  
 Lot J: \$21,244.80 per month, 2.5% increase on January of the following year (64% of NJT's license fee) (\$26.47 rsf), not to exceed \$28,326.40 per month at any time;

# Staff Summary

## FINANCE COMMITTEE MEETING SUB-LICENSES FOR BUS PARKING TO SUPPORT CANARSIE TUNNEL REHABILITATION (Cont'd.)

Page 2 of 2

and \$7,081.60 for the sublicense fee to PANYNJ equal to 1/3 of the license fee payable by NYCT to NJT

### COMMENTS:

During the Canarsie Tunnel Rehabilitation and temporary closure of Manhattan L train stations, NYCT will provide alternative bus service as part of the joint MTA-NYC DOT Alternative Service Plan. To satisfy the projected increased bus service level requirements, the Properties will be used for additional overnight bus parking and storage related to the temporary articulated bus fleet expansion.

The Properties are controlled by PANYNJ and licensed to NJT. The Properties can accommodate all of NYCT's temporary articulated bus fleet expansion requirements and is in close proximity to NYCT's Michael J. Quill Depot.

NJT uses the Properties for daytime bus layover, and accordingly NJT has agreed to make the lots available for NYCT's use for overnight parking during time periods acceptable to NYCT. NJT has a separate parking license agreement with PANYNJ for each parking lot, and each proposed sub-license agreement is subject to the corresponding parking license agreement between PANYNJ and NJT. NJT and NYCT have agreed that (i) NJT and NYCT will share the payment of the license fee that NJT owes to PANYNJ by each paying the proportion thereof that corresponds to the percentage of daily time that each party is entitled to use each parking lot, and (ii) NYCT will pay its portion of such license fee to NJT. This arrangement is preferable to arriving at a negotiated payment amount because NYCT only pays a percentage of the fair market value of the full time use of the lots and NJT pays less than the full contract payment under each parking license. Additionally, PANYNJ is entitled to payment of a sub-license fee equal to 1/3 of the compensation that NYCT will pay to NJT. NYCT is agreeing to pay the entire sub-license fee to PANYNJ.

The Project will be using Federal funds and, as such, the MTA will be adhering to all applicable Federal statutes, regulations and requirements, including the National Environmental Policy Act (NEPA) environmental review process.

Based on the foregoing, MTA Real Estate requests authorization for NYCT to negotiate the final terms of a short term sub-license agreement for each of the Properties on the terms and conditions set forth above, and for NYCT to execute same after completion of the NEPA process.

# Staff Summary

Subject <b>LEASE FOR BUSES SWING ROOM</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JOHN N. LIEBER</b>
Department Head Signature 
Project Manager Name <b>MICHAEL DANIELS</b>

Date <b>JUNE 18, 2018</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

AGENCY: New York City Transit ("NYCT")

LANDLORD: DG Flatbush LLC, 1560 Properties LLC, IL Vermilyea LLC (as Tenants in Common)

LOCATION: 1351 Flatbush Avenue, Brooklyn, NY (retail store space)

USE: Swing room for bus operators and dispatchers

ACTION REQUESTED: Authorization to enter into a lease

TERM: Five (5) years, with two additional five-year renewal options

SPACE: Approximately 950 square feet (retail store space)

BASE RENT: 1st year - \$30,000.00 annum  
 2nd year- \$30,750.00 annum  
 3rd year - \$31,518.60 annum  
 4th year - \$32,306.52 annum  
 5th year - \$33,114.24 annum

RENEWAL OPTION RENT: Years 6 – 10: Subject to a 3% annual increase based on the 5<sup>th</sup> year's rent.  
 Years 11- 15: Subject to a 3% annual increase based on the 10<sup>th</sup> year's rent.

TERMINATION RIGHT: Any time after the second year on 120 days' prior written notice by Landlord or NYCT or tenant.

In the event Landlord terminates the lease after the second year but before the fifth year, Landlord agrees to pay NYCT a lump sum payment of \$10,000.

LEASE AND RENT COMMENCMENT: 10-business days following lease execution by both parties.

TAX ESCALATION: None

OPERATING EXPENSES: None

ELECTRICITY & GAS: NYCT's expense, via direct meter.

WATER AND SEWER: \$30.00 per month during the Lease term.

# Staff Summary

## FINANCE COMMITTEE MEETING (Cont'd.) LEASE FOR BUSES SWING ROOM

**HEAT AND AIR CONDITIONING:** Landlord to provide HVAC unit in “as-is” condition upon occupancy. NYCT is responsible for all HVAC repairs, maintenance and replacement during the term of the lease.

**ALTERATIONS:** Landlord will install initial plumbing improvements to support NYCT’s use of the premises, at NYCT’s sole cost and expense.

NYCT may make alterations within the premises that are non-structural and do not affect the building’s systems, without Landlord’s approval. Structural alterations and alterations that affect the building systems require Landlord’s prior approval of Tenant’s scope of work and plans.

**REPAIRS AND MAINTENANCE:** NYCT, at its expense, is responsible for all non-structural repairs and maintenance within the space. Landlord, at its expense, is responsible for all structural repairs and exterior maintenance.

**SNOW AND ICE REMOVAL:** Landlord’s responsibility.

### COMMENTS:

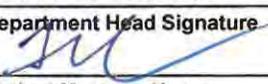
This space will be utilized as a swing room (comfort/relief space) as outlined in the current Collective Bargaining Agreement (CBA), which stipulates a need for adequate comfort/relief accommodations. The swing room is located in the middle of the route and will service the operators and dispatchers on the B49 bus line from the Flatbush Depot.

Currently, bus operators and dispatchers have no designated comfort or relief area. This space, which will accommodate approximately 100 bus operators and dispatchers per day, will be utilized 7 days a week, 365-days per year.

MTA Real Estate prepared a market survey using CoStar, a leading industry database, and concluded that there are no other suitable spaces for the intended purpose and that the negotiated rent is fair and reasonable for its location.

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

# Staff Summary

Subject <b>LICENSE AGREEMENT FOR ATM AT WHITE PLAINS STATION</b>
Department <b>REAL ESTATE</b>
Department Head Name <b>JOHN N. LIEBER</b>
Department Head Signature 
Project Manager Name <b>ALICIA BIGGS</b>

Date <b>JUNE 18, 2018</b>
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

AGENCY: MTA Metro-North Railroad ("Metro-North")  
 LICENSEE: Wells Fargo Bank, N.A.  
 LOCATION: White Plains Station, Harlem Line, Westchester County  
 ACTIVITY: Licensing of exclusive right to provide and maintain an automated teller machine (ATM)  
 ACTION REQUESTED: Authorization to enter into a license agreement  
 TERM: 5 years, subject to termination at will by Metro-North on 60 days' written notice at no cost  
 COMPENSATION: \$30,000 for year 1 with 3% annual increases

**COMMENTS:**

In response to a recent RFP for automated teller machines (ATMs) at 41 Metro-North stations, two proposals were received. One proposal was received from Access One Solutions, Inc. for 8 Metro-North stations and Wells Fargo submitted a proposal for the White Plains station only. While Access One also submitted a proposal for the White Plains station based on a percentage of fees, Wells Fargo proposed a significantly higher base compensation. The following chart sets forth the proposals received:

Proposer	1 <sup>st</sup> Year Rent	Present Value (5 year term; 7% Discount Rate)
Wells Fargo Bank, N.A.	\$30,000.00	\$130,090.20
Access One Solutions, Inc.	\$22,160.00 est.	\$ 91,289.78

Wells Fargo has operated 10 ATMs at several Metro-North stations, including the White Plains station, since March 2010. Citing a decline in the demand for ATM services, Wells Fargo has since terminated all locations with the exception of White Plains. Wells Fargo has demonstrated the experience, financial resources and ability to successfully undertake the maintenance and support services required to operate an ATM at one of Metro-North's busiest stations. The proposed compensation, while less than the current license year, is reasonable in light of current ATM industry trends and the provision of ATM services will continue to serve as a customer amenity for the Location.

Based on the foregoing, MTA Real Estate requests authorization for Metro-North to enter into a license agreement with Wells Fargo Bank, N.A. on the above-referenced terms and conditions.

# Staff Summary

<b>Subject</b> <b>RETAIL LEASE AT GRAND CENTRAL TERMINAL</b>
<b>Department</b> <b>REAL ESTATE</b>
<b>Department Head Name</b> <b>JOHN N. LIEBER</b>
<b>Department Head Signature</b> 
<b>Project Manager Name</b> <b>LEAH BASSKNIGHT</b>

<b>Date</b> <b>June 18, 2018</b>
<b>Vendor Name</b>
<b>Contract Number</b>
<b>Contract Manager Name</b>
<b>Table of Contents Ref. #</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/18/18	X		
2	Board	6/20/18	X		

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

**AGENCY:** Metropolitan Transportation Authority ("MTA") and Metro-North Railroad ("Metro-North")  
**LESSEE:** Neuhaus Inc. d/b/a Neuhaus ("Neuhaus")  
**LOCATION:** Grand Central Terminal (42<sup>nd</sup> Street Retail)  
**ACTIVITY:** Lease for the retail sale of Neuhaus brand chocolates and confections  
**ACTION REQUESTED:** Authorization to enter into a lease agreement  
**TERM:** Five (5) years  
**COMPENSATION:** Annual Base Rent plus 10% of gross sales over Breakpoint as follows:

Year	Annual Base Rent	PSF	Breakpoint
1	\$ 250,000.00	\$1,309	\$850,000.00
2	\$ 257,500.00	\$1,348	\$875,000.00
3	\$ 265,225.00	\$1,389	\$901,765.00
4	\$ 273,181.75	\$1,430	\$928,817.95
5	\$ 281,377.20	\$1,473	\$956,682.49

**MARKETING:** \$12.00 per sq. ft. per year, increasing annually by 3%  
**TRASH:** \$9.34 per sq. ft. per year, subject to increase to reflect increased expenses  
**SECURITY:** Three months minimum rent  
**INSURANCE:** Standard

**COMMENTS:**

In response to a recent MTA Request for Proposals for Retail Space B-60 at Grand Central Terminal, proposals were received from the incumbent, Neuhaus Inc. and Macaron LLC, d/b/a Macaron Café.

Per the Guidelines for Selection of Tenants for Grand Central Terminal approved by the MTA Board in April of 2018, the proposals received were independently evaluated by Newmark Knight Frank and Jones Lang LaSalle, and subsequently evaluated by the Director of GCT Retail Leasing and Management. When evaluating the proposals, two evaluation criteria were taken into account. Selection Criterion A, which accounts for 70% of the score, is designed to evaluate the direct

# Staff Summary

## FINANCE COMMITTEE MEETING LEASE RETAIL AT GRAND CENTRAL TERMINAL [CONTIN.]

economic value of a proposal. Selection Criterion B, which accounts for 30% of the score, is the evaluator's determination of a proposal's potential indirect benefit to the MTA.

As illustrated in the attached chart, both the Unadjusted Guaranteed Rent Amount (i.e. the proposed guaranteed minimum rent, on a present value basis determined using a discount rate of 7%) and the Total Selection Criteria Score for Neuhaus Inc. were higher than the Unadjusted Guaranteed Rent Amount and the Total Selection Criteria Scores for Macaron Café. The rent proposed by Neuhaus Inc. exceeds the estimated fair market rental value of the subject space, as determined by an independent appraiser.

Neuhaus Inc., the incumbent, has been operating in the subject space for the past eighteen (18) years. Neuhaus proposes to continue to sell its premium chocolates and confections. Neuhaus has remained a tenant in good standing and intends to upgrade the location to include new fixtures, signage and POS system. Neuhaus NY is the parent company of Neuhaus Inc. which operates the nine (9) Neuhaus boutiques in the United States. The original location in Brussels has been operating since 1857. Neuhaus has proven to be a successful brand and will continue to complement the overall tenant mix along Grand Central Terminal's 42<sup>nd</sup> Street neighborhood.

Based on the foregoing, MTA Real Estate requests authorization for MTA and Metro-North to enter into a lease agreement with Neuhaus Inc. on the above-described terms and conditions.

**Grand Central Terminal Retail Leasing Evaluation Sheet**

Evaluator: Leah Bassknight, Director GCT Development

Space: B-60 (currently Neuhaus)

Date: 5/16/2018

	A	B	C	D	E	F	G	H	I	J
PROPOSER	<u>Unadjusted Guaranteed Rent Amount</u>	<u>Guaranteed Rent Adjustment Factor*</u>	<u>Adjusted Guaranteed Rent Amount (A x B)</u>	<u>Unadjusted Percentage Rent Amount</u>	<u>Percentage Rent Adjustment Factor**</u>	<u>Adjusted Percentage Rent Amount (D x E)</u>	<u>Adjusted Total Rent Amount (C + F)</u>	<u>Selection Criterion A Score *** (0-70)</u>	<u>Selection Criterion B Score (0-30)</u>	<u>Total Selection Criterion Score (H + I)</u>
Neuhaus	1,084,085	1.0	1,084,085	30,130	.50	15,065	1,099,150	70	20	90
Macaron Café	630,274	1.0	630,274	0	0	0	630,274	40	15	55
					-					
* Guaranteed Rent Adjustment Factor: from 1.00 (no uncertainty about A) to as low as 0.50 (great uncertainty about A); however may be as low as 0.00 per guidelines										
** Percentage Rent Adjustment Factor: as high as 0.50 (no uncertainty about D) to as low as zero (great uncertainty about D).										
*** Selection Criterion A Score: 70 multiplied by the ratio of the Adjusted Total Rent Amount for the proposer to the highest Adjusted Total Rent Amount (from column G)										



## Service Changes: Staten Island Express Bus Redesign

Peter Cafiero, Chief, Operations Planning

### Service Issue

A major element of the Fast Forward plan to modernize New York City Transit is to redesign the bus network. Fast Forward calls for redesigning the route network based on customer needs, combined with targeted corridor improvements in collaboration with the NYC Department of Transportation, expanded off-peak service, and a rationalization of bus stops to reduce travel times. The Staten Island express bus network is the first part of the bus system where these ideas will be put into practice.

Express buses carry nearly 36,000 riders between Staten Island and Manhattan on an average weekday. Much of the express bus network has evolved through piecemeal changes over several decades. As traffic congestion (particularly in Manhattan) has progressively worsened, express bus performance has suffered, and riders frequently complain of poor reliability and long travel times.

After examining the issues with express buses using data and public feedback as part of the Staten Island Bus Study, it was concluded that the most realistic way to make substantial improvements would be to undertake a comprehensive reorganization of the network, focusing on rider origins and destinations rather than specific routes.

Using an in-depth analysis of ridership data, the study proposed a redesign of the entire express bus network in order to simplify service and improve reliability, travel time, and frequency. The original proposal was released in May 2017. Public feedback on the proposal was solicited through the MTA website, surveys on-board buses and at bus stops, at open house events held in October 2017 and March 2018, and a public hearing in May 2018. Multiple iterations of significant revisions were made to the plan in response to feedback from the public, elected officials, and labor. The final plan maintains most of the benefits of the original recommendations while better accommodating many existing riders.

In the new express bus network, routes will serve the same general geographic areas of Staten Island that they do today. During weekday peak hours when all routes are operating, each route will provide direct service to one particular area of Manhattan, replacing the existing configuration where nearly half of riders use routes that serve both Downtown and Midtown Manhattan, creating very long and unreliable trips.

The new routes are expected to address many factors that contribute to slow speeds and unreliability by concentrating service where possible to streets with bus priority, reducing the average length of routes, increasing the percent of routes that are on non-stop segments, reducing the number of turns, reducing the amount of mileage on congested Manhattan streets, and increasing the average spacing between bus stops.

More details and the full report can be viewed at [www.mta.info/SIExpressBus](http://www.mta.info/SIExpressBus).

**Recommendation**

Implement the Staten Island express bus redesign.

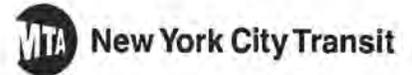
**Budget Impact**

The net cost is approximately \$1 million. Though the project will not require additional vehicles, the additional budget will enable an additional off-peak and weekend route to be added, preserving off-peak/weekend coverage under the new network in areas of Staten Island that have it today and enabling an expansion to some new areas.

**Proposed Implementation Date**

August 19, 2018.

# Staff Summary



Subject	Staten Island Express Bus Redesign
Department	Operations Planning
Department Head Name	Peter G. Cafiero
Department Head Signature	
Project Manager Name	Sarah J. Wyss

Date	June 8, 2018
Vendor Name	N/A
Contract Number	N/A
Contract Manager Name	N/A
Table of Contents Ref #	N/A

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

Internal Approvals			
Order	Approval	Order	Approval
8	President	4	VP General Counsel  6/11/18
7	Executive VP	3	Director OMB
6	SVP Buses	2	Acting VP GCR
5	Chief Cust. Officer	1	Chief OP

6/11/18

## Purpose

This is a proposal to redesign the Staten Island express bus network to better match ridership demands while improving trip speeds and reliability. The express bus redesign was planned as a result of the Staten Island Bus Study which examined how to improve long and unreliable commutes from Staten Island. The new express routes are more direct where possible on Staten Island and streamlined in Manhattan to minimize long trips on local streets while making the best use of bus priority streets and connecting to subways and local buses. Routes will also have fewer stops to keep buses moving.

## Discussion

A major element of the Fast Forward plan to modernize New York City Transit is to redesign the bus network. Fast Forward calls for redesigning the route network based on customer needs, combined with targeted corridor improvements in collaboration with the NYC Department of Transportation, expanded off-peak service, and a rationalization of bus stops to reduce travel times. The Staten Island express bus network is the first part of the bus system where these ideas will be put into practice.

Express buses carry nearly 36,000 riders between Staten Island and Manhattan on an average weekday. Much of the express bus network has evolved through piecemeal changes over several decades. As traffic congestion (particularly in Manhattan) has progressively worsened, express bus performance has suffered, and riders frequently complain of poor reliability and long travel times.

After examining the issues with express buses using data and public feedback as part of the Staten Island Bus Study, it was concluded that the most realistic way to make substantial improvements would be to undertake a comprehensive reorganization of the network, focusing on rider origins and destinations rather than specific routes.

Using an in-depth analysis of ridership data, the study proposed a redesign of the entire express bus network in order to simplify service and improve reliability, travel time, and frequency. The original proposal was released in May 2017. Public feedback on the proposal was solicited through the MTA

website, surveys on-board buses and at bus stops, at open house events held in October 2017 and March 2018, and a public hearing in May 2018. In total, over 3,000 riders were surveyed and there were nearly 900 attendees at the public events. Multiple iterations of significant revisions were made to the plan in response to feedback from the public, elected officials, and labor. The final plan maintains most of the benefits of the original recommendations while better accommodating many existing riders.

In the new express bus network, routes will serve the same general geographic areas of Staten Island that they do today. During weekday peak hours when all routes are operating, each route will provide direct service to one particular area of Manhattan, replacing the existing configuration where nearly half of riders use routes that serve both Downtown and Midtown Manhattan, creating very long and unreliable trips.

In Downtown Manhattan, five routes will serve the Church St/Broadway corridor and three will use Water Street/Pearl Street. Two routes will travel to Greenwich Village, making stops in Battery Park City, Tribeca, and SoHo. Four routes will travel to Midtown via the Gowanus Expressway, Hugh L. Carey Tunnel, and FDR Drive, with two routes using 6th Av/5th Av and two routes using Madison Av/5th Av. Seven routes will travel to Midtown via the New Jersey Turnpike and Lincoln Tunnel, using 42nd St and Madison Av/5th Av.

These new routes are expected to address several factors that contribute to slow speeds and unreliability. Bus Time GPS data was used to identify which streets operate best for buses today and streets that have existing or planned bus priority treatments were used when possible. As the length of a route often correlates with performance, on Staten Island the average length of a route was reduced from approximately 7.1 miles to 5.5 miles (23 percent reduction). Correspondingly, the average route now spends approximately 69 percent of its mileage on non-stop express segments, compared to 61 percent before. Additionally, as turns at intersections contribute to unreliability, the average number of turns per route has been reduced from 10 to 6.6 (34 percent decrease).

In Manhattan, where the worst speed and reliability problems are found and express routes often duplicate subway and local bus service, the average route mileage has been reduced from 3.1 miles to 2 miles (40 percent decrease). Routes better match the most popular areas that riders are traveling to and ensure good connectivity to the subway and local bus network to provide access to destinations throughout Manhattan and the rest of the city. Around 90 percent of riders who have a one-seat express bus ride today are expected to continue to have that option. For the remaining 10 percent, most riders will find that transferring from express bus to subway in Manhattan will provide a faster overall trip than under the existing network. Transferring to another express bus route or a local bus will also continue to be an option.

Because the express bus network underwent a comprehensive redesign, a new numbering scheme is recommended to distinguish new routes from old. The 'SIM' (Staten Island to Manhattan) numbering scheme is recommended to emphasize to riders that they are being served by a brand new system, and to make Staten Island express service consistent with much of the express service in the other boroughs (BxM for Bronx to Manhattan, BM for Brooklyn to Manhattan, and QM for Queens to Manhattan).

At off-peak and weekend times, the redesigned network will offer four routes (today there are three). Though the peak hour routes all travel directly to one part of Manhattan, since travel destinations in Manhattan are more widespread in off-peak hours, three of the off-peak routes (the SIM1, SIM3, and SIM4) will operate more like the express routes do today, traveling to both Downtown and Midtown. The new fourth off-peak route, the SIM2, will operate only to Downtown.

On all routes, bus stops will be re-spaced to better reflect the intended speed of express service. Currently, the average Staten Island express bus route makes 27 stops before even leaving Staten Island. This makes trips slower and contributes to unreliability as buses have to leave and merge back into traffic at each stop. In the redesign, the average distance between bus stops will be increased from approximately 0.25 miles today to 0.4 miles. The average route will make 15 stops on Staten Island. An estimated 72 percent of riders will continue to use the same stop they use today, and all but a fraction of a percent of the remaining riders will have a less than 5 minute additional walk.

The new network will also introduce an experimental park-and-ride service on four routes. The SIM4 and SIM8 routes will have SIM4x and SIM8x variants that make one stop on Marsh Avenue adjacent to the Staten Island Mall then travel non-stop into Manhattan. Likewise, the SIM5 and SIM6 will have SIM5x and SIM6x variants that make one stop at the South Beach park-and-ride on Father Capodanno Boulevard and travel non-stop into Manhattan.

Additionally, though the network redesign was generally constrained to neighborhoods that currently have express bus service, a branch of the SIM30 route is proposed to operate to Stapleton, Clifton, and Rosebank as an experimental pilot. These areas currently do not have express bus service.

The network redesign may result in a small number of riders requiring a second transfer to complete their trip. An additional second free transfer will be provided in these cases to minimize the number of riders adversely affected.

A service equity analysis, conducted in accordance with Title VI of the Civil Rights Act of 1964 and related Federal Transit Administration guidance materials, found that the Staten Island Express Bus Redesign proposal would not result in a disproportionate impact on either minority or below-poverty populations.

More details and the full report can be viewed at [www.mta.info/SIExpressBus](http://www.mta.info/SIExpressBus) and in the attachments.

## **Recommendation**

Implement the Staten Island express bus redesign.

## **Alternatives**

- 1. Do nothing.* The status quo would be maintained with the express bus network, missing an opportunity to modernize the network and improve speed and reliability.
- 2. Modify bus stops but not routes.* Maintain the existing route network, but increase bus stop spacing as recommended by the network redesign project. Some speed and reliability benefits would be gained from more efficient bus stop spacing, but no improvements would be made to the route structure.
- 3. Modify routes but not bus stops.* Implement the new route network, but add bus stops to decrease the average bus stop spacing to be similar to the existing network. Some speed and reliability benefits would be gained from improved routing, but trips would continue to be slowed by excessive stopping.

# Staff Summary

4. *Consider less comprehensive changes.* Further study would be required to identify less impactful changes that could be made to individual routes without fundamentally altering the overall express bus network.

## **Budget Impact**

The net cost is approximately \$1 million. Though the project will not require additional vehicles, the additional budget will enable an additional off-peak and weekend route to be added, preserving off-peak/weekend coverage under the new network in areas of Staten Island that have it today and enabling an expansion to some new areas.

## **Implementation Date**

August 19, 2018.

Approved: 

\_\_\_\_\_  
Andrew Byford  
President

## Attachment 1

### Major Revisions to the Express Bus Redesign Proposal

#### October 2017 Revisions

- Modified SIM15 to use existing X15 routing of Wilder Avenue/Amboy Road instead of continuing along Richmond Road to better serve existing riders and residential areas
- Extended SIM2 and SIM25 to Tottenville to expand service to more riders
- Extended SIM4 to Annadale Road to preserve downtown service for existing riders
- Presented recommended Manhattan routing using Church/Broadway, 34<sup>th</sup> Street, 5<sup>th</sup> Avenue/Madison Avenue, and 23<sup>rd</sup> Street

#### March 2018 Revisions

- Presented new route numbering scheme
- Presented weekend service variants (using combined downtown/midtown routing) and introduced a 4<sup>th</sup> weekend route (the SIM2)
- Modified the SIM7 and SIM33 to serve West Street and Greenwich Village in response to feedback
- Modified the SIM5, SIM15, and SIM35 to use Water Street in response to feedback
- Modified the SIM3 and SIM10 to use 6<sup>th</sup> Avenue in response to feedback
- Modified the SIM2 to use Arden Avenue north of Woodrow Road in response to feedback
- Modified the SIM31 to serve the eastern segment of Gannon Avenue to provide direct Midtown service to more riders
- Introduced one-stop park-and-ride service at the Staten Island Mall and South Beach
- Modified SIM5 and SIM6 to use existing routing of Armstrong Av/Leverett Av due to operational concerns about turns

#### May 2018 Revisions

- Modified the SIM7 to continue on Hylan Boulevard instead of traveling to Father Capodanno Boulevard via Midland Avenue in response to feedback regarding the density of residents near Hylan Boulevard
- Extended the SIM8 to serve Woodrow Road to Huguenot Avenue in response to feedback about the lack of options on Woodroad Road
- Modified routes operating via the Lincoln Tunnel (SIM8, SIM22, SIM23, SIM24, SIM25, SIM26, SIM30) to operate via 42<sup>nd</sup> Street in both directions in response to feedback

#### June Proposed Changes

##### Bus Stops

One of the most frequent source of comments at the May public hearing were concerns about specific bus stops. Following an analysis of the most common bus stop requests, 12 new bus stop pairs are proposed to be added to the network with four removed. The estimated net gain of riders who retain their bus stop is more than 900, increasing the percentage of riders who will use the same stop that they do today from approximately 67 percent to 72 percent. The bus stop recommendations are:

- Add Hylan Bl/Keegans La and Hylan Bl/Hillside Ter and remove Hylan Bl/Fieldway Av for a net gain of approximately 130 riders who will use the same bus stop that they use today

- Add Watchogue Rd/Livermore Av and Watchogue Rd/Frederick St and remove Watchogue Rd/Neal Dow Av for a net gain of approximately 80 riders who will use the same bus stop that they use today and to provide stops with better adjacent land uses
- Add Richmond Hill Rd/Vassar St and Richmond Av/Nome Av and remove Richmond Av/Richmond Hill Rd to for a net gain of approximately 300 riders who will use the same bus stop that they use today and to provide stops more convenient to residences
- Add Midland Av/Father Capodanno Bl to for approximately 90 riders who will use the same bus stop that they use today
- Add Forest Av/Jewett Av and Forest Av/Manor Rd and remove Forest Av/Dubois Av for a net gain of approximately 50 riders who will use the same bus stop that they use today and to provide better connections to local bus routes
- Add Victory Bl/Arlene St for approximately 20 riders who would otherwise need to cross Richmond Av and to take advantage of a proposed NYCDOT bus stop improvement project
- Add Manor Rd/Martling Av for approximately 25 riders who will use the same bus stop that they use today
- Add Richmond Av/Morani St for approximately 240 riders who will use the same bus stop that they use today
- Add SIM26 service to the West Shore Expressway Service Rd/Victory Bl stop and remove SIM25 to better match existing span of service at that stop
- Remove weekend stop in Bay Ridge, Brooklyn currently made by the X17. This bus stop was added to the X17 after the discontinuation of weekend service on the X28 Brooklyn-to-Manhattan route. X28 weekend service was restored in 2016 and removing the stop will speed up service for Staten Island riders

## **Park and Ride Service Span/Frequency**

Though service spans and frequency have not been published publicly yet, there were concerns about the span and frequency of the one-stop park-and-ride service. These routes (the SIM4x, SIM5x, SIM6x, and SIM8x) are now planned to operate for a two hour span during peak hours with service every 20 minutes.

Given the proximity of the South Beach park-and-ride to the Verrazano Bridge, the SIM5x and SIM6x will not operate during the evening peak in order to allow all riders in Manhattan to take the first bus that arrives, making stops all the way to Eltingville Transit Center.

## **Richmond Avenue Off-Peak between Victory Blvd and Deppe Pl**

The 0.83-mile stretch of Richmond Avenue between Victory Boulevard and Deppe Place does not have off-peak and weekend service in this plan since the SIM4c turns from Richmond Avenue onto Victory Boulevard to provide service to the popular Gannon Avenue corridor and the College of Staten Island and the SIM3c turns from Richmond Avenue onto Deppe Place to serve the dense residential area adjacent to Watchogue Road. The additional walk to reach an off-peak/weekend stop for riders in this segment between Victory Boulevard and Deppe Place is 5 to 9 minutes.

On weekdays many riders on this segment drive and park near the Lamberts Lane stop. To provide more off-peak options to these riders, the span of service for the SIM8 route will be extended to operate from Manhattan between 2 pm and 9 pm, meaning those who have to leave Manhattan before or after peak hours will still have a direct option. On weekends an additional walk or free transfer to the S59 local bus would be required.

## **Express Bus Service to Rosebank**

There were requests to bring express bus service to the Rosebank neighborhood as part of the redesign project. Rosebank was served by the former X18 route prior to the 2010 service cuts. As a pilot project, this proposal includes a branch extension on the SIM30 route to serve Stapleton, Clifton, and Rosebank. The service will be monitored for ridership and performance.

## **Lexington Avenue Service**

In order to provide service located as convenient to the greatest number of people as possible and to take advantage of the NYCDOT 5<sup>th</sup> Avenue double painted bus lane project being implemented in June 2018, all Midtown service traveling southbound uses 5<sup>th</sup> Avenue. However, since several routes will need to use existing layover/staging space between 3<sup>rd</sup> Avenue and Lexington Avenue, the last stop and first stop for some routes will be 57<sup>th</sup> Street and Lexington Avenue, providing direct service to riders in that area.

## **Three-Legged Transfer**

The network redesign may result in a small number of riders requiring a second transfer to complete their trip. An additional second free transfer will be provided in these cases to minimize the number of riders adversely affected.

## **Span of Service**

A frequent complaints from riders is that their current express service does not operate late enough. In the new network many routes will operate into later hours than current routes. The new network will also have four off-peak and weekend routes while the existing network has three.

## **Quantity of Service**

The more efficient and direct route network allows for more total trips. The new network will have approximately 8 percent more weekday trips, 20 percent more Saturday trips, and 29 percent more Sunday trips than the current network.

## **Ongoing Congestion Issues**

NYC Transit is committed to working with its partner agencies to improve poor performing route segments. This includes projects such as the double painted bus lane on 5<sup>th</sup> Avenue to be implemented in June 2018 by NYCDOT. One of the most problematic areas for express service is the Broadway, Battery Place, and West Street segment leading to the Hugh L. Carey Tunnel during the evening peak hours in lower Manhattan. NYC Transit will work with city and state DOTs and MTA Bridges and Tunnels to identify improvements to get buses into the tunnel faster and more reliably.

Additionally, NYC Transit will work with its partner agencies to improve slow segments on Staten Island and identify areas where bus lanes and other priority treatments would improve service. A notable example of this is Steuben Street south of the Staten Island Expressway. NYC Transit has participated in a working group with the Borough President's office and NYCDOT on this issue and will continue to seek solutions in partnership with the city and state.

## Attachment 2

### Summary of Public Comments Regarding Staten Island Express Bus Redesign

In May and June 2018, MTA NYC Transit presented the Staten Island express bus redesign proposal to the three Staten Island community boards. A public hearing was held on May 21, 2018. Below is a summary of the most common comments and concerns expressed by the public.

- **Maintain the existing express bus system as it is.**  
Staten Island's express bus service was originally designed in the 1960s, but population, work trends and the number of cars on the road have shifted significantly since then. Changes to the network evolved in a piecemeal fashion, until the MTA launched a comprehensive study in 2015 to seek answers to how we could improve the network to provide the best service to our customers. In a survey, 76 percent of riders said they support the plan with just 13 percent opposed.
- **Maintain all existing bus stops.**  
Based on the proposed changes 72 percent of riders will use the same stop that they do today. In an effort to keep buses moving and create a more reliable trip some bus stops will be discontinued to increase the average distance between bus stops from approximately 0.25 miles to 0.4 miles. Less bus stops means buses will spend more time moving in the flow of traffic and less time accelerating and decelerating and stopped at bus stops and red traffic signals. In a survey, 61 percent of riders supported increasing the distance between bus stops while 29 percent opposed.
- **Maintain a specific bus stop.**  
Requests to maintain a specific bus stop were reviewed by evaluating ridership, stop spacing, and land use. After analyzing individual bus stop requests, some bus stop changes were made (see Attachment 1).
- **Maintain more route variants on different streets and avenues.**  
In a survey, more than half of Staten Island express bus riders said they do not use the same route every day. Many take the first bus that arrives in order to get into Manhattan as quickly as possible. This leads to great variability in day-to-day ridership on each individual route and creates a challenge for scheduling and managing reliable service. In order to provide better and more reliable service, less variants on a few select corridors were created to simplify the network and provide more high-frequency service.
- **Don't change the names of the bus routes.**  
Because the Staten Island express bus network underwent a comprehensive redesign, the route numbers had to be changed. The new 'SIM' (Staten Island to Manhattan) numbering scheme emphasizes to customers that they are being served by a brand new system, and it also makes Staten Island express service consistent with express bus service in the other boroughs (BxM for Bronx to Manhattan, BM for Brooklyn to Manhattan, and QM for Queens to Manhattan).

- **Use travel paths other than FDR Drive due to persistent congestion and longer distance traveled versus other routes.**

All possible travel paths were studied for directness, travel time, congestion, and reliability. On travel paths where existing bus service operates, MTA Bus Time GPS data was used to comprehensively compare average travel times. It was determined that Midtown buses traveling via Brooklyn would perform fastest and most reliably by traveling on FDR Drive.

- **Maintain the Church Street and Park Place stop for subway transfers.**

Subway transfers were considered in bus stop placement, which were selected to balance bus service speed and bus stop accessibility. Riders can transfer to the A, C, E, 4, 5, N, R, and W trains at the Fulton Street bus stop and the 1, 2, and 3 trains at the Chambers Street bus stop.

- **Continue to use Lexington Avenue for southbound routes from Midtown instead of 5<sup>th</sup> Avenue.**

In order to provide service located as convenient to the greatest number of people as possible and to take advantage of the NYCDOT 5th Avenue double painted bus lane project being implemented in June 2018, all Midtown service traveling southbound uses 5th Avenue. However, since several routes will need to use existing layover/staging space between 3rd Avenue and Lexington Avenue, the last stop and first stop for some routes will be 57th Street and Lexington Avenue, providing direct service to riders in that area.

- **Maintain service to 1<sup>st</sup> Avenue.**

Service to 1<sup>st</sup> Avenue is available at 23<sup>rd</sup> Street on the SIM3, SIM6, SIM10, and SIM31. For routes using the Lincoln Tunnel, currently direct express bus service to 1<sup>st</sup> Avenue is only available on one route, the X21. In the new network, routes were chosen to balance using the fastest streets for buses and going to the most popular travel areas. Most Midtown riders are traveling to destinations north of 42<sup>nd</sup> Street, so turning left from 42<sup>nd</sup> Street to travel north helps more riders than continuing to 1<sup>st</sup> Avenue.

- **Maintain the same number of routes serving the park and ride at South Beach on Father Capodanno Boulevard.**

In response to feedback and data regarding the density of residents near Hylan Boulevard, it was determined to revise the SIM7 travel path to use Hylan Boulevard north of Midland Avenue instead of Father Capodanno Boulevard. Compared to the existing network, Father Capodanno Boulevard will have a similar frequency of service to today. While there will be two routes operating on the street compared to four today, the routes will be operating roughly twice as frequent.

- **Continue to serve 34<sup>th</sup> Street west of 6<sup>th</sup> Avenue.**

42<sup>nd</sup> Street and 34<sup>th</sup> Street were compared to determine the best way to travel for routes accessing Midtown via the Lincoln Tunnel. 42<sup>nd</sup> Street was determined to be the best path based on average travel times to and from the tunnel and rider destinations. Riders needing to access 34<sup>th</sup> Street can walk eight blocks, take a local bus, or use one of 11 subway lines that travel between 42<sup>nd</sup> Street and 34<sup>th</sup> Street in approximately two minutes.

- **Extend the Church Street/Broadway routes to terminate at Canal Street.**  
The terminal of the Downtown routes at Worth Street was selected based on bus stop location availability, bus staging locations, and cross-streets that are suitable for operating buses. The terminal is approximately a five minute walk from Canal Street.
- **Serve the Staten Island Mall with more than one route.**  
The mall is served by the SIM4, SIM8, and SIM31 routes. Additionally, there will be non-stop park-and-ride service from the mall on the SIM4x and SIM8x.
- **Maintain bus stops on Mill Road.**  
Mill Road is currently used as the terminal of the X2, X3, and X9 routes. In the redesign, no routes terminate in this location, so the staging area at Mill Road will not be utilized. By having all routes continue all the way to Eltingville Transit Center, riders will have more frequent service and ridership will be better distributed between buses. From the existing stops on Mill Road it is a five to six minute walk to stops on Hylan Boulevard at Tysens Lane and Ebbitts Street.
- **Create more frequency in the reverse commute direction, especially to the College of Staten Island.**  
Bus service frequencies are scheduled according to MTA guidelines on ridership in order to use consistent scheduling practices citywide.
- **Add mid-route detours to the SIM33 and SIM31 on Narrows Road at Targee Street, Hylan Boulevard, and Fingerboard Road.**  
These stops already have bus service on other routes (the SIM1, SIM7, SIM10, SIM15, and SIM35). Adding stops on the SIM31 and SIM33 would slow down service for riders on those routes.
- **Create real-time tracking on the SIM23 and SIM24.**  
The SIM23 and SIM24 are operated by Academy Bus under contract to the City of New York. MTA and Academy are currently investigating the feasibility of implementing MTA Bus Time on the SIM23 and SIM24.
- **Have the MTA take over operation of the SIM23 and SIM24.**  
The SIM23 and SIM24 are operated by Academy Bus under contract to the City of New York. While the City of New York and Academy Bus will need to adjust the route paths of the SIM23 and SIM24 to implement this plan, changing the operator of the routes is not a part of this proposal.
- **Enforce bus lanes/HOV lanes.**  
The MTA continues to work with the NYPD and city and state DOTs on enforcement and use of bus priority lanes throughout the city.
- **Put a bus lane on Steuben Street.**  
The MTA is working with NYCDOT to identify locations where bus lanes and other bus priority treatments can be installed.

- **Add tolls on the Verrazano Narrows Bridge Brooklyn-bound and tolls on the East River crossings.**

Tolling is not under the authority of New York City Transit and not a part of this proposal.

- **Charge fares for children if they occupy a seat.**

Fare policy is set by the MTA Board and is not a part of this proposal.

- **Enforce fares better.**

Fare enforcement is an ongoing process and is not part of this proposal.

- **Buy newer buses/keep buses cleaner.**

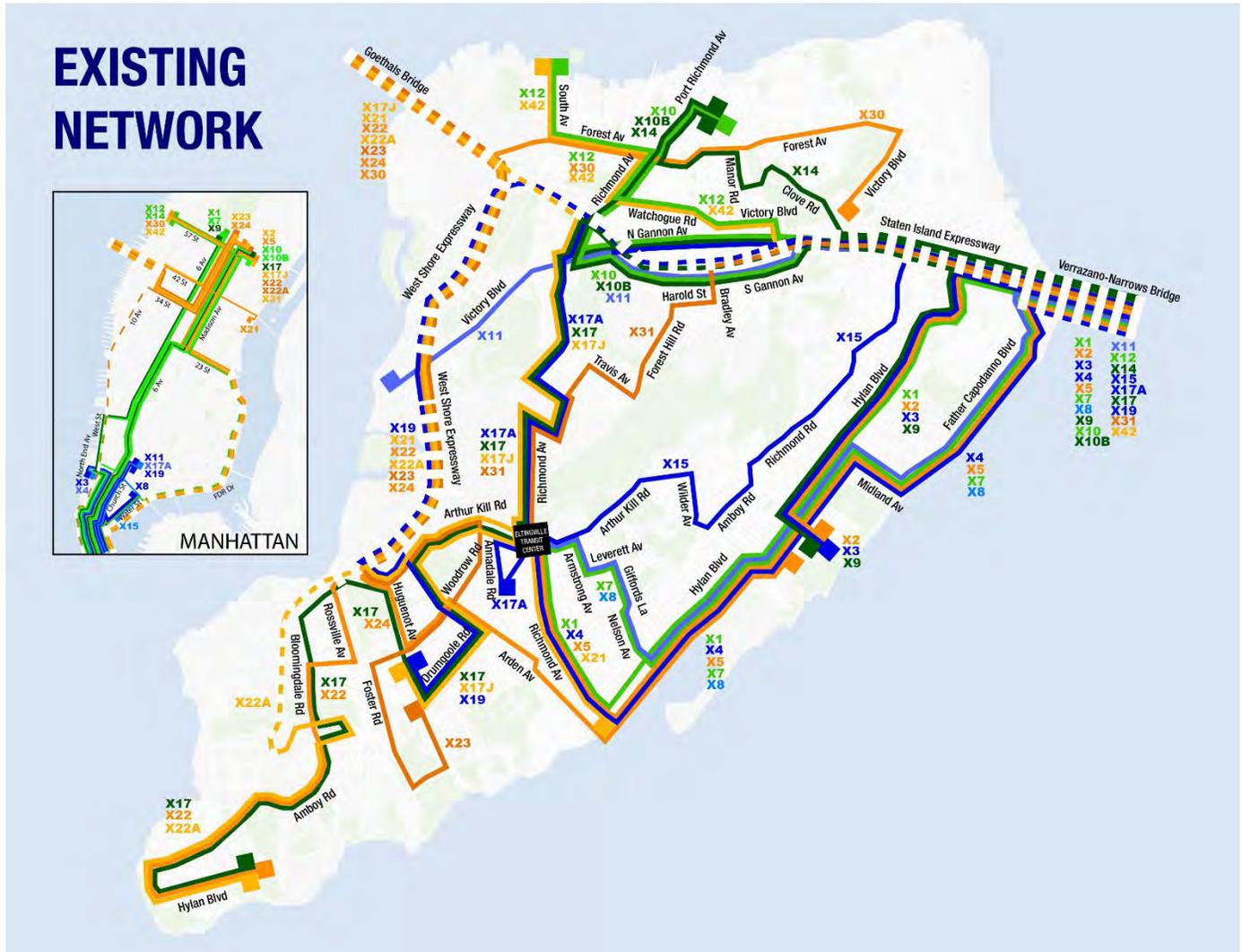
The MTA continues to purchase vehicles to update and upgrade its fleet. As older buses are retired, maintenance and cleaning of buses becomes more successful. Most of the Staten Island express bus fleet has been replaced with new buses in recent years.

- **Add bike racks to all buses.**

The MTA recently piloted bike racks on the S53 and S93 bus routes on Staten Island and the bike rack program was made permanent on those routes. Further expansion of the bike rack program is unrelated to this proposal.

# Staff Summary

## Attachment 3



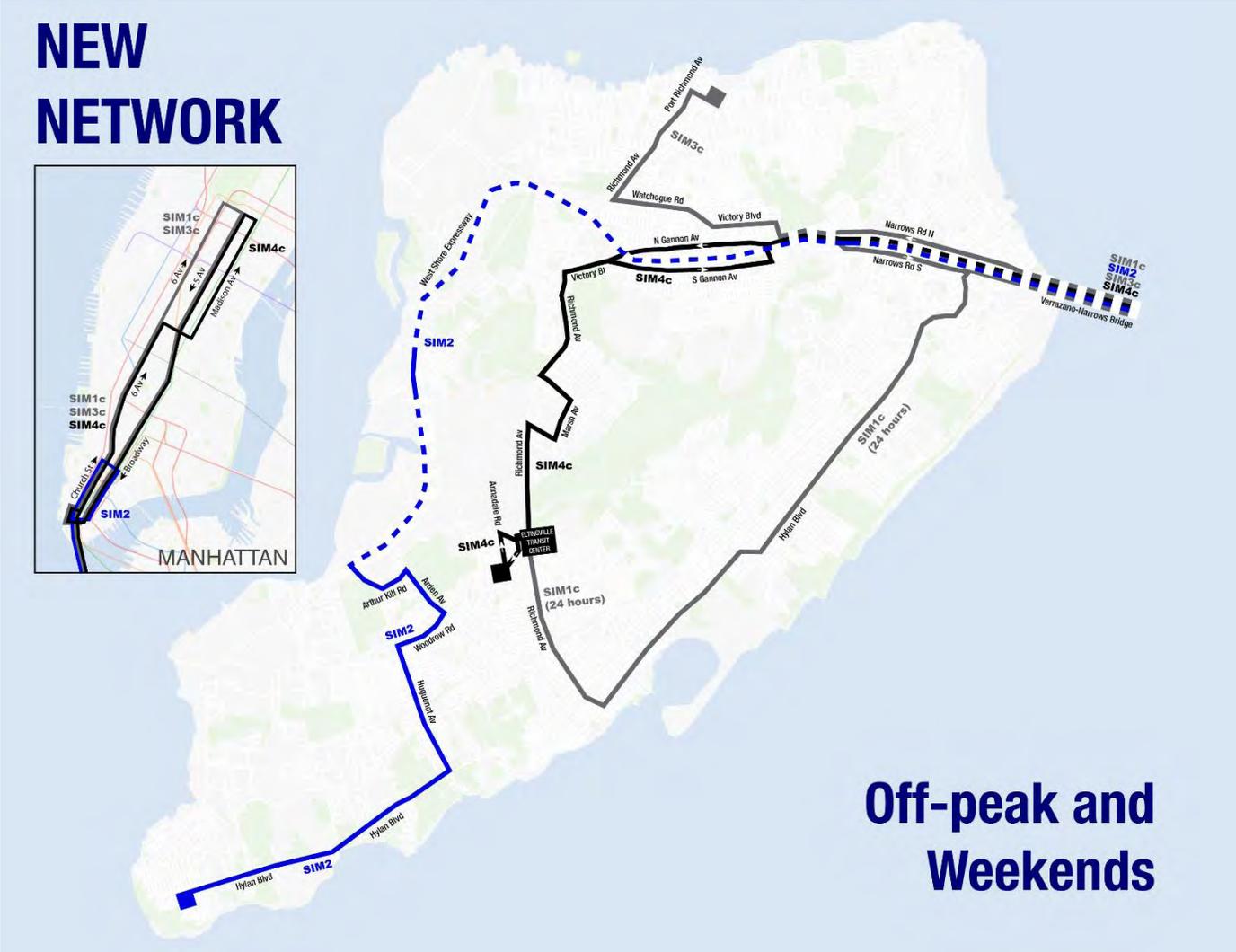


# Staff Summary

## Attachment 5



## Attachment 6



# Staff Summary

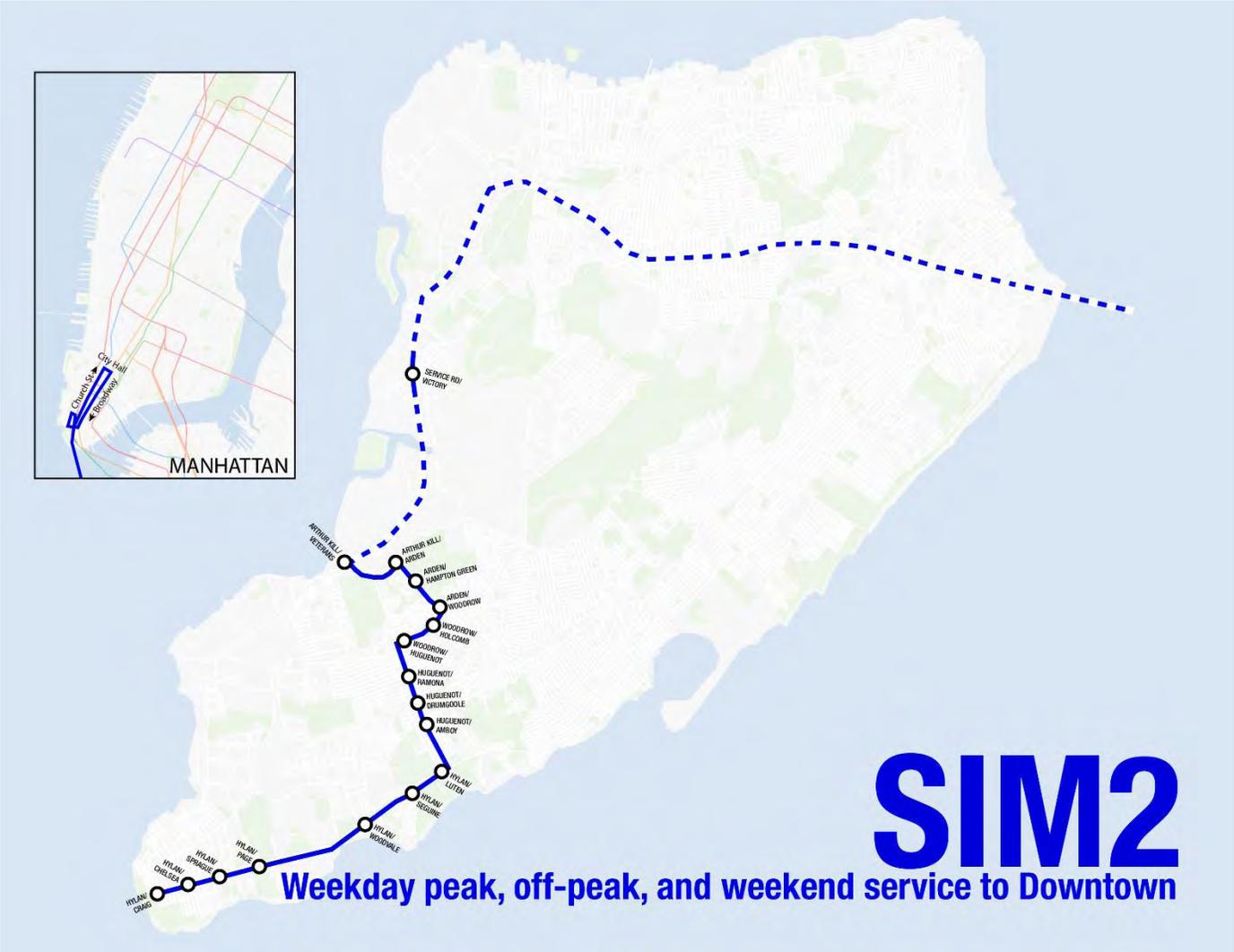
## Attachment 7





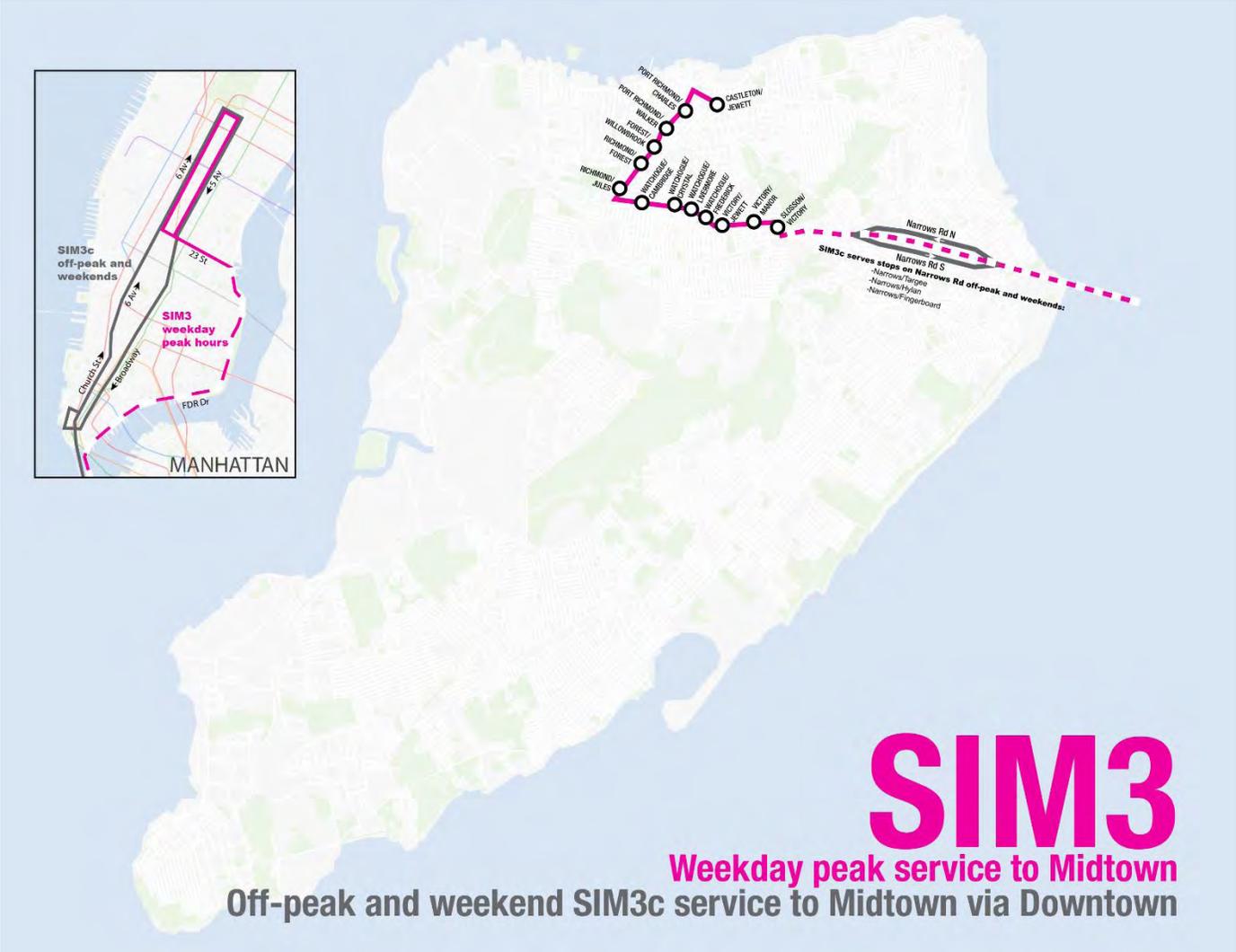
# Staff Summary

## Attachment 9

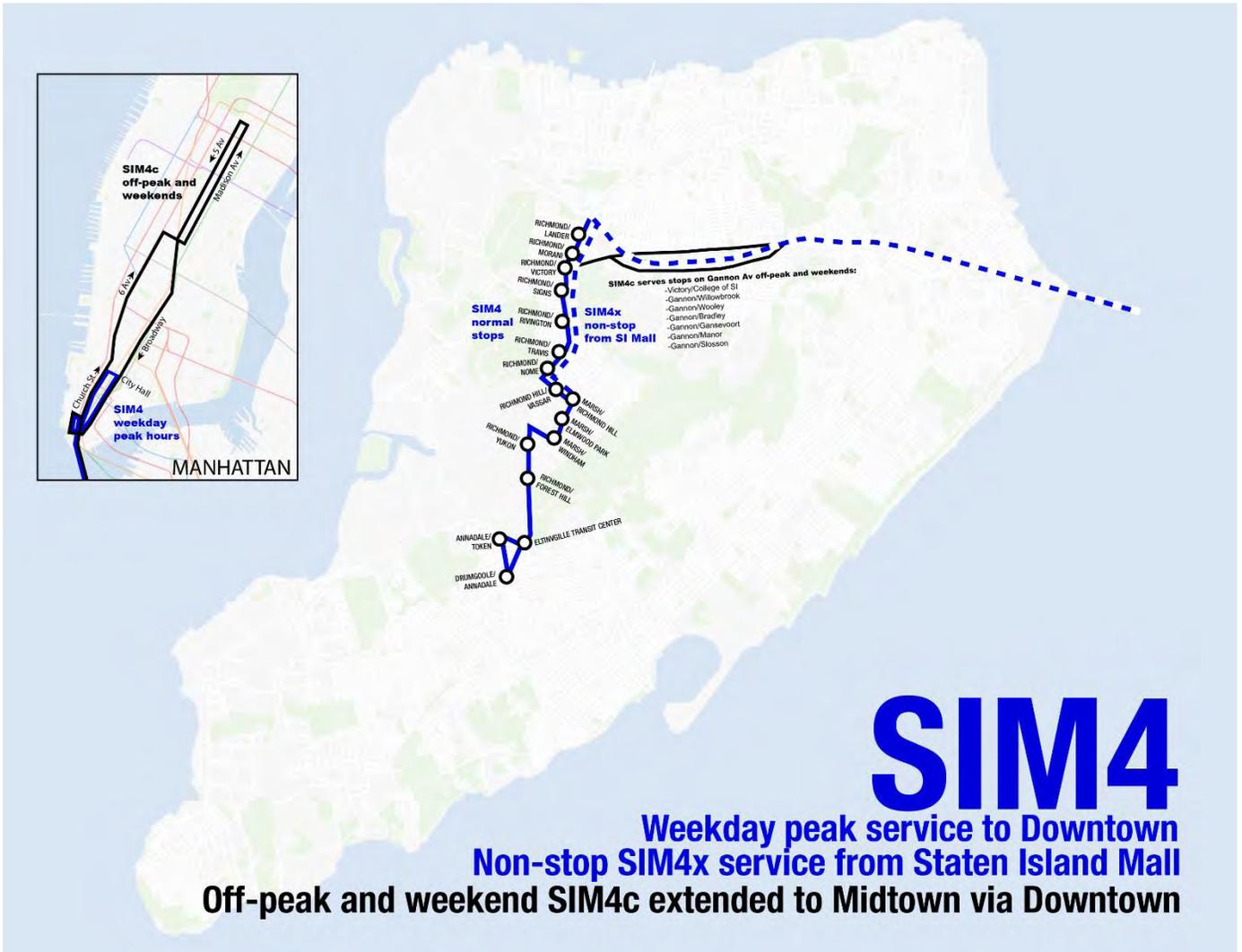


# Staff Summary

## Attachment 10



## Attachment 11

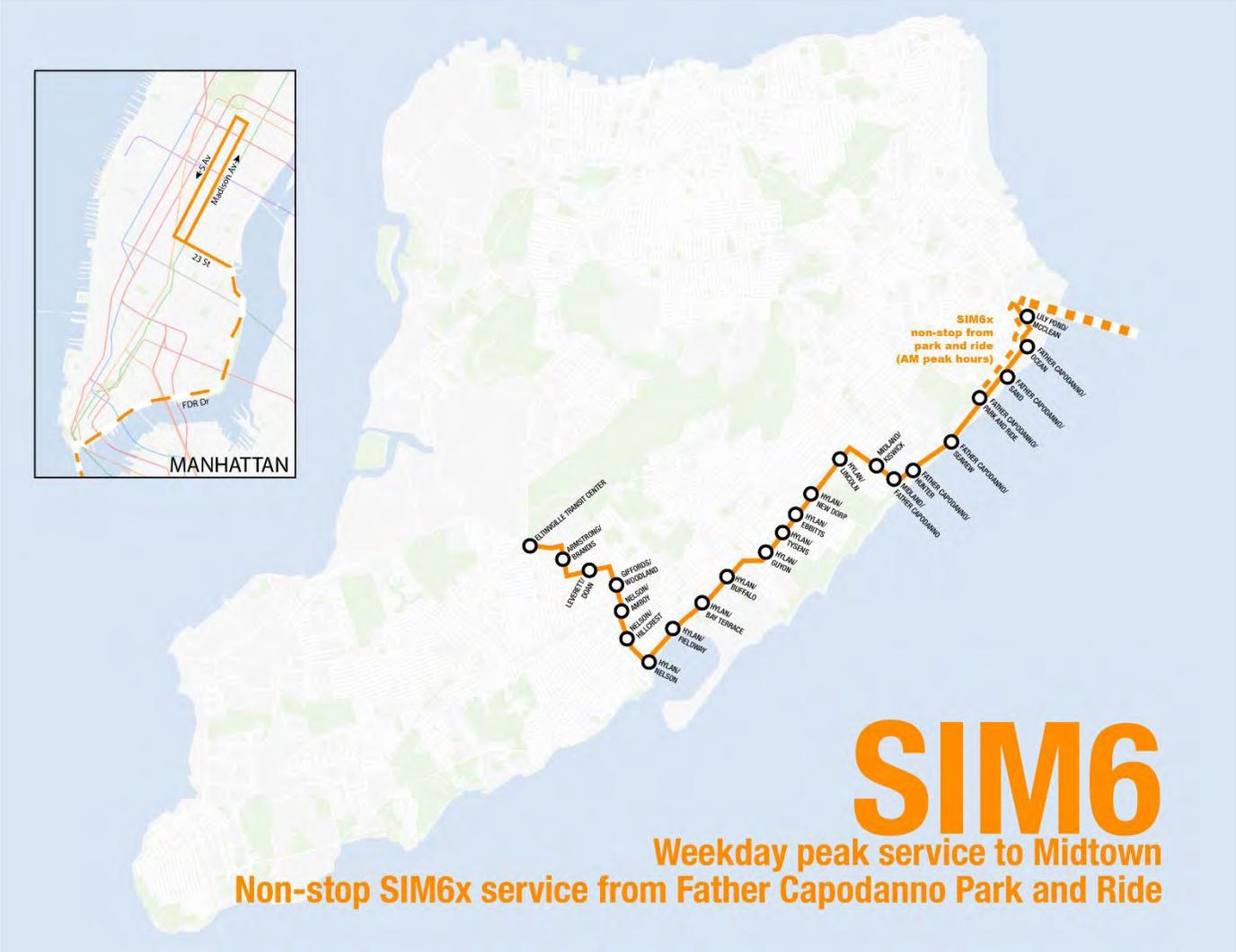


# SIM4

**Weekday peak service to Downtown**  
**Non-stop SIM4x service from Staten Island Mall**  
**Off-peak and weekend SIM4c extended to Midtown via Downtown**



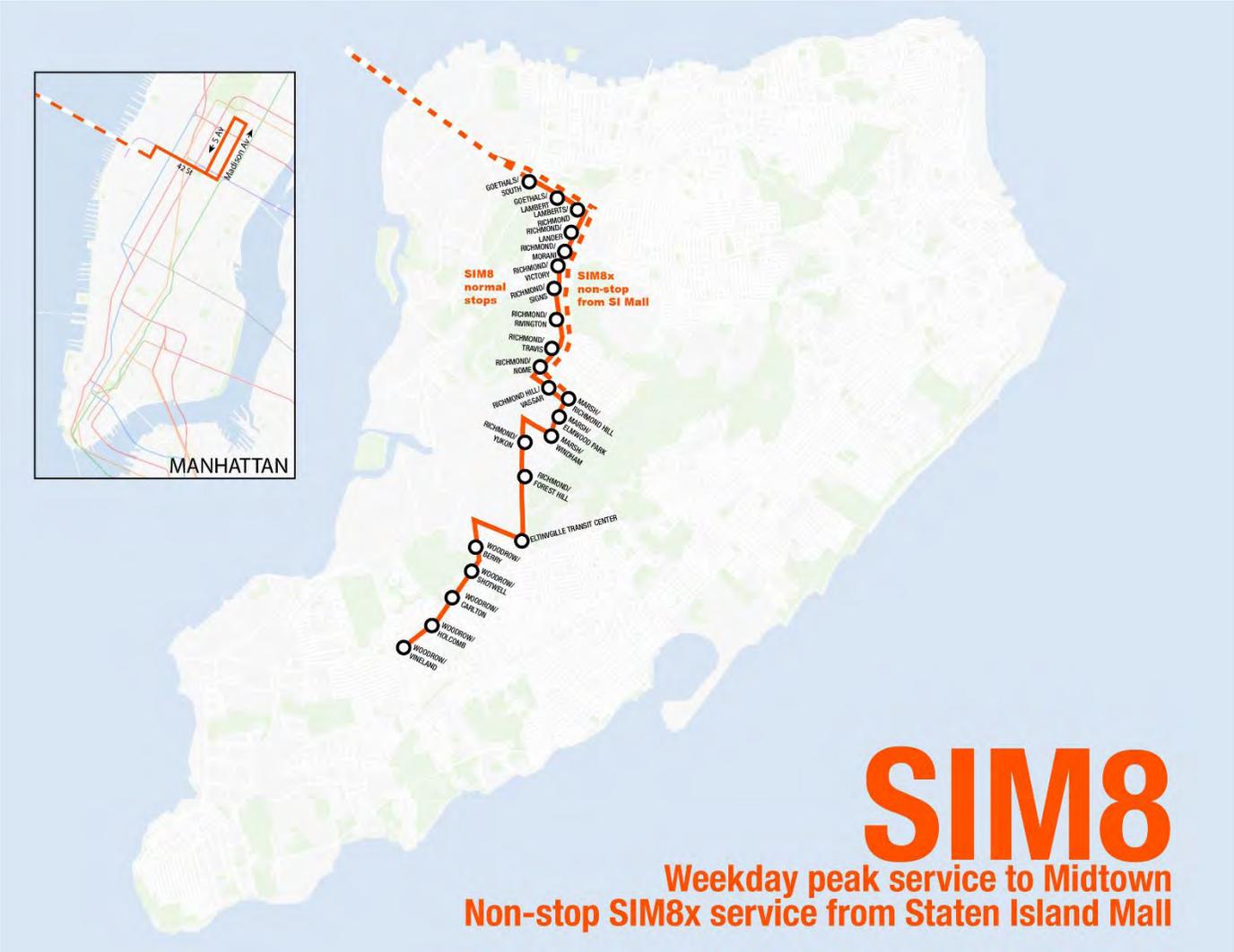
## Attachment 13





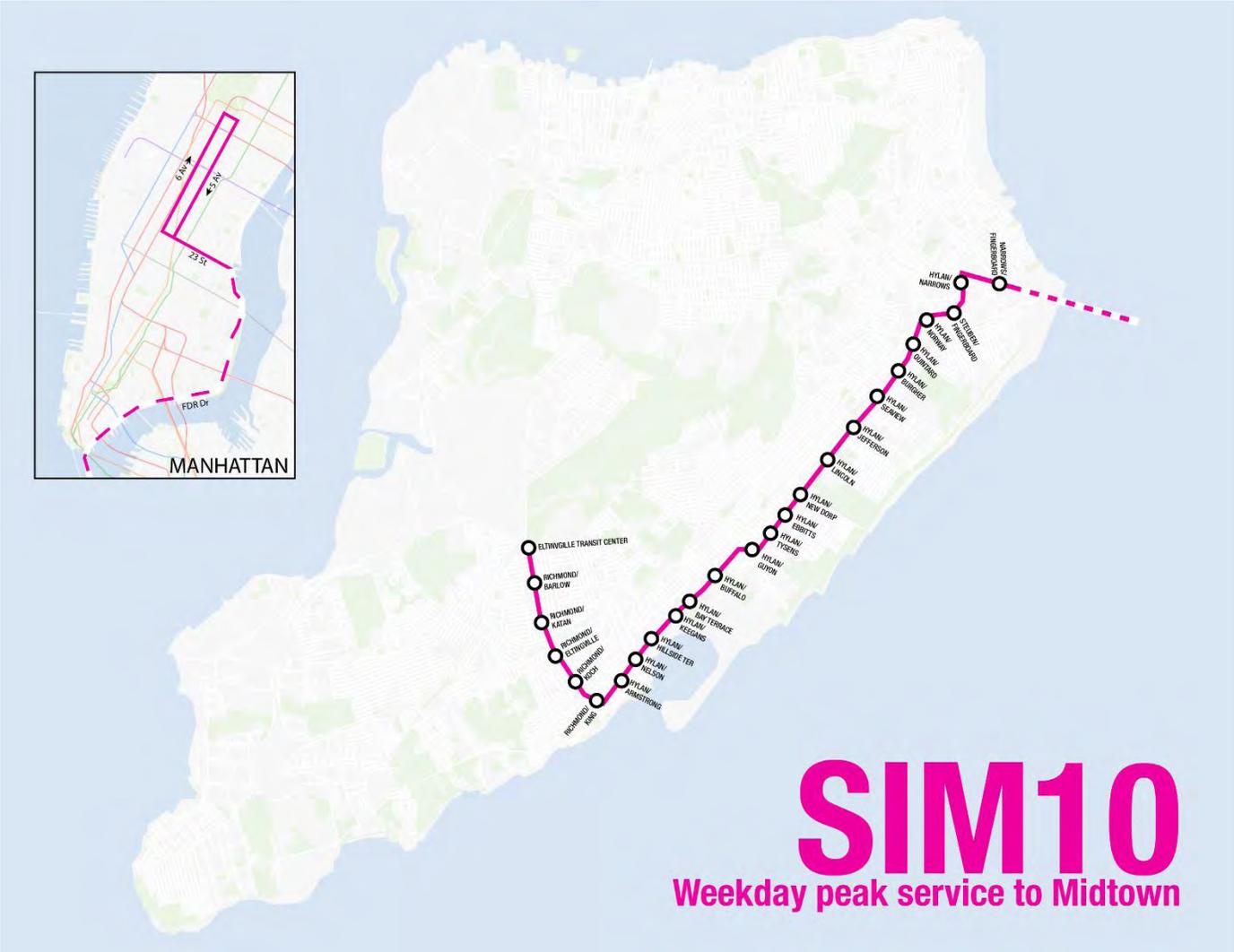
# Staff Summary

## Attachment 15



# Staff Summary

## Attachment 16





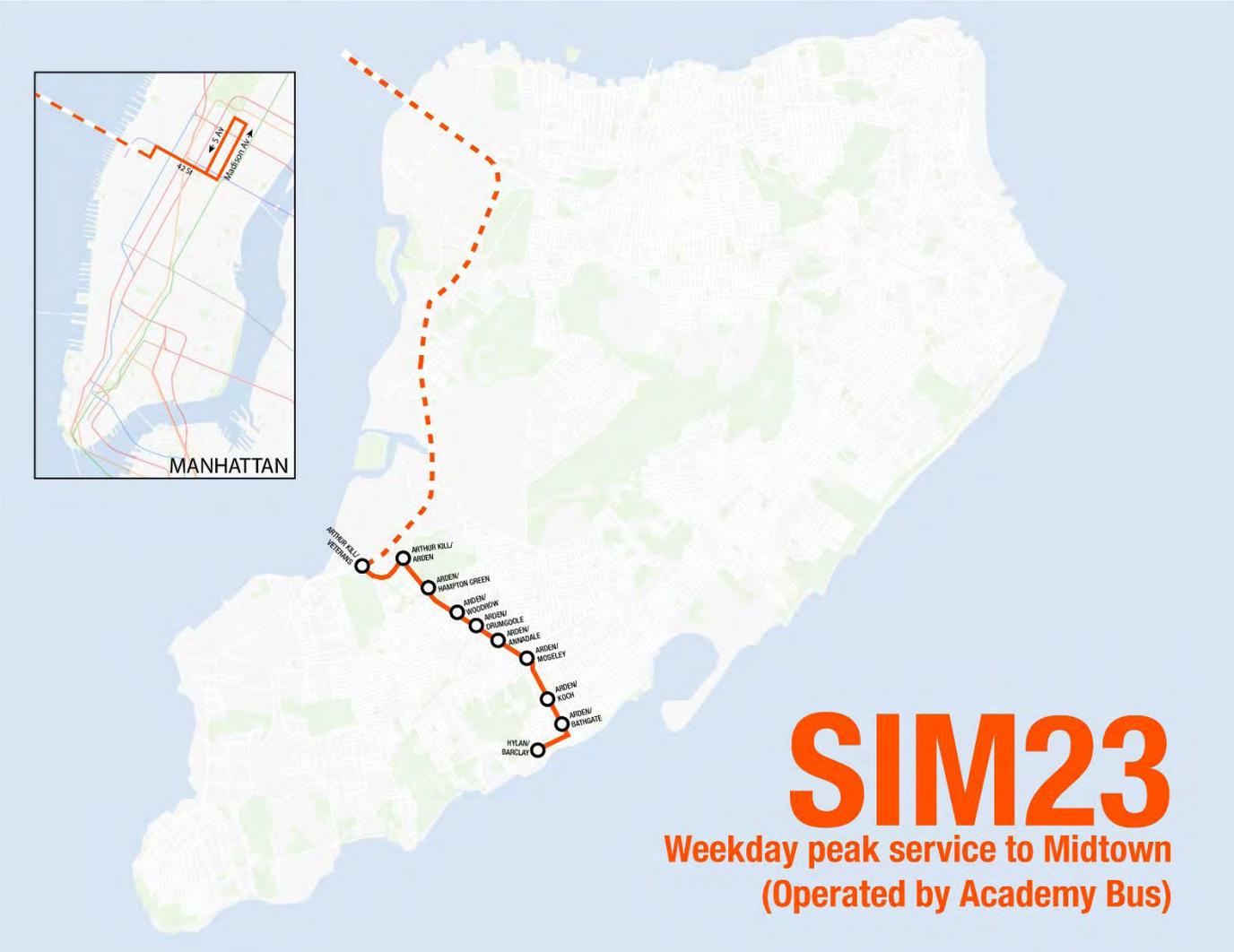
# Staff Summary

## Attachment 18



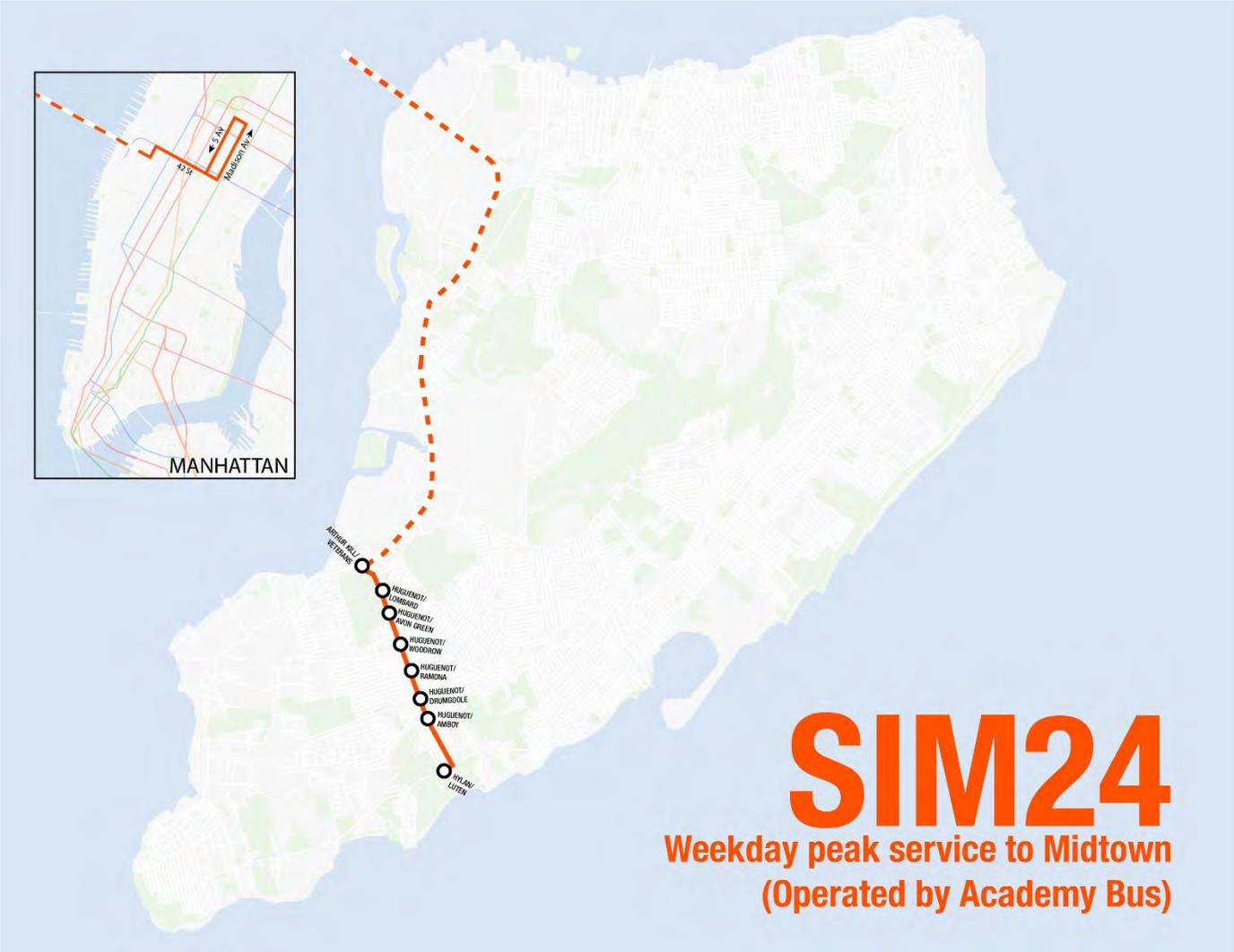
# Staff Summary

## Attachment 19



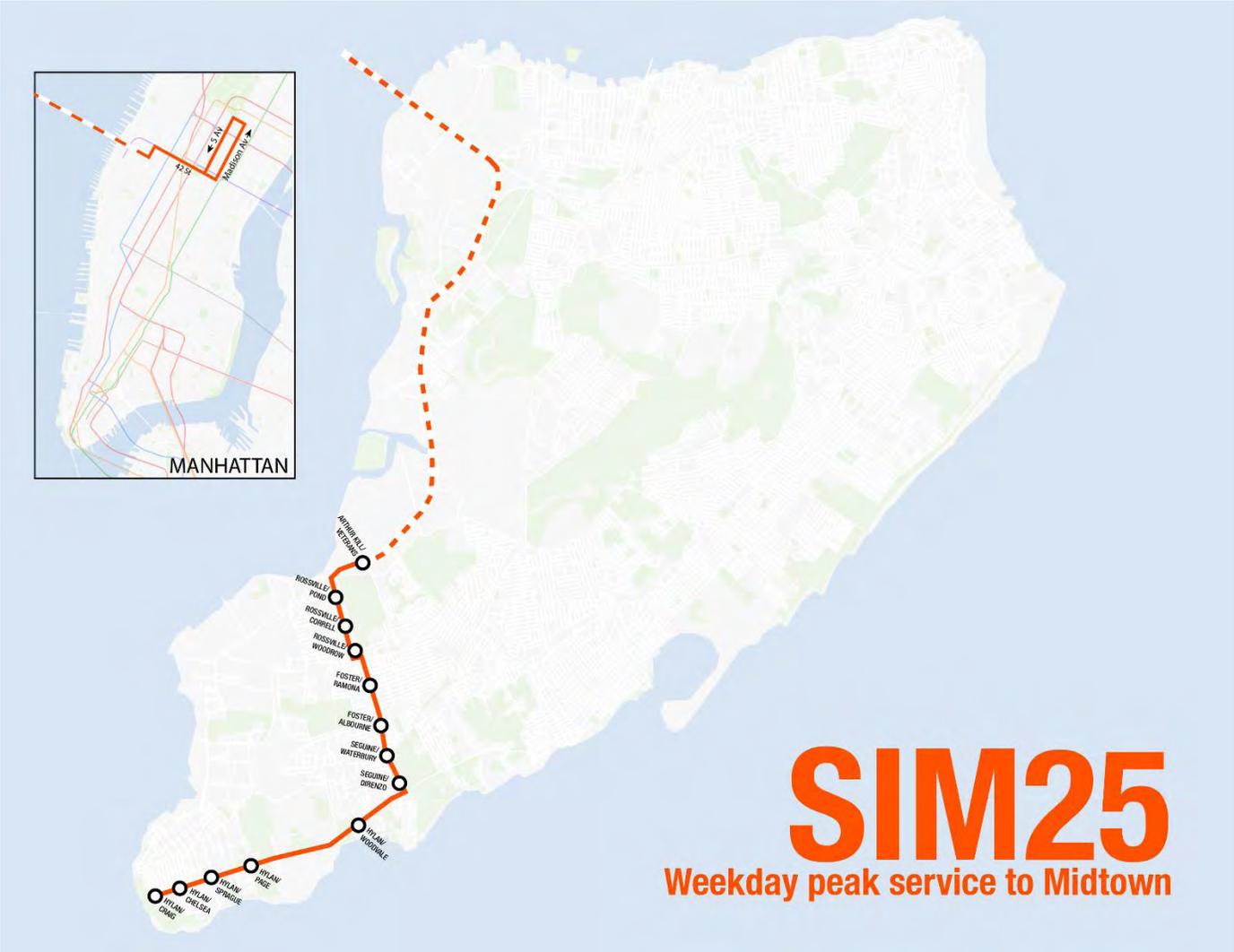
# Staff Summary

## Attachment 20



# Staff Summary

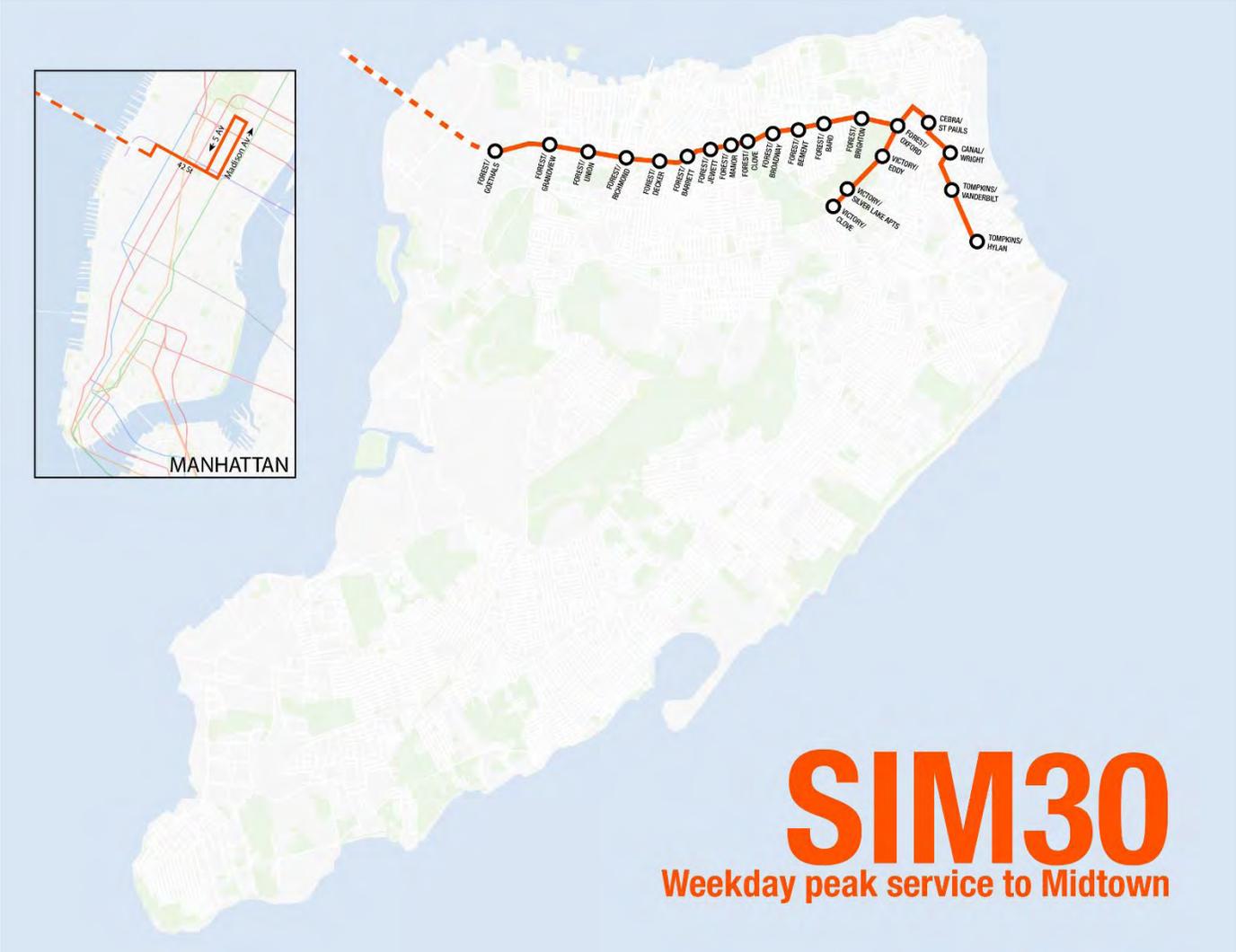
## Attachment 21





# Staff Summary

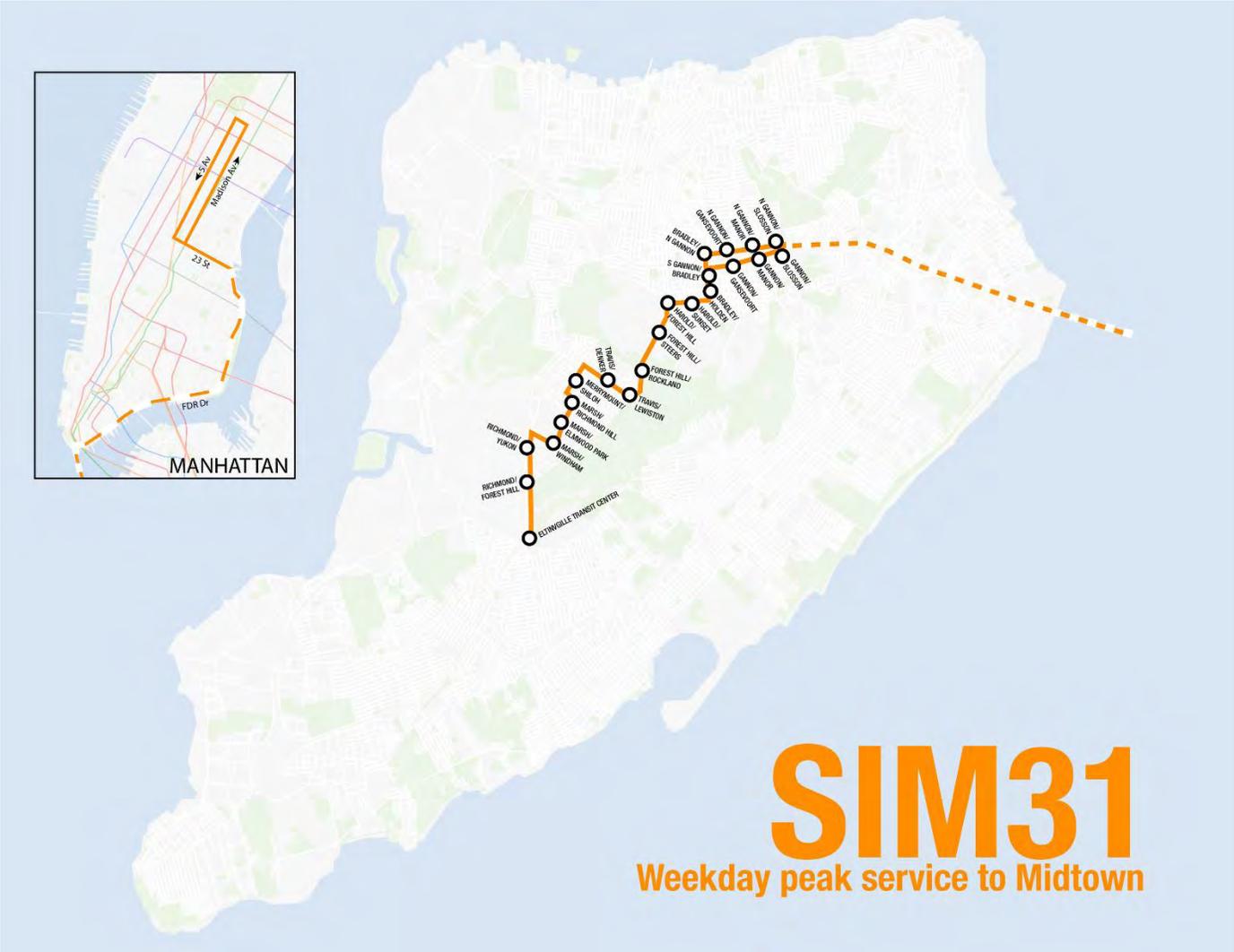
## Attachment 23



# Staff Summary

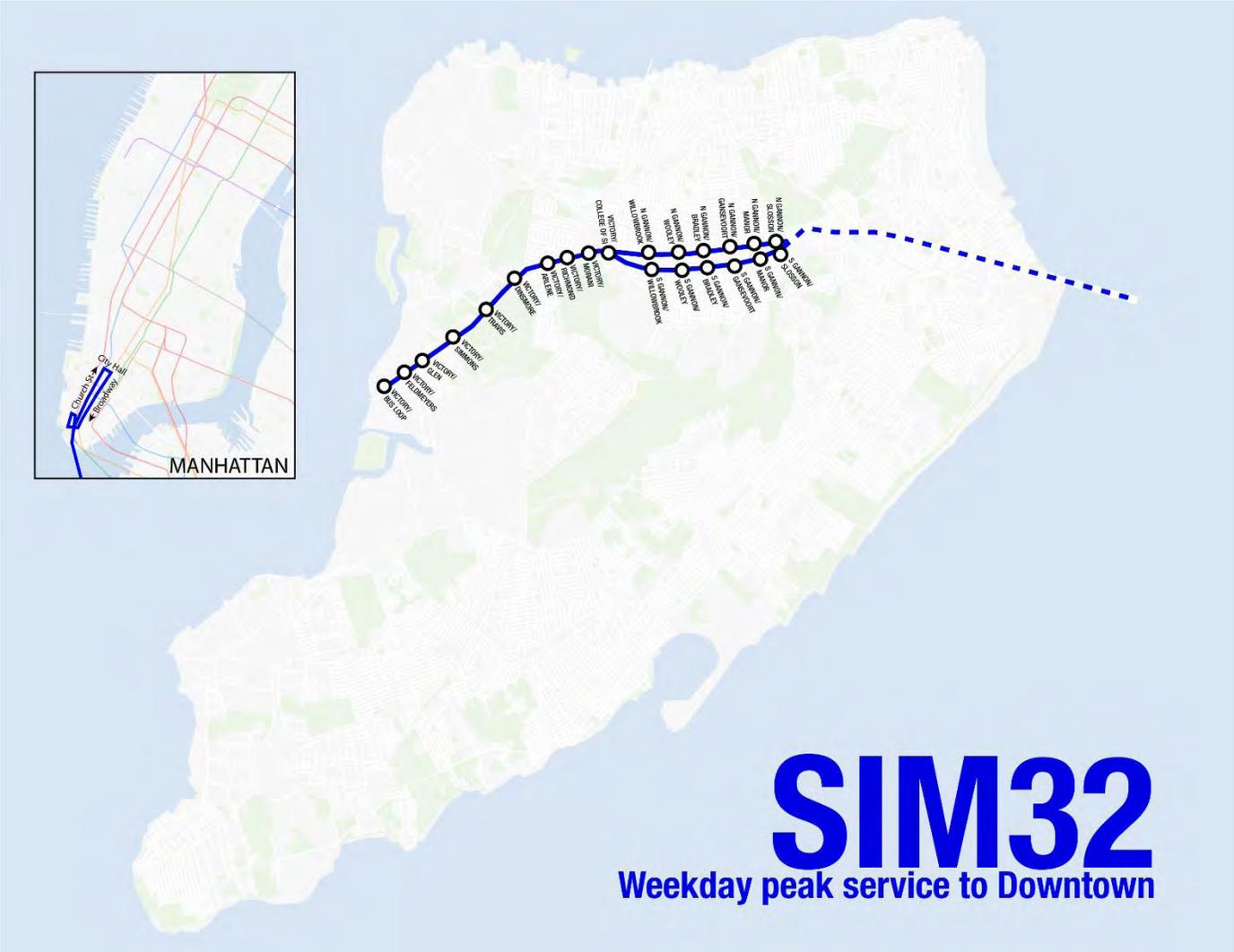


## Attachment 24



# Staff Summary

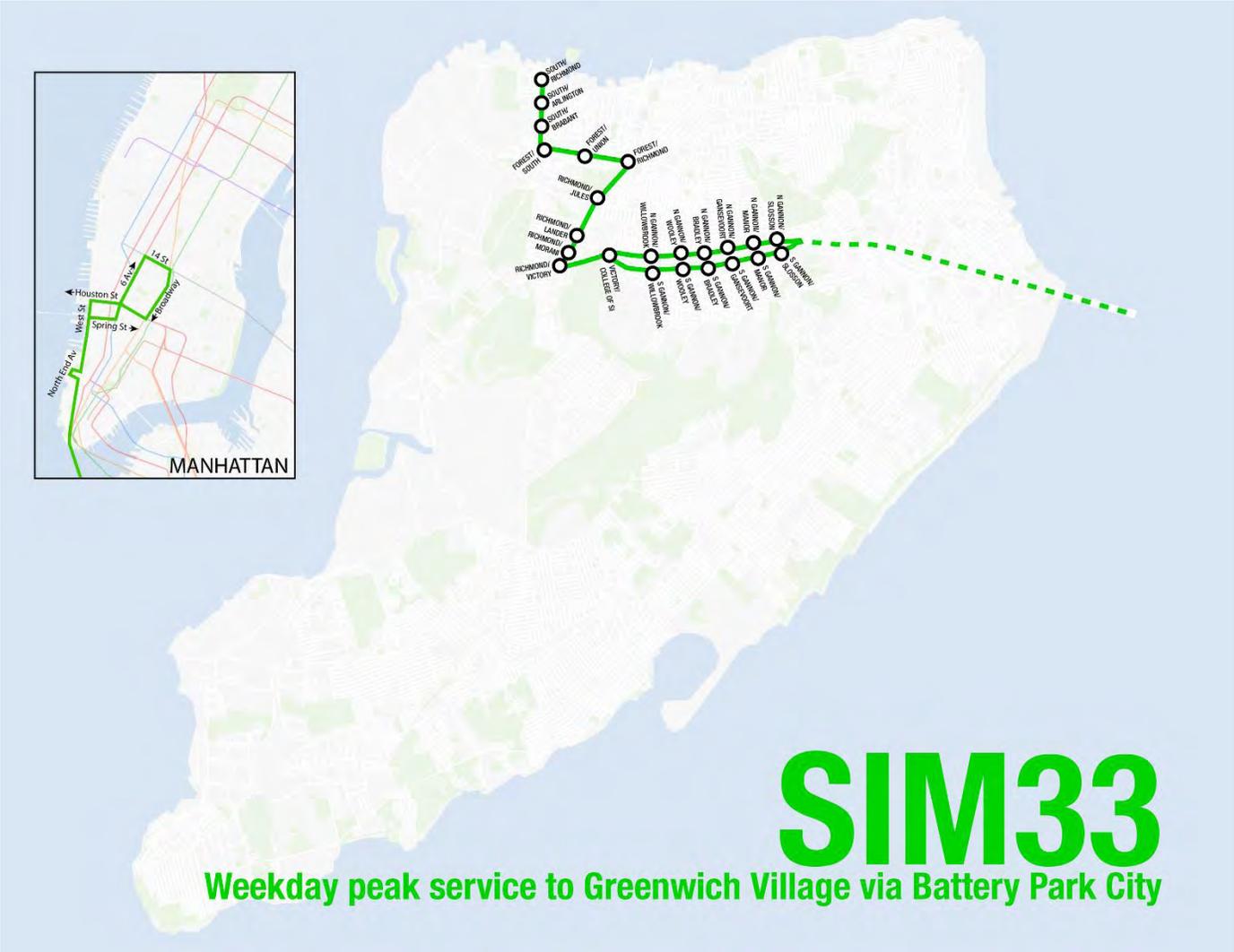
## Attachment 25



# Staff Summary



## Attachment 26







## Procurement

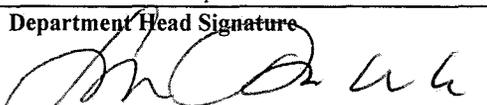
Steve Plochochi, Senior Vice President



An ADA sidewalk elevator installed at NYCT's 23 St station (See the RFP Authorizing Resolution, the first item in NYCT's June Procurement package).

## PROCUREMENTS

The Procurement Agenda this month includes 6 actions for a proposed expenditure of \$84.6M.

<b>Subject</b>	Request for Authorization to Award Various Procurements
<b>Department</b>	Materiel – NYCT
<b>Department Head Name</b>	Stephen M. Plochochi
<b>Department Head Signature</b>	
<b>Project Manager Name</b>	Rose Davis

June 13, 2018
<b>Department</b>
<b>Department Head Name</b>
<b>Department Head Signature</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	6/18/18			
2	Board	6/20/18			

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: None

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

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

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

<u>Procurements Requiring Two-Thirds Vote:</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule B:	Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)	1	\$ TBD M
<u>Schedules Requiring Majority Vote:</u>			
Schedule F:	Personal Service Contracts	3	\$ 79.9 M
Schedule H:	Modifications to Personal/Miscellaneous Service Contracts	1	\$ 1.2 M
SUBTOTAL		5	\$ 81.1 M

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

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

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

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

**NYC Transit proposes to award Ratifications in the following categories:**

Schedules Requiring Majority Vote:

Schedule K:	Ratification of Completed Procurement Actions	1	\$ 3.5 M
SUBTOTAL		1	\$ 3.5 M
TOTAL		6	\$ 84.6 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 General Contract Procurement Guidelines, the Board authorizes the award of certain noncompetitive purchase and public work contracts, and the solicitation and award of requests for proposals in regard to purchase and public work contracts; and

**WHEREAS**, in accordance with the All-Agency Service Contract Procurement Guidelines and General Contract 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 Service Contract Procurement Guidelines, 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.

**JUNE 2018**

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Two-Thirds Vote:**

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

- |  |                                     |   |
|--|-------------------------------------|---|
| <p><b>1. Contractor To Be Determined</b><br/> <b>Contract Term To Be Determined</b><br/> <b>Contract# To Be Determined</b></p>   | <p><b>Cost To Be Determined</b></p> | <p><b><u>Staff Summary Attached</u></b></p> |
| <p>RFP Authorizing Resolution for multiple contracts for the design and construction of Americans with Disabilities Act (ADA) improvements including the installation of elevators at multiple NYC Transit stations.</p> |                                     |   |

**Procurements Requiring Majority Vote:**

**F. Personal Service Contracts**  
(Staff Summaries required for all items greater than: \$100K Sole Source; \$750K Other Non-Competitive; \$1M Competitive.)

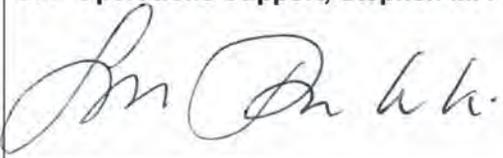
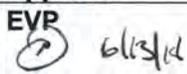
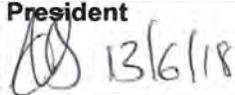
- |   |                                |   |
|---|--------------------------------|---|
| <p><b>2. SYSTRA Engineering, Inc.</b><br/> <b>Six Proposals – 33-month contract</b><br/> <b>Contract# CM-1428</b></p>                                   | <p><b>\$684,931 (Est.)</b></p> | <p><b><u>Staff Summary Attached</u></b></p> |
| <p>Provide Independent Safety Assessor for the CBTC Signal System on the Canarsie Tube Rehabilitation Project.</p>                                      |                                |   |
| <p><b>3. UPMC Benefit Management Services, Inc. d/b/a/ UPMC WorkPartners</b><br/> <b>Four Proposals – 60-month contract</b><br/> <b>RFP# 125313</b></p> | <p><b>\$10,791,074</b></p>     | <p><b><u>Staff Summary Attached</u></b></p> |
| <p>Provide Family Medical Leave Act Administration Services.</p>  |                                |   |
| <p><b>4. ARINC Incorporated</b><br/> <b>Two Proposals – 53-month contract</b><br/> <b>Contract # W-32789</b></p>  | <p><b>\$68,445,917</b></p>     | <p><b><u>Staff Summary Attached</u></b></p> |
| <p>Provide Integrated Service Information and Management for the B Division (ISIM-B) Module 3.</p>  |                                |   |

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

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

- |  |                           |   |
|--|---------------------------|---|
| <p><b>5. HNTB New York Engineering and Architecture, PC</b><br/> <b>Contract# CM-6072R.1</b></p>   | <p><b>\$1,225,388</b></p> | <p><b><u>Staff Summary Attached</u></b></p> |
| <p>Modification to the contract for Consultant Construction Management (CCM) Services for the Construction of Nine Stations Renewals and Rehabilitation of the Retaining Walls on the Sea Beach Line, in order to provide additional CCM services for the rehabilitation of all existing station elements to achieve a State of Good Repair of the Seventh Avenue Control House – Eighth Avenue Station.</p> |                           |   |

# Staff Summary

<b>Item Number</b> 1			
<b>Department, Department Head Name:</b> SVP Operations Support, Stephen M. Plochochi			
			
<b>Internal Approvals</b>			
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>
1	Material	6	EVP 
2	X Law	7	President 
3	X CFO		
4	X CPM		
5	X Subways		

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> RFP Authorizing Resolution	<b>Contract No.</b> TBD
<b>Description</b> Design and Construction of ADA Improvements Including the Installation of Elevators at Multiple NYC Transit Stations (Design-Build)	
<b>Total Amount</b> TBD	
<b>Contract Term (including Options, if any)</b> TBD	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

### Purpose

To request that the Board adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is in the public interest to issue competitive Requests for Proposals (“RFPs”), pursuant to Public Authorities Law, Section 1209, Subdivisions 9(f) for the award of multiple contracts for the design and construction of Americans with Disabilities Act (“ADA”) improvements including the installation of elevators. NYC Transit stations to be considered under this resolution will be selected from the 2015–2019 Capital Program and any future changes to the program, as amended by the MTA Board and the Capital Program Review Board (“CPRB”) as required. This work will be managed by NYC Transit’s Department of Capital Program Management.

This action also requests approval to proceed with the RFP process for additional 2015–2019 ADA initiatives related to the Canarsie Line closure. Funding for this work will be identified prior to award.

### Discussion

NYC Transit is pursuing a more streamlined design and construction approach for certain types of capital projects, as well as alternate project delivery and procurement methods in order to deliver projects faster and more efficiently, while achieving best value benefits.

Pursuant to the Fast Forward Plan, NYC Transit has committed to accelerate the pace at which stations are made ADA accessible. Priority stations will be identified through feasibility studies and advanced through preliminary design and preparation of design-build RFP documents. These station improvement projects will include full vertical accessibility at the stations through the installation of elevators or ramps, as well as other ADA-required improvements to architectural, structural, mechanical, and electrical components.

Pursuant to the two-step RFP selection process, the most qualified design-build proposers will be identified in Step 1 and selected to participate in multiple RFPs under Step 2. Under the design-build method, the pool of selected proposers will receive an RFP including conceptual design documents, the Owner’s Project Requirements, and the proposed contract terms. Prospective firms will propose their design and construction approach and will be encouraged to provide alternate proposals with emphasis on minimizing service outages and accelerating the construction schedule. In accordance with MTA policy regarding the use of design-build, it is NYC Transit’s intent to pay a stipend to proposers that are not selected, yet provide proposals that are responsive to the RFP requirements. This will be done to enhance competition and defray proposal costs.

## Staff Summary

While cost remains an important selection criterion, given the complex and schedule-driven nature of these projects, it is in the best interest of NYC Transit to be able to consider technical factors such as design and construction approach, technical ability, performance record, proposed schedule improvements, and other relevant matters to determine which proposal offers the best overall value. In addition, the RFP process will allow NYC Transit greater flexibility (than a low-bid process) to negotiate alternative approaches to the work, incentives for early completion and modified contract terms and conditions, which could potentially shorten the project durations.

NYC Transit anticipates that the work performed within each station will be substantially similar and so, taking into consideration the associated schedules, proposers qualified under Step 1 will be invited to propose on approximately ten RFP packages addressing stations included in the 2015–2019 Capital Program. Based on the frequency of RFPs as well as the capacity and performance of qualified proposers, NYC Transit may also include future opportunities for the evaluation of new or revised proposer teams.

### Alternatives

The use of the sealed bid process, in which factors other than cost cannot be considered, is not recommended. An RFP provides a means to evaluate design and construction approach and technical matters, negotiate an accelerated schedule and negotiate alternate proposals or consider creative solutions.

### Impact on Funding

This action has no immediate impact on funding. Additional ADA initiatives related to the Canarsie Line closure will be created in the 2015–2019 Capital Program. Funds to begin design for this work will be provided from the 2015–2019 Design Reserve. The construction funding for this work will be established in a separate MTA Board action prior to award.

### Recommendation

That the Board adopt a resolution declaring that competitive bidding is impractical or inappropriate and that it is in the public interest to issue competitive RFPs, pursuant to Public Authorities Law, Section 1209, Subdivision 9(f) for the award of multiple contracts for the design and construction of ADA improvements including the installation of elevators. NYC Transit stations to be considered under this resolution will be selected from the 2015–2019 Capital Program and any future changes as amended by the MTA Board and the CPRB, as required. Approval is also requested to proceed with the RFP solicitation for additional ADA initiatives related to the Canarsie Line closure.

Item Number: 2

<b>Vendor Name (Location)</b> SYSTRA Engineering, Inc. (New York, New York)
<b>Description</b> Independent Safety Assessor for the CBTC Signal System on the Canarsie Tube Rehabilitation Project (Contract P-36437)
<b>Contract Term (including Options, if any)</b> 33 months
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:

<b>Contract Number</b> CM-1428	<b>Renewal?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Total Amount:</b>	\$684,931 (Est.)
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Capital Program Management, John O’Grady	

**Discussion**

This competitively negotiated consultant contract is for an Independent Safety Assessor (“ISA”) for the Communications-Based Train Control (“CBTC”) Signal System on the Canarsie Tube Rehabilitation Project (Contract P-36437) in the estimated amount of \$684,931.

This contract requires the services of an ISA consultant to provide an independent review of the system safety analyses and safety activities associated with the removal and return to service of existing CBTC equipment, the installation of two additional automatic signals to facilitate work train movements, and the implementation of updated software as part of the Canarsie Tube Rehabilitation Project. The ISA will assess cutover plans, operating procedures, CBTC database changes, and implement the NYC Transit safety certification process in order to safety certify the CBTC installations prior to restoring revenue service. The CBTC system modifications will be implemented in multiple phases corresponding to construction phasing. The ISA will also conduct independent reviews during the design, development, integration, software testing, installation, and on-site testing of the CBTC system.

Selection was determined via a one-step qualifications-based procurement process established by the federal Brooks Act. Under the federal Brooks Act, contracts for architecture and engineering, and other federally defined services are negotiated with the firm that is determined to be the most technically preferred by the Selection Committee (“SC”), based on established evaluation criteria, and after the evaluation of the consultant’s qualifications and technical proposals. Price is not a consideration in the selection or ranking of the firms. Cost proposals remain sealed until the conclusion of the technical evaluations; only the cost proposal for the most preferred proposer is opened and considered for negotiations. Since only one award is planned under this Request for Proposal (“RFP”), negotiations were conducted with the most technically preferred firm.

A one-step RFP was advertised, and in response, six firms submitted proposals: Battelle Memorial Institute (“Battelle”); Egis Rail Inc. USA (“Egis”); Gannett Fleming Engineers & Architects P.C. (“Gannett”); Henningson, Durham & Richardson Architecture and Engineering, P.C. (“HDR”); Rail Safety Consulting, a Division of TUV Rheinland Mobility, Inc. (“RSC/TUV”); and SYSTRA Engineering, Inc. (“SYSTRA”). Each proposal included a Qualification Package, Technical Proposal, and a Cost Proposal. The SC first reviewed and evaluated the Qualification Packages, which consisted of a Letter of Interest, SF-330 Forms, Schedule J (Responsibility Questionnaire), and Qualification Statement. As a result of this evaluation, the SC recommended to review only the Technical Proposals submitted by Battelle, RSC/TUV, and SYSTRA. The three firms not selected either did not have as much ISA experience or were found not as strong technically.

The SC reviewed and evaluated the written technical proposals of the three selected firms and invited them for oral presentations. Based on their evaluation, the SC determined SYSTRA to be the most technically preferred firm and, as such, was recommended for negotiations. SYSTRA provided the most comprehensive plan of approach in both their technical proposal and oral presentation. The other two firms, while capable of performing the work, provided technical proposals that were not as thorough and/or did not clearly elaborate on how they would perform the required tasks related to this project.

After being selected and approved for negotiations, SYSTRA’s cost proposal was opened and evaluated. The initial cost proposal was \$729,803. The in-house estimate was \$881,407. Negotiations were held with SYSTRA that focused mainly on direct labor rates, and proposed number of hours for several titles. Overhead costs were also reviewed by MTA Audit. As a result of discussions held during negotiations, the in-house estimate was adjusted, and the final estimate was \$715,111.

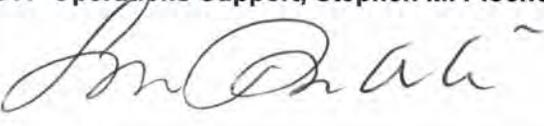
A Best and Final Offer (“BAFO”) was requested and received in the amount of \$684,931. Based on the competitive nature of the RFP and the cost analysis performed, and in comparison to the in-house estimate, SYSTRA’s BAFO was determined to be fair and reasonable.

The MTA Department of Diversity and Civil Rights has established DBE goals at 5 percent for this project. SYSTRA has achieved its previous M/W/DBE goals on previous MTA contracts.

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

This project will be funded with 100 percent federal funds. The contract will not be awarded until an approved WAR Certificate is received.

# Staff Summary

<b>Item Number</b> 3			
<b>Department, Department Head Name:</b> SVP Operations Support, Stephen M. Plochochi			
			
<b>Internal Approvals</b>			
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>
1	Materiel SJS	7	President 13/6/18
2 X	Law		
3 X	CFO		
4 X	Human Resources		
5 X	Buses		
6	EVP  6/13/18		

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b>	<b>Contract No.</b>
UPMC WorkPartners	RFP 125313
<b>Description</b> FMLA Administration Services	
<b>Total Amount</b> \$10,791,074	
<b>Contract Term (including Options, if any)</b> 60 Months	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

**Purpose**

To obtain approval from the Board to award a five-year competitively negotiated multi-agency contract to UPMC Benefit Management Services, Inc. d/b/a UPMC WorkPartners (“UPMC WorkPartners”) to provide FMLA Administration Services in the estimated amount of \$10,791,074.

**Discussion**

This contract will provide Family and Medical Leave Act (“FMLA”) administrative services for NYC Transit, MTA Bus, Metro-North Railroad (“MNR”), and Long Island Rail Road (“LIRR”). The services provided under this contract will be aligned with external best practices and ensure compliance and consistency with laws, labor agreements, and Authority policies. These services will include performing all functions related to administering employees’ requests for, and usage of, FMLA leave; providing robust reporting functionality; developing centralized and well-defined processes standardized across all departments; and providing a 24/7/365 call center. In addition, the contractor will provide consistent support and training on the absence program and expectations, as well as monitor FMLA and regulatory updates.

Prior to advertising the Request for Proposal (“RFP”), Procurement engaged in an extensive vendor outreach. An RFP was advertised with selection criteria that included (1) the proposer’s demonstrated knowledge and proven industry experience with efficient FMLA administration, including knowledge of applicable laws and FMLA regulatory rulings/changes; (2) the proposer’s plan for managing the work; (3) the proposer’s diversity practices; (4) overall project cost; and (5) other relevant matters. Six firms obtained the solicitation and four firms attended the pre-proposal conference. Proposals were received from four firms: CareWorks USA, Ltd. (“CareWorks”); FMLA Source, Inc. (“FMLA Source”); POMCO, Inc. (“POMCO”); and UPMC WorkPartners.

The Selection Committee (“SC”) reviewed the proposals in accordance with the evaluation criteria and recommended that CareWorks, FMLA Source, and UPMC WorkPartners be invited to make oral presentations. POMCO was not invited to make an oral presentation because it lacked the requisite industry experience and received technical ratings that were significantly lower than the other proposers.

Following oral presentations, the SC reevaluated the proposals and recommended that UPMC WorkPartners and CareWorks be invited to negotiations. FMLA Source was not invited to negotiations because its oral presentation revealed that its proposal did not meet certain basic requirements in the scope of work and its technical rating was outside of the competitive range.

# Staff Summary

Negotiations with the two remaining proposers focused on the assumptions underlying the proposers’ pricing, proposed prices, and contractual terms and conditions. Two rounds of negotiations took place in an attempt to obtain better pricing.

Following negotiations, Best and Final Offers (“BAFOs”) were requested and were received on April 5, 2018. The results are summarized below:

<b>Proposer</b>	<b>Initial Proposal</b>	<b>BAFO</b>
UPMC WorkPartners	\$10,949,582	\$10,791,074
CareWorks	\$8,123,331	\$11,423,534

CareWorks’ initial price proposal was not firm fixed and was based on erroneous assumptions. Thus, CareWorks’ BAFO price increased.

After reviewing the BAFOs, in accordance with the evaluation criteria in the RFP, the SC unanimously recommended UPMC WorkPartners for award. UPMC WorkPartners was unanimously determined to be the higher technically ranked proposer based on its demonstrated expertise in FMLA administration and its plan for managing the work. The SC indicated that UPMC’s performance in orals and in negotiations instilled confidence that it had a thorough understanding of the work and would do an outstanding job if awarded the contract. In addition, UPMC WorkPartners’ BAFO price was \$632,460 (5.5 percent) less than CareWorks’ BAFO price. Reference checks for UPMC WorkPartners were all positive. UPMC WorkPartners has provided FMLA administration to the Massachusetts Bay Transportation Authority, Metropolitan Atlanta Rapid Transit Authority, and Southeastern Pennsylvania Transportation Authority.

The price has been found to be fair and reasonable based on the competitive nature of the RFP. The total price includes the requirements for NYC Transit, MTA Bus, MNR, and LIRR. Approximately \$8.5 million is for NYC Transit, \$0.9 million for MNR, \$0.9 million for LIRR, and \$0.5 million for MTA Bus.

**M/W/DBE Information**

The MTA Department of Diversity and Civil Rights has established goals at 0 percent MBE and 0 percent WBE due to lack of subcontracting opportunities.

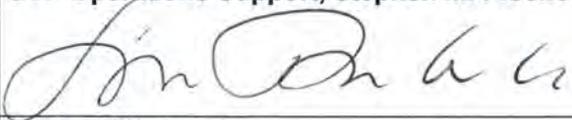
**Impact on Funding**

Funding for NYC Transit’s portion is available in Human Resources’ operating budget under RC 7134, General Ledger number 712542 and Function 900. Each of the other agencies will provide its own funding.

**Alternative**

None recommended. This contract provides MTA with access to the expertise and resources needed to manage FMLA leave and ensures consistent administration.

# Staff Summary

<b>Item Number</b> 4			
<b>Department, Department Head Name:</b> SVP Operations Support, Stephen M. Plochochi			
			
<b>Internal Approvals</b>			
<b>Order</b>	<b>Approval</b>	<b>Order</b>	<b>Approval</b>
1	Materiel	6 X	Subways
2 X	Law	7	EVP
3 X	CFO	8	President
4 X	DDCR	9	
5 X	CPM	10	

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> ARINC Incorporated	<b>Contract No.</b> W-32789
<b>Description</b> Integrated Service Information and Management "B" Division (ISIM-B) Module 3	
<b>Total Amount</b> \$68,445,917	
<b>Contract Term</b> 53 Months	
<b>Option(s) included in Total Amt?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

### Purpose

To obtain Board approval to award a competitively solicited contract for the Integrated Service Information and Management B Division ("ISIM-B") Module 3 to ARINC Incorporated ("ARINC") in the amount of \$68,445,917 with a term of 53 months. The contract also includes three different levels of maintenance support for up to 14 years. The pricing for maintenance options (\$30,804,300 / \$15,248,316 / \$7,856,636) are not included in the total amount listed above, as separate approval and funding will be sought prior to the exercise of any option.

### Discussion

NYC Transit's rail system operations are managed as two separate divisions: the A Division, with its lines and trains designated by numbers, and the B Division, with its lines and trains designated by letters. Much of the B Division signaling system has not yet been modernized, and therefore a source of exact train location information is not currently uniformly available. Service monitoring and control on the B Division is currently performed in a distributed fashion at local field locations, and at the Rail Control Center ("RCC"), which provides incident management capabilities. The purpose of the ISIM-B Project is to provide consistent and timely information regarding the B Division service to staff and customers. Work under Module 3 at the RCC includes (1) installation of a 10-foot x 166-foot large-scale display ("LSD"), (2) a data warehouse ("DW"), and (3) workstations. The LSD will provide train location information and visibility of the entire B Division at the RCC, and the DW will collect and make available information from 22 different systems to allow analyses and report generation. The project also includes modifications to the existing Programmable Logic Controllers at field locations to provide additional indications to be sent to the RCC.

A one-step Request for Proposal ("RFP") was issued requiring the submission of technical and price proposals, including pricing for three different levels of support options for maintenance of hardware (up to seven years) and software (up to 14 years) to achieve life-cycle costing, and to ensure maintenance coverage throughout the useful life of the system. At the end of the warranty period, NYC Transit can exercise one of the three options based on system performance and coverage needs at that time. The level of support can be reduced from the highest to the lowest during the length of the contract according to NYC Transit's needs (e.g., 24/7 on-site; 12 hours on site Monday-Friday with on-call including weekends; and 24/7 on-call).

In response to the RFP, proposals were received from two firms: ARINC and Siemens Industry Inc. ("Siemens"). The technical proposals were evaluated by a Selection Committee ("SC") in accordance with preestablished selection criteria addressing relevant experience, approach to the work, and other technical matters related to the project. The SC was supported by a Technical Advisory Committee ("TAC") comprised of members from various NYC Transit divisions, Capital Program Management ("CPM"), and MTA-IT. Following oral presentations, and technical and Scope of Work ("SOW") clarifications, it became apparent that neither proposal fully addressed the project scope.

## Staff Summary

After providing further details to both proposers, revised technical and price proposals were requested and received. ARINC proposed a base price of \$86,482,065 and optional maintenance prices of \$77,597,948 / \$42,875,065 / \$31,930,662 for the three different levels of service required. Siemens proposed a base price of \$109,697,160 and an optional maintenance price of \$19,344,000. Siemens' optional maintenance proposal was not in compliance with the RFP specification for the duration and level of support required. The internal NYC Transit estimate was \$46,686,730 for the base contract and \$61,024,971 / \$49,368,710 / \$20,259,300 for the three levels of optional maintenance.

The revised technical proposals were evaluated and ARINC's proposal was unanimously ranked superior to Siemens' proposal. The SC unanimously recommended both proposers for negotiations which covered contract terms, technical assumptions, additional SOW clarifications, and discussions of scope efficiencies to achieve savings without compromising project objectives. As a result of the negotiations, revised specifications were issued and interim proposals were requested. The TAC issued a revision of the technical report and still considered ARINC's proposal technically superior to Siemens' proposal. Despite the negotiations, interim pricing remained above the revised internal estimate of \$61,200,000.

Additional negotiations were held with ARINC and Siemens to achieve price reductions. The final internal estimate for the base contract was revised to \$63,500,000 and remained unchanged for the three levels of optional maintenance. Best and Final Offers ("BAFOs") were requested and received. ARINC's BAFO was \$69,420,917 for the base contract and \$30,804,300 / \$15,248,316 / \$7,856,636 for the optional maintenance. Siemens' BAFO was \$75,169,599 for the base contract and \$52,745,746 / \$47,044,153 / \$31,414,775 for the optional maintenance. Both BAFOs offered additional price concessions in exchange for an advance payment and a reduction in retainage. A Net Present Value analysis was performed, and it was determined that the lower BAFO prices would be advantageous for NYC Transit. ARINC's reduced price was \$68,445,917 and Siemens' reduced price was \$73,988,809. The SC reviewed the BAFOs and revisited the technical evaluations. The SC unanimously recommended ARINC for award, determining that its superior technical proposal and lowest price offered the best overall value to NYC Transit based on the selection criteria. Based on the competitive nature of the RFP, the price has been found to be fair and reasonable.

ARINC has experience working on NYC Transit projects and is currently the contractor responsible for System Software and Enhancement Support for the Public Address/Customer Information Screen ("PA/CIS"), Canarsie. ARINC has participated in past NYC Transit projects as a Prime Contractor on Canarsie PA/CIS Upgrade Phase 1, and other projects as a sub-contractor, including Furnishing and Installing Finishes and Systems on the 7 Line Extension. ARINC was also the prime contractor for LSDs at other Transit properties and reference checks for all projects found ARINC's performance satisfactory.

### **M/W/DBE Information**

The MTA Department of Diversity and Civil Rights has established 4 percent MBE and 3 percent WBE goals on this contract due to the specialized engineering expertise requirements. ARINC submitted an MWBE utilization plan to exceed the 7 percent MWBE requirement on this contract. ARINC has not completed any MTA contracts; therefore, no assessment of the firm's MWDBE performance can be determined at this time.

### **Alternatives**

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

### **Impact on Funding**

This project is 100 percent funded with MTA funds under the 2015 – 2019 Capital Program and will be managed by NYC Transit. Maintenance of the ISIM-B Module 3 system will be funded from the operating budget.

### **Capital Program Reporting**

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

### **Recommendation**

It is recommended that the Board approve the award of a contract for the for the Integrated Service Information and Management B Division to ARINC in the amount of \$68,445,917 with a term of 53 months. The contract also includes three different options for maintenance support services. Separate approval and funding will be sought prior to the exercise of any option.

Item Number: 5

<b>Vendor Name (Location)</b> HNTB New York Engineering and Architecture, PC
<b>Description</b> CCM Services for the Construction of Nine Station Renewals and Rehabilitation of the Retaining Walls on the Sea Beach Line (BMT), Borough of Brooklyn
<b>Contract Term (including Options, if any)</b> May 27, 2015–November 26, 2019
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Capital Program Management, John O’Grady

<b>Contract Number</b> CM-6072R	<b>AWO/Mod. #</b> 1
<b>Original Amount:</b>	\$ 22,317,684
<b>Prior Modifications:</b>	\$ 0
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 22,317,684
<b>This Request:</b>	\$ 1,225,388
<b>% of This Request to Current Amount:</b>	5.5%
<b>% of Modifications (including This Request) to Original Amount:</b>	5.5%

**Discussion**

This modification is to provide Consultant Construction Management (“CCM”) services to add oversight of the rehabilitation of the Seventh Avenue Control House located at the Eighth Avenue Station on the Sea Beach Line (BMT) in Brooklyn. Construction Contract A-37673 was awarded on December 29, 2017, for the refurbishing and reopening of the Seventh Avenue Control House and its platform access to the Eighth Avenue Station.

The base contract is for CCM services for the construction of nine station renewals and rehabilitation of the retaining walls on the Sea Beach line. Two contracts are covered under these CCM services: Construction Contract A-36090 for six stations, including Eighth Avenue; and Construction Contract A-36094 for three stations. Under this contract, the CCM consultant supports the NYC Transit Construction Manager’s office in the performance of a broad range of construction inspection and closeout services, including coordination with the design consultant, oversight of the performance of the construction contractors throughout the duration of the project, and management of coordinated efforts with other agencies and utility companies.

This modification will provide for overseeing the demolition and restoration of parapet walls, roofing system, concrete landing pads, masonry, tilework, lighting, exterior and interior finishes, security cameras, pendant lights, and ceiling finishes of the Seventh Avenue Control House. The Seventh Avenue Control House was abandoned for public use in 1975 and has recently served as Automatic Fare Control (“AFC”) maintenance quarters. Under this modification, the consultant will manage construction as existing rooms and facilities previously used by NYC Transit AFC personnel will be reconfigured and reallocated. The Substantial Completion of the Seventh Avenue Control House is linked to the Substantial Completion of the nine stations identified under the base contract, currently scheduled for December 2018. Since HNTB New York Engineering and Architecture, PC (“HNTB”) already serves as CCM for the renewal and rehabilitation of the nine base stations and retaining walls, it would be cost effective and efficient to continue its services on the Control House rehabilitation project.

HNTB’s initial proposal was in the amount of \$1,300,331. The revised in-house estimate was \$1,225,753. Negotiations with HNTB resulted in a Best and Final Offer (“BAFO”) of \$1,225,388 or 5.8 percent lower than its initial proposal. HNTB’s BAFO of \$1,225,388 was deemed fair and reasonable. Base contract rates were utilized.

**JUNE 2018**

**LIST OF RATIFICATIONS FOR BOARD APPROVAL**

**Procurements Requiring Majority Vote:**

**K. Ratification of Completed Procurement Actions (Involving Schedule E-J)**

(Staff Summaries required for items requiring Board approval.)

- |  |                    |                                      |
|--|--------------------|--------------------------------------|
| <b>1. Nova Bus, a Division of Prevo<br/>Car (US), Inc.<br/>Contract# B-40660.1</b> | <b>\$3,485,708</b> | <b><u>Staff Summary Attached</u></b> |
|--|--------------------|--------------------------------------|

Modification to the contract to furnish and deliver 92 low-floor 60-foot articulated buses; in order to incorporate a series of technical changes.

Item Number: 1

<b>Vendor Name (Location)</b> Nova Bus, a Division of Prevost Car (US), Inc. (Plattsburgh, New York)	
<b>Description</b> Furnish and deliver 92 low-floor 60-foot articulated buses	
<b>Contract Term (including Options, if any)</b> March 24, 2016–March 30, 2024	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept./Div., Dept./Div. Head Name:</b> Department of Buses, Darryl C. Irick	

<b>Contract Number</b>	<b>AWO/Mod. #</b>
B-40660	1
<b>Original Amount:</b>	\$ 74,986,729
<b>Option Amount:</b>	\$ 60,028,995
<b>Total Amount:</b>	\$ 135,015,724
<b>Prior Modifications:</b>	\$ 0
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 135,015,724
<b>This Request:</b>	\$ 3,485,708
<b>% of This Request to Current Amount:</b>	2.6%
<b>% of Modifications (including This Request) to Total Amount:</b>	2.6%

**Discussion**

This retroactive modification is for incorporation of a series of technical changes on 92 low-floor 60-foot articulated buses from Nova Bus, a Division of Prevost Car (US), Inc. (“Nova Bus”).

The base contract is a competitively solicited and negotiated Request for Proposal (“RFP”) for the purchase of 231 low-floor 60-foot articulated diesel buses to replace buses that were beyond their 12-year service life. The solicitation included an option to purchase up to 300 additional buses, which could be ordered via a competitive run-off process if the base contract is split between the two competing bus manufacturers. The contractors who won the base award would then compete by submitting proposals for the option buses. The original RFP resulted in a split award approved by the November 2015 Board: Contract B-40660-1 was awarded to Nova Bus for 92 low-floor 60-foot articulated diesel buses in the amount of \$74,986,729, and Contract B-40660-2 was awarded to New Flyer of America, Inc. for 139 low-floor 60-foot articulated diesel buses in the amount of \$109,937,596.

Delivery of the 92 buses from Nova Bus began in December 2017 and is scheduled to be completed in June 2018. A total of 81 buses have been delivered as of May 31, 2018.

This retroactive modification will memorialize the incorporation of a series of technical changes requested by the NYC Transit Department of Buses (“DOB”) to provide enhanced customer amenities and rebrand the buses while also optimizing performance and improving the reliability and maintainability of various mechanical and electrical systems on the 92 low-floor 60-foot articulated buses purchased under this contract. All of these changes were incorporated on the production line.

Through negotiations that focused on technical changes as well as pricing mark-ups and overhead rates for each of these changes, Procurement obtained a final price of \$3,485,708. The final pricing for this modification has been found to be fair and reasonable based on costs validated by MTA Audit.



**Metro-North Railroad**

# Procurements

**Subject** Request for Authorization to Award Various Procurements

**Department** Procurement and Material Management

**Department Head Name**  
Alfred Muir, Sr. Director

**Department Head Signature**

**Project Manager Name**

**Date**  
June 11, 2018

**Vendor Name**  
Various

**Contract Number**  
Various

**Contract Manager Name**  
Various

**Table of Contents Ref #**

Board Action					
Order	To	Date	Approval	Info	Other
1	MNR Comm. Mtg.	6-18-18	X		
2	MTA Board Mtg.	6-20-18	X		

Internal Approvals			
	Approval		Approval
X	President <i>CAS</i>		
X	Executive V.P. <i>Shane Dering</i>	X <i>JTK</i>	V.P. Capital Programs
X	Sr. V.P. Operations <i>JK</i>	X <i>TK</i>	V.P. & General Counsel
X	VP Finance & IT <i>SW</i>		

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

**PURPOSE:**

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

**DISCUSSION:**

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

	<u># of Actions</u>	<u>\$ Amount</u>
<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>	<u>NONE</u>	
<u>Schedules Requiring Majority Vote</u>	<u>NONE</u>	
<b>SUB TOTAL:</b>		

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

<u>Schedules Requiring Two-Thirds Vote (or more, where noted)</u>		<u># of Actions</u>	<u>\$ Amount</u>
Schedule B:	Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)	2	TBD
	<ul style="list-style-type: none"> <li>• Request to use RFP Process</li> <li>• Request to use RFP Process</li> </ul>	TBD	TBD
Schedule C:	Competitive Requests for Proposals (Award of Purchase and Public Work Contracts)	1	\$3,619,908
	<ul style="list-style-type: none"> <li>• Conductix, Inc.</li> </ul>	\$3,619,908	
<u>Schedules Requiring Majority Vote</u>			
Schedule G:	Miscellaneous Service Contracts	2	\$5,000,000
	<ul style="list-style-type: none"> <li>• TRC Environmental Corporation</li> <li>• Environmental Planning &amp; Management, Inc.</li> </ul>	\$2,500,000 \$2,500,000	
SUB TOTAL:		5	\$8,619,908

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

<u>Schedules Requiring Two-Thirds Vote (or more, where note</u>	<u>NONE</u>
<u>Schedules Requiring Majority Vote</u>	<u>NONE</u>
SUB TOTAL:	
TOTAL:	
	5      \$8,619,908

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

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

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

## METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

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

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

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

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

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

JUNE 2018

METRO-NORTH RAILROAD

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Schedules Requiring Two-Thirds Vote:

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

**1. Request to Use the RFP Process                      TBD                      Staff Summary Attached  
**Design/Build, Delivery and Installation of DC Traction Switchgear  
at Nine MNR Stations on the Hudson and Harlem Lines****

MTA Metro-North Railroad (Metro-North) requests that the Board adopt a resolution declaring that competitive, sealed bidding is impractical or inappropriate and that it is therefore in the public interest to use the competitive Request for Proposal (RFP) process, pursuant to Public Authorities Law Section 1265-a, to solicit for the Design/Build delivery and installation of DC Traction Switchgear at nine Metro-North Stations on the Hudson and Harlem Lines.

Metro-North requires a contractor with the technical expertise to design and manufacture a highly complex system integral to the existing DC Traction Power Switchgear. The contractor will engineer the switch gear capable of withstanding 200,000 Amps at 800VDC. Custom engineering is required for each unique substation location to be integrated with the existing infrastructure. The project calls for the incorporation of technologies (circuit breakers, relays, cubicles, copper bus, interconnect wiring, etc.), integration of multiple vendors and potential configurations and training.

The RFP process is used to solicit Design/Build contracts because the contract documents are not sufficiently complete to utilize a formal competitive bidding solicitation. Also, the RFP process will give Metro-North the ability to evaluate terms other than price alone, such as technical approach, contractor and design professional qualifications and past performance. The RFP process also provides the ability to negotiate key terms and to solicit improved technical and schedule requirements.

These procurements will be funded by the 2015-2019 MNR Capital Program.

**2. Request to Use the RFP Process                      TBD                      Staff Summary Attached  
**Rehabilitation of and Improvements to Hartsdale and Scarsdale Stations****

MTA Metro-North Railroad (Metro-North) requests that the Board adopt a resolution declaring that competitive, sealed bidding is impractical or inappropriate and that it is therefore in the public interest to use the competitive Request for Proposal (RFP) process, pursuant to Public Authorities Law Section 1265-a, to solicit proposals for the Rehabilitation of, and Improvements to Hartsdale and Scarsdale Stations.



transit products, and consequently is very familiar with the demands of the railroad environment. Conductix proposed to complete this work in the required timeline and supplied a detailed project plan. Based on this, the Selection Committee unanimously recommended Conductix for contract award.

Conductix's proposal was submitted in the amount of \$3,690,673. Upon discussions and negotiations by the P&MM Department, Conductix reduced its original pricing from \$3,690,673 to \$3,619,908 (a savings of approximately 2%). All pricing shall remain fixed for the duration of the contract term. The Selection Committee evaluated Conductix's Best and Final Offer and deemed Conductix's pricing to be fair and reasonable based on previous MNR pricing history for similar fiberglass brackets.

The total cost for this procurement is not-to-exceed \$3,619,908 and will be funded under the Sandy Emergency Relief Program administered by the FTA.

**Schedules Requiring Majority Vote:**

**G. Miscellaneous Service Contracts**

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

4. TRC Environmental Corporation \$2,500,000 (not-to-exceed) **Staff Summary Attached**
5. Environmental Planning & Management, Inc. \$2,500,000 (not-to-exceed)  
**Asbestos and Lead Air Monitoring and Testing Services**

Approval is requested to award a competitively solicited, five-year miscellaneous service contract (RFP process, fourteen proposals received), in the not-to-exceed amount of \$5,000,000 to TRC Environmental Corporation (TRC) (\$2,500,000) and Environmental Planning & Management, Inc. (EPM) (\$2,500,000) to perform on-call system-wide asbestos and lead air monitoring and testing services on an as-needed, task order basis.

MNR's System Safety Department seeks two firms to provide: (a) abatement project monitoring/supervision and air monitoring and analysis; (b) assistance to MNR with coordination efforts with all regulatory agencies; (c) design documents (specifications, drawings, estimates) to be utilized to solicit bids; and (d) assessments of work detailing the extent of contamination and the best method for remediation. Work is required throughout MNR's territory in both New York State and Connecticut.

On November 14, 2017, technical and cost proposals were received from AECOM, Airtek Environmental, ATC Group Services, Athenica Environmental Services, Inc., CORE Environmental, CTSI Environmental Safety & Health Professionals, Entech Engineering, PC., EPM, KAM Consultants, LIRO Engineers, Louis Berger, OMEGA Environmental Services, TRC and Warren Panzer Environmental Engineers.

The Selection Committee was comprised of members representing MNR's Procurement and Material Management and System Safety Departments. The Committee evaluated the 14

proposals received in accordance with the selection criteria of the RFP. As a result of the evaluation, the Committee selected ATC, EPM, Louis Berger and TRC to be short-listed. Following the oral presentation, it was the unanimous decision of the Committee to recommend TRC and EPM for awards based on the ranking of their overall scores. TRC and EPM have ample personnel resources with a diverse range of experience, which encompass the full span of services specified by the RFP.

Proposers provided unit prices for various tasks and units of measure historically performed under these types of agreements. The actual distribution of work to the two vendors will be on a rotational basis based upon vendor capacity with the goal of meeting service requirements. As this Board Authorization shall not guarantee any one vendor a fixed amount of work, the overall budget may be reallocated as necessary to ensure the most efficient and timely asbestos and lead air monitoring and testing services. All unit prices remained fixed for the duration of the five-year agreement. The average unit cost of TRC and EPM proposals as compared to the average of the 12 other proposers are 16.06 % lower. Based on the evaluation of all costs submitted by TRC and EPM, their prices are deemed fair and reasonable for the level of service to be provided.

The total cost for the two awards is in the not-to-exceed amount of \$5,000,000 (TRC = \$2,500,000, EPM = \$2,500,000) for a duration of five years and is to be funded by the MNR Operating and Capital Budget and by CDOT on a task-by-task basis.

# Staff Summary

Item Number B					
Dept. & Dept. Head Name: Procurement & Material Management, Al Muir, Sr. Director					
Division & Division Head Name: Executive Vice President, Susan Doering					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	MNR Comm. Mtg.	6-18-18	x		
2	MTA Board Mtg.	6-20-18	x		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	V.P. & General Counsel		
X	Sr. V.P. Operations				
X	V.P. Finance & IT				
X	V.P. Capital				

SUMMARY INFORMATION	
Vendor Name TBD	Contract Number TBD
Description Request to use the RFP Process- Design Build and Delivery and Installation of DC Traction Switchgear at nine Metro-North Stations on the Hudson and Harlem Lines	
Total Amount TBD	
Contract Term (including Options, if any) Various	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative

### I. PURPOSE/RECOMMENDATION

MTA Metro-North Railroad (Metro-North) requests that the Board adopt a resolution declaring that competitive, sealed bidding is impractical or inappropriate and that it is therefore in the public interest to use the competitive Request for Proposal (RFP) process, pursuant to Public Authorities Law Section 1265-a, to solicit for the Design/Build delivery and installation of DC Traction Switchgear at nine Metro-North Stations on the Hudson and Harlem Lines.

### II. BACKGROUND & DISCUSSION

Metro-North requires a contractor with the technical expertise to design and manufacture a highly complex system integral to the existing DC Traction Power Switchgear. The contractor will engineer the switch gear capable of withstanding 200,000 Amps at 800VDC. Custom engineering is required for each unique substation location to be integrated with the existing infrastructure. The project calls for the incorporation of technologies (circuit breakers, relays, cubicles, copper bus, interconnect wiring, etc.), integration of multiple vendors and potential configurations and training.

The RFP process is used to solicit Design/Build contracts because the contract documents are not sufficiently complete to utilize a formal competitive bidding solicitation. Also, the RFP process will give Metro-North the ability to evaluate terms other than price alone, such as technical approach, contractor and design professional qualifications and past performance. The RFP process also provides the ability to negotiate key terms and to solicit improved technical and schedule requirements.

# Staff Summary

## III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights (DDCR) will be consulted in order to establish MBE/WBE goals.

## IV. IMPACT ON FUNDING

These procurements will be funded by the 2015-2019 MNR Capital Program.

## V. ALTERNATIVES

The alternative is to use the sealed competitive bidding process however this alternative is not recommended, as it would require Metro-North to first obtain 100% designs of the work to be implemented, thereby losing the advantages of Design/Build construction. The use of the Design Build process shall also allow the contractor to utilize its specialized expertise to adapt the base design to the individual stations optimizing design efficiencies.

# Staff Summary

Item Number B					
Dept. & Dept. Head Name: Procurement & Material Management, Al Muir, Sr. Director					
Division & Division Head Name: Executive Vice President, Susan Doering					
<b>Board Reviews</b>					
Order	To	Date	Approva	Info	Other
1	MNR Comm. Mtg.	6-18-18	x		
2	MTA Board Mtg.	6-20-18	x		
<b>Internal Approvals</b>					
Order	Approval	Order	Approval		
X	President <i>CMC</i>	X	V.P. & General Counsel		
X	Sr. V.P. Operations				
X	V.P. Finance & IT				
X	V.P. Capital				

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

**Narrative**

**I. PURPOSE/RECOMMENDATION**

MTA Metro-North Railroad (Metro-North) requests that the Board adopt a resolution declaring that competitive, sealed bidding is impractical or inappropriate and that it is therefore in the public interest to use the competitive Request for Proposal (RFP) process, pursuant to Public Authorities Law Section 1265-a, to solicit proposals for the Rehabilitation of, and Improvements to Hartsdale and Scarsdale Stations.

**II. BACKGROUND & DISCUSSION**

Metro-North has identified Hartsdale and Scarsdale Stations as two stations that require immediate rehabilitation and improvement work to bring them into a state of good repair. These repairs and improvements shall include but are not limited to:

- o Replacing all platforms and all associated items with new. The new platforms shall have embedded snow melting system with new boiler rooms to support that function
- o Replacing all platform piers and pier foundations
- o Installing new platform canopies
- o Adding new elevators to stations (2 in Hartsdale and 1 in Scarsdale)
- o Replacing and adding ADA ramps
- o Relocate storm water drainage system

The RFP process will give Metro-North the ability to evaluate terms other than price alone, such as technical approach, contractor and design professional qualifications and past performance. In addition, the Design/Build process will allow Metro-North to accelerate this critical state of good repair project.

# Staff Summary

## III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights (DDCR) will be consulted in order to establish MBE/WBE goals.

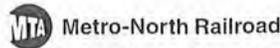
## IV. IMPACT ON FUNDING

This procurement will be funded by the 2015-2019 MNR Capital Program.

## V. ALTERNATIVES

The alternative is to use the sealed competitive bidding process. This alternative is not recommended, as it would require Metro-North to first obtain 100% designs of the work to be implemented, thereby losing the advantages of Design/Build construction and possibly causing a delay in this critical rehabilitation project.

# Staff Summary



Item Number C					
Dept & Dept Head Name: Procurement & Material Management, Al Muir, Sr. Director					
Division & Division Head Name: Executive Vice President, Susan Doering					
Board Reviews					
Order	To	Date	Approv	Info	Other
1	M-N Comm.Mtg.	6-18-18	x		
2	MTA Board Mtg.	6-20-18	x		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	V.P. & General Counsel		
X	Sr. V.P. Operations				
X	V.P. Finance & IT				
X	V.P. Capital Programs				

SUMMARY INFORMATION	
Vendor Name Conductix, Inc.	Contract 1000105627
Description Design, fabricate, test and deliver Fiberglass 3 <sup>rd</sup> Rail Brackets	
Total Amount \$3,619,908 (not-to-exceed)	
Contract Term (including Options, if any) Five Years	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

**Narrative**

**I. PURPOSE/RECOMMENDATION:**

Approval is requested to award a five year competitively solicited and negotiated contract (RFP process; two proposals received); in the not-to-exceed amount of \$3,619,908 to Conductix, Inc. ("Conductix") to design, fabricate, test, and deliver 3<sup>rd</sup> rail fiberglass brackets.

**II. DISCUSSION:**

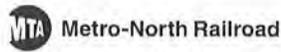
A new fiberglass bracket design is required to correct a recurring electrical arcing problem affecting MNR's 3<sup>rd</sup> rail traction power system. The existing 3<sup>rd</sup> rail brackets and associated components were damaged by Superstorm Sandy, resulting in an increased frequency of electrical arcing commonly called "burners". Electrical arcing occurs when the 3<sup>rd</sup> rail (positive) shorts to the running rail (negative) resulting in a fire condition. When this condition arises, MNR tracks are taken out of service to enable repairs which ultimately impacts revenue train service. In an effort to prevent this condition from occurring, MNR intends to increase the amount of dielectric material between the running rail and the 3<sup>rd</sup> rail through the application of molded fiberglass brackets. The project consists of the design, manufacturing and delivery of fiberglass 3<sup>rd</sup> rail brackets for use on MNR's operating territory.

In accordance with MTA Procurement Guidelines, a Request for Proposal (RFP) dated January 9, 2018 was prepared and advertised in the New York State Contract Reporter and posted on MNR's website.

The selection criteria established in the RFP were as follows:

1. Technical Capability: Ability to provide technical services, equipment and systems as required in the RFP, including, but not limited to quality and completeness of the required engineering, testing, training and documentation.
2. Project Plan: Proposer's demonstrated ability to manage and coordinate the work in the RFP.

# Staff Summary



3. Experience: Identified previous work over the last ten years similar to the requirements of this RFP. Demonstrated qualifications and availability of key personnel, including a commitment that the key resources remain constant throughout the project including subconsultant/subconsultant services.
4. Cost: Completeness and competitiveness of cost and price submittal.

Seven firms were provided the RFP and two proposals were received. A single No Proposal Response Form was received with the reason for not responding to the RFP "could not meet MNR's specifications". A survey of the non-responding contractors was conducted and provided similar responses respectively.

On March 9, 2018, the Selection Committee comprised of members representing MNR's P&MM, Safety, and MoW Departments met to discuss the two technical and cost proposals received from LB Foster and Conductix. LB Foster's proposal submittal did not address or meet several of MNR's specification requirements. Although LB Foster was provided an opportunity to address several deficiencies in its proposal, it elected not to do so. In addition, LB Foster took exception to MNR's contractual terms and conditions and subsequently withdrew its proposal. The proposal submitted by Conductix was technically compliant, competent, and met MNR's contract terms and conditions and preliminary design.

The Selection Committee invited Conductix to give an oral presentation. At the oral presentation, Conductix demonstrated its understanding of the Scope of Work by proposing to manufacture the new brackets using the latest technology (injection-compression molding), with a specialized transit grade fiberglass material that is smoke resistant and of the highest dielectric content. Conductix has exceptional experience with the design and engineering of transit products, and consequently is very familiar with the demands of the railroad environment. Conductix proposed to complete this work in the required timeline and supplied a detailed project plan. Based on this, the Selection Committee unanimously recommended Conductix for contract award.

Conductix's proposal was submitted in the amount of \$3,690,673. Upon discussions and negotiations by the P&MM Department, Conductix reduced its original pricing from \$3,690,673 to \$3,619,908 (a savings of approximately 2%). All pricing shall remain fixed for the duration of the contract term. The Selection Committee evaluated Conductix's Best and Final Offer and deemed Conductix's pricing to be fair and reasonable based on previous MNR pricing history for similar fiberglass brackets.

MNR completed a responsibility review of Conductix, Inc. as defined in the All Agency Responsibility Guidelines in connection with this award recommendation, which yielded no significant adverse information (SAI).

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

A request for goal determination was submitted to MTA Department of Diversity and Civil Rights (DDCR) for M/WBE availability review and subcontracting goal assessment. MTA DDCR determined that no MBE/WBE goals could be established.

### IV. IMPACT ON FUNDING:

The total cost for this procurement is not-to-exceed \$3,619,908 and will be funded under the Sandy Emergency Relief Program administered by the FTA.

### V. ALTERNATIVES:

An alternative is not feasible as MNR does not have the available in-house design or capacity to meet scope or the specified work.

# Staff Summary

Item Number G					
Dept & Dept Head Name: Procurement & Material Management, Al Muir, Sr. Director					
Division & Division Head Name: Executive Vice President, Susan Doering					
Board Reviews					
Order	To	Date	Approv	Info	Other
1	M-N Comm.Mtg.	6-18-18	x		
2	MTA Board Mtg.	6-20-18	x		
Internal Approvals					
Order	Approval	Order	Approval		
X	President	X	V.P. & General Counsel		
X	Sr. V.P. Operations				
X	V.P. Finance & IT				
X	V.P. Capital Programs				

SUMMARY INFORMATION	
Vendor Name TRC Environmental Corporation Environmental Planning & Management, Inc. (EPM)	Contract Number 1000104944 1000095008
Description Asbestos and Lead Air Monitoring and Testing Services	
Total Amount \$5,000,000 (not-to-exceed) (TRC = \$2,500,000, EPM = \$2,500,000)	
Contract Term (including Options, if any) Five Years	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other: CDOT	

## Narrative

### I. PURPOSE/RECOMMENDATION:

Approval is requested to award a competitively solicited, five-year miscellaneous service contract (RFP process, fourteen proposals received), in the not-to-exceed amount of \$5,000,000 to TRC Environmental Corporation (TRC) (\$2,500,000) and Environmental Planning & Management, Inc. (EPM) (\$2,500,000) to perform on-call system-wide asbestos and lead air monitoring and testing services on an as-needed, task order basis.

### II. DISCUSSION:

MNR's System Safety Department seeks two firms to provide: (a) abatement project monitoring/supervision and air monitoring and analysis; (b) assistance to MNR with coordination efforts with all regulatory agencies; (c) design documents (specifications, drawings, estimates) to be utilized to solicit bids; and (d) assessments of work detailing the extent of contamination and the best method for remediation. Work is required throughout MNR's territory in both New York State and Connecticut.

A Request for Proposal (RFP), dated October 17, 2017, was prepared and advertised in the New York State Contract Reporter, the New York Post, El Diario, Daily Challenge and posted on MNR's website.

On November 14, 2017, technical and cost proposals were received from AECOM, Airtek Environmental, ATC Group Services, Athenica Environmental Services, Inc., CORE Environmental, CTSI Environmental Safety & Health Professionals, Entech Engineering, PC., EPM, KAM Consultants, LIRO Engineers, Louis Berger, OMEGA Environmental Services, TRC and Warren Panzer Environmental Engineers.

# Staff Summary

The criteria for selection established in the RFP are as follows:

1. Cost.
2. Project Plan, understanding of the workscope requirements and schedule.
3. Past experience with similar projects.
4. Confidence level, commitment of relevant resources to the project.

The Selection Committee was comprised of members representing MNR's Procurement and Material Management and System Safety Departments. The Committee evaluated the 14 proposals received in accordance with the selection criteria of the RFP. As a result of the evaluation, the Committee selected ATC, EPM, Louis Berger and TRC to be short-listed. Following the oral presentation, it was the unanimous decision of the Committee to recommend TRC and EPM for awards based on the ranking of their overall scores. TRC and EPM have ample personnel resources with a diverse range of experience, which encompass the full span of services specified by the RFP.

Proposers provided unit prices for various tasks and units of measure historically performed under these types of agreements. The actual distribution of work to the two vendors will be on a rotational basis based upon vendor capacity with the goal of meeting service requirements. As this Board Authorization shall not guarantee any one vendor a fixed amount of work, the overall budget may be reallocated as necessary to ensure the most efficient and timely asbestos and lead air monitoring and testing services. All unit prices remained fixed for the duration of the five-year agreement. The average unit cost of TRC and EPM proposals as compared to the average of the 12 other proposers are 16.06 % lower. Based on the evaluation of all costs submitted by TRC and EPM, their prices are deemed fair and reasonable for the level of service to be provided.

MNR completed a responsibility review of both TRC Environmental Corporation and Environmental Planning & Management, Inc. as defined in the All Agency Responsibility Guidelines in connection with this award recommendation, which yielded no significant adverse information (SAI).

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

The MTA Department of Diversity and Civil Rights (DDCR) established a 20% DBE goal for this project. No awards will be issued without DDCR concurrence.

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

Board approval is requested for two awards in the not-to-exceed amount of \$5,000,000 (TRC = \$2,500,000, EPM = \$2,500,000) for a duration of five years and is to be funded by the MNR Operating and Capital Budget and by CDOT on a task-by-task basis.

### **V. ALTERNATIVES:**

MNR does not have the experience to complete the full spectrum of system-wide asbestos and lead air monitoring and testing services.

**LONG ISLAND RAIL ROAD**

**PROCUREMENTS**

**FOR**

**BOARD ACTION**

**June 20, 2018**

# Staff Summary



Subject : Request for Authorization to Award Various Procurements						Date June 20, 2018			
Department Procurement and Logistics									
Department Head Name Dennis L. Mahon, Chief Procurement and Logistics Officer									
Department Head Signature									
<b>Board Action</b>						<b>Internal Approvals</b>			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LI Committee	6.18.18				2	President <i>[Signature]</i>		<i>6/12/18</i>
2	MTA Board	6.20.18				1	Executive VP <i>[Signature]</i>		<i>6/12/18</i>

**PURPOSE:**

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

**DISCUSSION:**

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

Schedules Requiring Two-Thirds Vote

Schedule A:      Non-Competitive Purchases and Public Works	1	\$ 960,725
<b>SUBTOTAL:</b>	<b>1</b>	<b>\$ 960,725</b>

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

Schedules Requiring Two-Thirds Vote

Schedule C:      Competitive Requests for Proposals (Award)	1	\$14,325,000
<b>SUBTOTAL:</b>	<b>1</b>	<b>\$14,325,000</b>

**LIRR proposes to award Ratifications in the following categories:**

NONE

<b>TOTAL:</b>	<u># of Actions</u> <b>2</b>	<u>\$ Amount</u> <b>\$ 15,285,725</b>
---------------	---------------------------------	--

**BUDGET IMPACT:**

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

**RECOMMENDATION:**

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

## METROPOLITAN TRANSPORTATION AUTHORITY

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

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

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

NOW, the Board resolves as follows:

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

# Schedule A: Non-Competitive Purchases and Public Works

## Staff Summary



Item Number:

<b>Vendor Name (&amp; Location)</b> Knox Kershaw
<b>Description</b> Replacement Parts for Various Maintenance Of Way Equipment
<b>Contract Term (including Options, if any)</b> 3 Years
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Procurement Type</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-Competitive
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole Source

<b>Contact Number</b> IFB#199717-E99	<b>Renewal?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Total Amount: \$960,725</b>	LIRR: \$ 710,725 MNR: \$ 250,000
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Maintenance of Way Repair Shop – Joseph Savoretti, Assistant Manager	
<b>Contract Manager :</b> Arlen Turnier	

### Discussion:

Long Island Rail Road, on behalf of itself and Metro-North Rail, (“the Railroads”), requests MTA Board approval to award two three-year sole source contracts to Knox Kershaw in a total amount not-to-exceed \$960,725, (LIRR: \$710,725 & MNR: \$250,000) for replacement parts required to operate and maintain various pieces of Knox Kershaw equipment.

Knox Kershaw is the Original Equipment Manufacturer (OEM) of Knox Kershaw equipment and sole distributor for their replacement parts. As they do not have independent 3rd party distributors or manufacturer’s representatives, Knox Kershaw holds all proprietary rights to their drawings, specifications and other technical information for their equipment. Knox Kershaw equipment is used by the Railroads’ Track Maintenance departments who are responsible for the maintenance and repair of rail infrastructure assets. Each Railroads’ Maintenance of Way repair shop maintains all equipment purchased from Knox Kershaw, and requires these spare and replacement parts. Knox Kershaw equipment is used extensively by the Railroads for the maintenance and repair of the track. This contract specifically supports 18 tie cranes (13 LIRR; 5 MNR), 12 ballast regulators (2 LIRR; 10 MNR), 2 snow fighter/ballast regulators, one tie inserter/extractor, and one cribber adzer.

LIRR continues to seek competition for all its procurements. To that end, LIRR advertised its intent to award a sole source contract to Knox Kershaw in the New York State Contract Reporter on January 16, 2018, and in the New York Post on February 1, 2018 to seek additional potential vendors capable of providing equivalent replacement parts. No other vendor expressed interest in competing for this procurement.

Tie cranes are used in mechanized tie installations to lay out new ties and retrieve damaged/worn ties collected on carts they tow. Tie cranes also support maintenance work with tie removal and insertion. Ballast regulators distribute stone into cribs between the ties and onto the tie ends. This shaping and profiling of the ballast is essential to lock the ties into place when surfacing. Two convertible ballast regulator/snow fighters perform their duties based on the season. In winter snow conditions, these machines plow snow from the tracks and can throw the snow clear of an interlocking switch. The tie inserter/remover allows for tie replacement in tight station areas where platforms interfere with the operation of other machines.

Knox Kershaw’s contract pricing is based on a 3% discount off current list. A comparison of the current price list for Knox Kershaw replacement parts vs. the list price in effect during the prior contract was performed and the variance over the last three years was found to be comparable to the Producer Price Index (PPI) for construction machinery and equipment during that period. As a result of this comparison, prices have been determined to be fair and reasonable. The price list that Knox Kershaw is offering will remain fixed for three (3) years, until the end of contract on February 28, 2021.

A responsibility review of Knox Kershaw was conducted, and no SAI was found. Therefore, they have been determined to be a responsible and responsive supplier.

Staff Summary



<b>Item Number:</b>					
<b>Dept &amp; Dept Head Name:</b> Procurement & Logistics; Dennis Mahon					
Department Head Signature & Date					
<b>Division &amp; Division Head Name:</b> Department of Program Management, Paul Dietlin					
Division Head Signature & Date					
<b>Board Reviews</b>					
Order	To	Date	Approval	Info	Other
1	LI Committee	6.18.18			
2	MTA Board	6.20.18			
<b>Internal Approvals</b>					
Order	Approval	Order	Approval		
6	President <i>PZ</i>	3	SVP Engineering (Act'g) <i>W</i>		
5	Executive VP <i>W</i>	2	VP and CFO <i>W</i>		
4	SVP Operations <i>W</i>	1	VP/Gen'l Counsel & Sec'y <i>W</i>		

SUMMARY INFORMATION	
<b>Vendor Name</b> T. Moriarty & Son, Inc.	<b>Contract Number</b> 6266
<b>Description</b> Design/Build Replacement of Meadowbrook Substation	
<b>Total Amount</b> \$14,325,000	
<b>Contract Term (including Options, if any)</b> 860 consecutive calendar days	
<b>Options(s) included in Total Amount:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-Competitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	

**I. PURPOSE/RECOMMENDATION:**

LIRR requests MTA Board approval to award a competitively negotiated contract in the amount of \$14,325,000 to T. Moriarty & Son, Inc. (T. Moriarty) to construct, furnish, and install a prefabricated traction power substation to replace the Meadowbrook Substation, which has exceeded its useful life. This contract also includes an allowance for the removal and disposal of contaminated soil classified as hazardous waste to an approved off-site disposal facility.

**II. DISCUSSION:**

The Meadowbrook Substation is located on LIRR's Babylon Branch in Freeport, an area with dense train traffic which places a greater demand on the traction power system. The Meadowbrook substation was identified as deficient in the 2005 Traction Power Load Study and the Power Asset Condition Assessment. With the existing M-7 fleet and the introduction this year of the new M-9 fleet, energy requirements will exceed the capacity of the existing traction power infrastructure. Under this contract, T. Moriarty will design, fabricate, deliver, install, integrate and test the modular substation including the building enclosure, equipment, cabling and supervisory control systems. Additionally, all site work will be performed by T. Moriarty with the modular substation building being assembled and installed on foundations constructed by them. LIRR Forces will install and terminate all cable connections required for interconnecting the substation into the power infrastructure. Replacement of this aging substation will improve both system reliability and customer satisfaction.

In May 2017, the MTA Board approved use of the "Request for Proposal" (RFP) method to solicit Design-Build contractors for the replacement of the Meadowbrook Substation. On November 20, 2017, the RFP was advertised in the New York State Contract Reporter, New York Post and on the MTA's website. In addition, a copy of the advertisement was sent directly to firms known to have experience with this type of work. On February 16, 2018, LIRR received three proposals from the following firms: 1) Mass Electric Construction Company (MEC) for \$16,937,000; 2) T. Moriarty for \$14,612,500; and 3) Railroad / Eldor - JV, LLC. for \$18,477,600.

A Technical Evaluation Committee (TEC) assessed each firm's technical proposal against the technical evaluation criteria of the RFP (Technical Approach; Key Personnel/Corporate Qualifications; and Management Approach). All three firms

## Staff Summary

were then invited to give an oral presentation of their technical proposal. During presentations, all firms demonstrated their comprehensive understanding of the project and adequately responded to LIRR's questions. The TEC's final technical evaluation found that each proposer was technically compliant with the RFP requirements and successfully demonstrated their ability to complete the scope of work.

Subsequent to final technical evaluations, cost proposals of all three firms revealed prices that exceeded LIRR's internal estimate. Therefore, requests for Best and Final Offers (BAFO's) were sent to all three firms. Two firms responded with a reduced price (MEC and T. Moriarty), while one firm's BAFO (Railroad / Eldor - JV, LLC) was greater than their original cost proposal.

Accordingly, BAFOs were incorporated into each firm's overall evaluation, resulting in T. Moriarty being the top-ranked firm and representing the best value to LIRR. Besides demonstrating a strong competency and understanding of the project, meeting the LIRR specifications/industry requirements and possessing extensive experience with this type of work, their BAFO price of \$14,560,000 (Base \$14,171,200 + Allowance \$388,800) was \$2.4 million less than the next ranked proposer. Therefore, LIRR agreed to pursue T. Moriarty and Son, Inc. for the award of this contract.

Since T. Moriarty's price was greater than LIRR's internal estimate, they were asked to reassess their price for any additional efficiencies or areas that could be further reduced. Accordingly, T. Moriarty submitted a revised BAFO of \$14,325,000 (Base \$13,936,200 + Allowance \$388,800) which was \$235,000 less than their previous offering. Although, this price was still slightly over LIRR's internal estimate of \$13,163,636, it was 15% and 24% less than the BAFOs submitted by Mass Electric Construction Company and Railroad / Eldor - JV, LLC, respectively. Therefore, T. Moriarty's final price is determined to be "fair and reasonable."

A vendor responsibility review was performed in May 2018 and returned no adverse information against T. Moriarty and Son, Inc. In addition, a financial review of the awardee firm by LIRR Controller Department yielded favorable results. Based upon the foregoing, T. Moriarty and Son, Inc. is considered a responsive and responsible vendor.

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

The MTA Department of Diversity and Civil Rights (DDCR) has established a 5% DBE goal for this procurement. An award will not be made until DDCR approves of T. Moriarty's Utilization Plan which is currently under review.

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

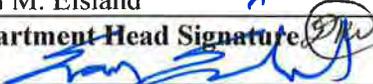
This contract will be federally funded. Funding for this project is included in LIRR's 2015-2019 Capital Program

### **V. ALTERNATIVES:**

LIRR does not have the ability to perform the work in-house. Only a 3<sup>rd</sup> Party contractor can provide this state-of-the-art traction power substation. Not Replacing the Meadowbrook Substation would result in the Power Department continuing the existing practice of intensive maintenance or repairing/replacing components as failures occur. This practice, however, is extremely costly, and does not meet the requirements of the new M-9 fleet or future planned improvements to service. In order to keep this aging substation in operation, the LIRR would be required to commit to extensive maintenance and rely on expensive custom-made parts for equipment. A greater strain on adjacent substations will occur if an aged substation becomes inoperable.

**MTA CAPITAL CONSTRUCTION**  
**PROCUREMENT PACKAGE**  
**JUNE 2018**

**Staff Summary**

<b>Subject</b> Request for Authorization to Award Various Procurements					
<b>Department</b> Law and Procurement					
<b>Department Head Name</b> Evan M. Eisland					
<b>Department Head Signature</b> 					
Board Action					
Order	To	Date	Approval	Info	Other
1	MNR and LIRR Joint Committee	6/18/18	X		
2	Board	6/20/18	X		

<b>Date:</b> June 8, 2018			
<b>Vendor Name</b> Various			
<b>Contract Number</b> Various			
<b>Contract Manager Name</b> Various			
Internal Approvals			
	Approval		Approval
3 	Vice President, Program Controls	5 	President
2 	Vice President & Chief Financial Officer	4	Executive Vice President 
1 	Vice President & Chief Procurement Officer		

**PURPOSE**

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

**DISCUSSION**

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

<u>Schedules Requiring Two-Thirds Vote</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule C Competitive Requests for Proposals	1	\$ 52,990,000
	<u>SUBTOTAL</u>	<u>\$ 52,990,000</u>

<u>Schedules Requiring Majority Vote</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule I Modifications to Purchase or Public Work Contracts	2	\$ 5,950,000
	<u>SUBTOTAL</u>	<u>\$ 5,950,000</u>

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

Schedule K Ratification of Completed Procurement Actions	2	\$ 2,990,000
	<u>SUBTOTAL</u>	<u>\$ 2,990,000</u>
	<b>TOTAL</b>	<b>\$ 61,930,000</b>

**Budget Impact:**

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

**Recommendation:**

That the contract and modifications be approved as proposed. (The items are included in the resolution of approval at the beginning of the Procurement Section.)

**MTA Capital Construction Company**

**BOARD RESOLUTION**

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

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

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

NOW, the Board resolves as follows:

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

June 2018

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**

**Procurements Requiring Two Third Vote**

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

- |   |              |                                      |
|---|--------------|--------------------------------------|
| 1. Five Star/LK Comstock, Joint Venture<br>Contract CS086<br>One Proposal – 33 Month Duration | \$52,990,000 | <i><u>Staff Summary Attached</u></i> |
|---|--------------|--------------------------------------|

To obtain Board approval to award a competitively solicited contract for signal installation and testing for the East Side Access Project.

**Procurements Requiring Majority Vote**

**Schedule F Personal Service Contracts**

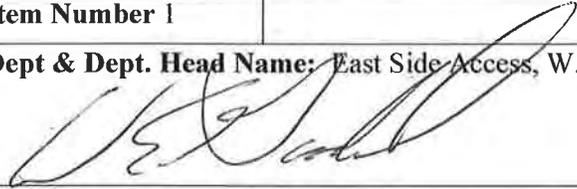
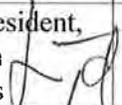
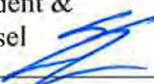
**(Staff Summaries required for all items greater than: \$100K Sole Source; \$750K other Non Competitive; \$1M Competitive)**

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

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

- |                                    |              |                                      |
|------------------------------------|--------------|--------------------------------------|
| GCT Constructors Joint Venture     |              | <i><u>Staff Summary Attached</u></i> |
| 2. Contract No. CM014B Mod No. 162 | \$ 1,550,000 | ↓                                    |
| 3. Contract No. CM014B Mod No. 163 | \$ 4,400,000 | ↓                                    |

In accordance with Article VIII of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board approve modifications to the Contract to increase the allowances for Bid Items 9 and 20.

<b>Item Number 1</b>					
<b>Dept &amp; Dept. Head Name:</b> East Side Access, W. Goodrich 					
<b>Division &amp; Division Head Name:</b> Harold/Systems, M. Kaleda					
<b>Board Reviews</b>					
Order	To	Date	Approval	Info	Other
1	MNR and LIRR Joint Committee	6/18/18	X		
2	Board	6/20/18	X		
<b>Internal Approvals</b>					
Order	Approval	Order	Approval		
3	Vice President, Program Controls 	6	President 		
2	VP & Chief Financial Officer 	5	Executive Vice President 		
1	VP & Chief Procurement Officer 	4	Sr. Vice President & General Counsel 		

<b>SUMMARY INFORMATION</b>	
<b>Vendor Name</b> Five Star/LK Comstock, Joint Venture	<b>Contract Number</b> CS086
<b>Description</b> Tunnel Systems Package 2 – Signal Installation for the ESA Project	
<b>Total Amount</b>	\$52,990,000
<b>Contract Term</b> 33 Months	
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
<b>Renewal?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

**I. PURPOSE/RECOMMENDATION:**

To obtain Board approval to award competitively solicited contract CS086 - Tunnel Systems Package 2 – Signal Installation and testing for the East Side Access Project to a joint venture consisting of Five Star Electric Corporation and L.K. Comstock & Co. (the “Five Star/Comstock JV”) in the amount of \$52,990,000.

**II. DISCUSSION:**

The Work under Contract CS086 includes the installation and testing of the East Side Access tunnel signal system along the Project alignment, from the tunnel portals in Harold Interlocking to the south end of the tail tracks in the new Long Island Rail Road Terminal. This Contract also includes the installation and support of testing of the Positive Train Control (PTC) system within the tunnels. The design of the tunnel signal system, and certain material and equipment for the tunnel signal system, is being provided under a separate contract.

Because the work covered by this Contract CS086 Tunnel Systems Package 2 is similar to work currently being performed under Contract CS179 - Systems Contractor and, in an effort to expedite Project schedule, MTACC initially requested a proposal for this work from the CS179 Systems Contractor Tutor Perini Corporation to perform this work as a modification to that Contract. However, the Contractor’s proposal was considerably higher than MTACC’s estimate for the work and so in June 2017, MTACC sought permission from the Board to issue a competitive Request for Proposal (“RFP”) for this work.

**Item No. 1**

In June 2017, the Board adopted a resolution declaring that competitive bidding was 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 RFP for this Contract.

The RFP was advertised on August 17, 2017 and the advertisement appeared in the New York State Contract Reporter, the New York Post, Engineering News-Record, Minority Commerce Weekly and on the MTA Website. On October 31, 2017, one proposal was received from the Five Star/Comstock JV. It must be noted that Five Star Electric Corporation is a wholly owned subsidiary of Tutor Perini Corporation.

Upon receipt of the proposal, MTACC conducted a survey to determine why other firms did not submit proposals. The primary reasons given by firms for not submitting proposals were the technical and contractual interfaces with the work of other ongoing East Side Access contracts which adds layers of complexity and makes this project more challenging and risky, especially given the schedule and access restraints. The other firms also note that there is currently an abundance of electrical work available.

The Selection Committee for this Contract consists of representatives from MTACC and the Long Island Rail Road. The Selection Committee invited the proposer to supplement its technical proposal with an oral presentation. After the oral presentation, the Selection Committee evaluated the technical proposal in accordance with the established criteria which included their plan of approach, overall project management, qualifications of key team personnel, past performance history, coordination plan and project schedule.

Following the evaluation of the technical proposal, the Selection Committee opened the cost proposal, which was then also evaluated.

MTACC's final estimate for the work is \$49,650,000. The Five Star/Comstock JV's proposed price was \$59,397,200.

Several rounds of negotiations were held with the Five Star/Comstock JV. The primary differences between the estimate and proposal were in the areas of overhead and profit, assumed testing hours, and labor rates. The Five Star/Comstock JV offered a small reduction in its proposal which was not acceptable to the Negotiation Committee and so, in accordance with the Source Selection Plan, the negotiations were referred to the Executive Negotiation Committee which is comprised of members of MTACC's senior management. After several rounds of further negotiation, the Five Star/Comstock JV was asked to provide their Best and Final Offer (BAFO) based on adjustments to certain milestones and access restraints. The Five Star/Comstock JV submitted a BAFO in the amount of \$52,990,000. A cost analysis was performed and the negotiated BAFO was accepted by MTACC. This amount is considered to be fair and reasonable.

In connection with previous contracts awarded to Five Star Electric Corp and L.K. Comstock & Co., both were found responsible, notwithstanding significant adverse information pursuant to the All-Agency Responsibility Guidelines, and such findings were approved by the MTA Chairman and CEO in consultation with the MTA General Counsel in February 2016. No new significant adverse information has been found relating to either firm since then and they have been found responsible.

**III. MBE/WBE/SDVOB INFORMATION:**

The MTA's Department of Diversity and Civil Rights ("DDCR") reviewed the requirements of the Contract and, after undertaking a thorough analysis based on the nature of the work and the availability of Disadvantage Business Enterprises (DBEs) capable of performing the work required under this Contract, established a 20% DBE participatory goal for this contract.

The Five Star/Comstock JV has committed to meeting this goal and has submitted a Utilization Plan which is currently under review by DDCR. Award of this Contract will not take place until the Utilization Plan is approved.

Five Star Electric Corp. and L.K. Comstock & Co. both have achieved their DBE goals on prior MTA contracts.



Item No. 1

**V. IMPACT ON FUNDING**

Funding for the contract is available in the MTA Capital Program.

**VI. ALTERNATIVES**

The alternative would be to cancel this solicitation and re-advertise with little prospect of receiving additional competition. Re-soliciting this contract would delay the project and given the nature of the work, would unlikely produce a more competitive result.

<b>Vendor Name (&amp; Location)</b> GCT Constructors Joint Venture (Secaucus, NJ)
<b>Description</b> GCT Concourse and Facilities Fit-Out for the ESA Project
<b>Contract Term (including Options, if any):</b> 1,726 Days
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid   Other: Modification
<b>Funding Source</b> <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> Other:
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> East Side Access/William Goodrich, P.E.

<b>Contract Number</b> CM014B	<b>AWO/Modification #s</b> 162 and 163
<b>Original Contract Amount:</b>	\$ 404,622,096
<b>Original Option Amounts:</b>	\$ 24,277,904
<b>Original Board Approved Amount:</b>	\$ 428,900,000
<b>Prior Modifications:</b>	\$ 18,011,708
<b>Exercised Options:</b>	\$ 24,277,904
<b>Prior Budgetary Increases:</b>	\$ 0
<b>Current Amount:</b>	\$ 446,911,708
<b>This Request</b>	\$ 1,550,000 \$ 4,400,000
<b>% of This Request to Current Amount:</b>	1.3%
<b>% of Modifications (including This Request) to Original Amount:</b>	5.9%

**Discussion:**

Contract CM014B is for the architectural, structural, electrical, plumbing, and mechanical fit-out of the new Long Island Railroad (LIRR) Concourse located in the Madison Yard of Grand Central Terminal. In accordance with Article VIII of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board approve modifications to the Contract to increase the allowances for Bid Items 9 and 20.

Modification Number 162 – Increase of Bid Item No. 9 - Allowance for Asbestos and Lead Paint Abatement

The Contract contains an Allowance Item (Bid Item No. 9) in the amount of \$250,000 for the abatement of asbestos and lead paint encountered in the work area of the CM014B contract. However, the asbestos and lead paint encountered in Madison Yard has been far greater than anticipated and the \$250,000 allowance has proven to be insufficient. The funds allocated for asbestos and lead remediation are used to pay the Contractor for each situation that requires remediation as it is discovered and addressed. In each situation requiring remediation, a price for the remediation work on a time and materials basis. The \$250,000 initially allocated for the Allowance Item has been fully utilized dealing with the remediation required to date. Based upon this experience, and in light of the current stage of the Work under the Contract and the Work remaining to be done, it is estimated that as much as \$1,550,000 will be required to complete the asbestos and lead remediation work under Bid Item No. 9. To the extent that the remaining remediation performed at the end of the Contract has cost less than the amount sought for Bid Item No. 9, any excess funds will be returned to MTACC.

Modification Number 163-- Increase of Bid Item No. 20 - Structural Steel Repairs

The Contract contains an Allowance Item (Bid Item No. 20) in the amount of \$2,000,000 for remediation of water infiltration and its impacts, such as concrete spalling or cracks and rusting of steel. The remediation of water infiltration has been more costly than originally anticipated, largely because, based upon experience with leak issues on the No. 7 line, it was determined that leak remediation should be pursued more aggressively and extensively than originally planned. In addition, based upon further field inspections, and applying this new remediation standard, it was determined that number of leaks and the Work required to address them was greater than originally anticipated, and involves structural repairs not included in the original estimates. It is estimated that, based upon the experience of dealing with leaks to date, and the scope of the remaining issues to be dealt with, as established by the additional survey work and incorporating the revised remediation standards, that \$4,400,000 will be required to complete the remediation work associated with this Contract.

**Item Numbers 2 & 3**

In connection with previous contracts awarded to the joint venture partners who form GCT Constructors Joint Venture, both John P. Picone Inc. (“JPP”) and Schiavone Construction Company, LLC (“Schiavone”) were found to be responsible notwithstanding significant adverse information (“SAI”) pursuant to the All-Agency Responsibility Guidelines and such responsibility findings were approved by the MTA Chairman/CEO in consultation with the MTA General Counsel in December 2014. No new SAI has been found relating to JPP or Schiavone and they have both been found to be responsible.



**Item Number 4**

<b>Vendor Name (&amp; Location)</b> GCT Constructors Joint Venture (Secaucus, NJ)	<b>Contract Number</b> CM014B	<b>AWO/Modification #</b> 164
<b>Description</b> GCT Concourse and Facilities Fit-Out for the ESA Project	<b>Original Contract Amount:</b> \$ 404,622,096 <b>Original Option Amounts:</b> \$ 24,277,904 <b>Original Board Approved Amount:</b> \$ 428,900,000	
<b>Contract Term (including Options, if any):</b> 1,726 Days	<b>Prior Modifications:</b> \$ 18,011,708	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<b>Exercised Options:</b> \$ 24,277,904	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	<b>Prior Budgetary Increases:</b> \$ 0	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid Other: Modification	<b>Current Amount:</b> \$ 446,911,708	
<b>Funding Source</b> <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input checked="" type="checkbox"/> Other:	<b>This Request</b> \$ 1,990,000	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> East Side Access/William Goodrich, P.E.	<b>% of This Request to Current Amount:</b> .5%	
	<b>% of Modifications (including This Request) to Original Amount:</b> 4.9%	

**Discussion:**

Contract CM014B is for the architectural, structural, electrical, plumbing, and mechanical fit-out of the new Long Island Railroad (LIRR) Concourse located in the Madison Yard of Grand Central Terminal. In accordance with Article VIII of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board ratify a modification to revise the LIRR Concourse layout to facilitate future construction of an entrance at 45<sup>th</sup> Street.

The proposed future development of the MTA properties at 341-347 Madison Avenue, between 44<sup>th</sup> and 45<sup>th</sup> Streets, will include an entrance connecting the LIRR Concourse to Madison Avenue. This future entrance will deliver supplementary access to the LIRR Concourse, improving passenger flow and providing additional emergency egress. To facilitate construction of the new entrance by the developer, this Modification revises Concourse layouts and retail spaces by reconfiguring, among other things, ceilings, doors, floors, HVAC, and lighting, and includes other elements such as structural reframing, crash wall demolition, installation of two columns and removal of an existing column.

The Contractor submitted a cost proposal of \$4,632,270 while the MTACC project estimate was for \$2,483,658. Negotiations were held and both parties agreed to a cost of \$1,990,000, which is considered to be fair and reasonable. The Contractor has claimed compensable time impacts associated with this work. That claim is being analyzed and will be addressed, as necessary, in a subsequent modification. This Modification will be funded from Contract Contingency and MTACC will seek reimbursement from the MTA Real Estate Department.

To ensure the timely completion of the work required for Systems Integration, which is on the critical path of the ESA Program, the President approved a Retroactive Memorandum and the Contractor was directed to proceed with a limited portion of the work in June 2018, in a not to exceed amount of \$500,000. Authorization to proceed with the remainder of this Work will be issued upon Board ratification of this Modification.

**Item Number 4**

In connection with previous contracts awarded to the joint venture partners who form GCT Constructors Joint Venture, both John P. Picone Inc. (“JPP”) and Schiavone Construction Company, LLC (“Schiavone”) were found to be responsible notwithstanding significant adverse information (“SAI”) pursuant to the All-Agency Responsibility Guidelines and such responsibility findings were approved by the MTA Chairman/CEO in consultation with the MTA General Counsel in December 2014. No new SAI has been found relating to JPP or Schiavone and they have both been found to be responsible

## Item Number 5

<b>Vendor Name (&amp; Location)</b> Tutor Perini Corporation	
<b>Description</b> Mid-Day Storage Yard for the East Side Access Project	
<b>Contract Term (including Options, if any)</b> 1,217 Days	
<b>Option(s) included in Total Amount?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> East Side Access, W. Goodrich, P.E.	

Contract Number	AWO/Modification #
CQ033	15
<b>Original Amount:</b>	\$ 291,503,430
<b>Prior Modifications:</b>	\$ 2,859,566
<b>Options:</b>	\$ 1,873,000
<b>Current Amount:</b>	\$ 296,235,996
<b>This Request</b>	\$ 1,000,000
<b>% of This Request to Current Amount:</b>	.3%
<b>% of Modifications (including This Request) to Original Amount:</b>	1 %

**Discussion:**

This Contract is for the demolition and removal of the existing catenary structures, railroad buildings, the Montauk Cutoff Bridge and ramp and the construction of the Mid-Day Storage Yard ("Yard") in the Harold Interlocking. In accordance with Article VIII of the All Agency General Contract Procurement Guidelines, MTACC requests that the Board ratify a modification to design, furnish and install a raised platform to support a 10'x10' Hut, and furnish and install a gate and access staircase.

New cables were to be added to existing Amtrak cases by Amtrak forces to energize the new Harold H1 and H6 Central Instrument Locations ("CIL's"). However, the existing cases and cables had deteriorated and contained asbestos and, therefore, could not be utilized. In order to (i) mitigate safety concerns raised by the need to access the new cases on steep terrain, (ii) provide better protection against the elements and (iii) allow for easier maintenance of the equipment, Amtrak required that the signal cases be replaced with a 10'x10' hut ("Hut"). And because the Hut will be located on a slope adjacent to an active track it needs to be installed on a platform.

The Hut needed to be installed prior to the installation of cable and the pre-testing of signals to allow the energizing of the H1 and H6 CIL's, planned for late Spring of 2018. Failure to energize the CIL's as scheduled would delay the completion of East Side Access. Therefore, the President approved a Retroactive Memorandum and the Contractor was directed to proceed on August 23, 2017 for a not-to-exceed amount of \$600,000. The Contractor has substantially completed the work and Amtrak can now carry out its cable installation on schedule.

The Contractor submitted a cost proposal of \$1,553,033 while the MTACC project estimate was \$1,155,105. After negotiations, both parties agreed to a cost of \$1,000,000, which is considered fair and reasonable.

In connection with previous contracts awarded, the Tutor Perini Corporation was found to be responsible, notwithstanding significant adverse information pursuant to the All-Agency Responsibility Guidelines, and such responsibility findings were approved by the MTA Chairman/CEO in consultation with the MTA General Counsel in February 2016. No new significant adverse information has been found relating to Tutor Perini Corporation. Therefore, Tutor Perini Corporation has been determined to be responsible.



# Bridges and Tunnels

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## Procurements June 2018



# Staff Summary



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

<b>Date:</b> 06/11/2018
<b>Vendor Name:</b>
<b>Contract Number:</b>
<b>Contract Manager Name:</b>
<b>Table of Contents Ref #:</b>

Board Action					
Order	To	Date	Approval	Info	Other
1	President	06/11/2018			
2	MTA B&T Committee	06/18/2018			
3	MTA Board	06/20/2018			

Internal Approvals			
Order	Approval	Order	Approval
	President	<i>J</i>	VP Operations
	VP & Chief of Staff	<i>SK</i>	VP & Chief Engineer
	SVP & General Counsel		VP & Chief Procurement Officer <i>BB</i>
	VP & Chief Financial Officer	<i>AP</i>	

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:

<u>Schedules Requiring Majority Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule I: Modifications to Purchase and Public Works Contracts	1	\$2.433M

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

<u>Schedules Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule B: Request to Use RFP for Procurement of Purchase & Public Works in lieu of Sealed Bid	1	TBD

<u>Schedules Requiring Majority Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule F: Personal Service Contracts	1	\$19.695M
Schedule H: Modifications to Personal Service Contracts and Misc. Service Contracts Awarded as Contracts for Services	1	\$ 7.976M
Schedule I: Modifications to Purchase & Public Works Contracts	1	\$0.492M
<b>SUBTOTAL</b>	<b>4</b>	<b>\$30.596M</b>

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

<b>TOTAL</b>	<b>5</b>	<b>\$30.596M</b>
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**BUDGET IMPACT:**

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

**RECOMMENDATION:**

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

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

**MTA BRIDGES & TUNNELS**  
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

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

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

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

**NOW**, the Board resolves as follows:

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

**LIST OF NON-COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**  
**JUNE 2018**

**MTA BRIDGES & TUNNELS**

**Procurements Requiring Majority Vote:**

**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. New York State Department<br>of Transportation<br>Contract No. MOU-17-71 | \$2,433,195.00 | <u>Staff Summary Attached</u> |
|---|----------------|-------------------------------|

25yr. Contract- Non-Competitive Other

B&T is seeking Board approval under the All Agency General Contract Procurement Guidelines to amend a Memorandum of Understanding, known as MOU-17-71, with the New York State Department of Transportation (NYSDOT) to provide additional funding for reconstruction of Ramp RC connecting the southbound Bruckner Expressway with the Bronx approach to the Robert F. Kennedy Bridge.

**Schedule I: Modifications to Purchase and Public Works Contracts**
**Item Number: 1 (Final)**

<b>Vendor Name: (&amp; Location)</b> New York State Department of Transportation	<b>Contract Number:</b> MOU-17-71	<b>AWO/Modification #</b>
<b>Description:</b> Memorandum of Understanding for Ramp RC Connecting RFK to the Bruckner Expressway	<b>Original Amount:</b>	\$23,000,000.00
<b>Contract Term (including Options, if any)</b> Twenty-five Years	<b>Prior Modifications:</b>	\$0.00
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Prior Budgetary Increases:</b>	\$0.00
<b>Procurement Type:</b> <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	<b>Current Amount:</b>	\$23,000,000.00
<b>Solicitation Type:</b> <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other:	<b>This Request:</b>	\$2,433,195.00
<b>Funding Source:</b> <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other:	<b>% of This Request to Current Amount:</b>	10.6%
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Engineering & Construction, Joe Keane, VP & Chief Engineer	<b>% of Modifications (including This Request) to Original Amount:</b>	10.6%

**Discussion:**

B&T is seeking Board approval under the All Agency Procurement Guidelines to amend Memorandum of Understanding, known as MOU-17-71, with the New York State Department of Transportation (NYSDOT) to provide additional funding for reconstruction of Ramp RC connecting the southbound Bruckner Expressway with the Bronx approach to the Robert F. Kennedy Bridge. The Agreement defines the scope of the TBTA Work, which will be completed in conjunction with NYSDOT's Bruckner Expressway Project, to be jointly funded by TBTA and NYSDOT.

In July, 2017, the Board authorized a total expenditure of \$23,000,000 including a contingency of \$4,209,738 based on the project estimate. On November 1, 2017 proposals were received and the value of the Work identified as TBTA's responsibility is \$24,207,745. Therefore Board approval of additional funding in the amount of \$2,433,195 (including contingency of \$1,225,450 or 5% of the TBTA work) is requested at this time.

The scope of the NYSDOT Bruckner Expressway Project is to reconstruct a portion of the Bruckner Expressway (I-278) that extends from the intersection with the RFK Bridge approach to E.141st Street and includes Ramp RC (BIN 106666B). Ramp RC is a 2-lane ramp connecting the Bruckner Expressway to the RFK Bridge. The scope of work on Ramp RC was developed by NYSDOT with input from TBTA and includes i) removal and replacement of the concrete deck, barriers and bridge railing with a new concrete deck and barriers that conform with current standards; ii) removal and replacement of all steel bearings with elastomeric bearings; iii) localized repair of cracks and spalls in the existing piers; and iv) sandblasting and painting of structural steel as necessary per NYSDOT standards. The construction and associated engineering costs for the Ramp RC Work that is agreed to be TBTA responsibility is separately identified in proposals.

Funding is available in the 2010-2014 Capital Program under Task D04174 in the amount of \$2,433,195.

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**  
**JUNE 2018**

**MTA BRIDGES & TUNNELS**

**Procurements Requiring Two-Thirds Vote:**

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

- |   |                              |                                      |
|---|------------------------------|--------------------------------------|
| 1. <b>Contractors to be Determined</b><br><b>Contract No. GFM-527</b> | <b>Cost to be Determined</b> | <b><u>Staff Summary Attached</u></b> |
|---|------------------------------|--------------------------------------|

4yr. Contract- Competitive RFP

B&T is seeking Board approval under the All-Agency Procurement Guidelines to declare competitive bidding to be impractical and/or inappropriate and authorize B&T to enter into a competitive Request for Proposal (RFP) process for Contract GFM-527 to obtain Miscellaneous Construction Services on an As-Needed Basis at Various Authority Facilities. The budget for these as yet defined project is \$120,000,000.00. The duration of these projects will be four years.

**Procurements Requiring Majority Vote:**

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

- |  |                        |                                      |
|--|------------------------|--------------------------------------|
| 1. <b>Greenman-Pedersen, Inc.</b><br><b>Contract No. PSC-17-3006</b> | <b>\$19,694,864.14</b> | <b><u>Staff Summary Attached</u></b> |
|--|------------------------|--------------------------------------|

4yr., 9 months Contract- Competitive RFP

B&T is seeking Board approval under the All-Agency Service Procurement Guidelines to award a personal service contract for Construction Inspection and Administration Services for Project TN-49, Replacement of the Roadway Deck on the Suspended Span at the Throgs Neck Bridge.

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

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

- |   |                       |                                      |
|---|-----------------------|--------------------------------------|
| 1. <b>Weidlinger Associates Inc./</b><br><b>Parsons Brinckerhoff</b><br><b>Contract No. PSC-11-2897</b> | <b>\$7,975,734.00</b> | <b><u>Staff Summary Attached</u></b> |
|---|-----------------------|--------------------------------------|

**LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL**  
**JUNE 2018**

12yr., 3 months Contract- Competitive RFP

B&T is seeking Board approval under the All-Agency Service Contract Procurement Guidelines to amend Contract PSC-11-2897 with Weidlinger Associates Inc./Parsons Brinckerhoff, A Joint Venture (WA/PB) for funding to provide (i) construction support services (CSS) for Project TN-49, Deck Rehabilitation/Replacement of the Suspended Spans at the Throgs Neck Bridge; (ii) shop fabrication and testing oversight during orthotropic deck fabrication; and (iii) main cable and suspender rope investigation and evaluation.

**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. SAI Services, Inc.<br>Contract No. RKM-357 | <b>\$ 491,843.31</b> | <u>Staff Summary Attached</u> |
|---|----------------------|-------------------------------|

1yr., 6months Contract- Competitive Bid

B&T is seeking the Board's approval under the All-Agency General Contract Procurement Guidelines to modify this contract with SAI Services, Inc. ("SAI") for additional work associated with the rehabilitation of the curtain walls of the Manhattan Plaza of the Robert F. Kennedy Bridge as well as a time extension.

# Staff Summary

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, Aris Stathopoulos, P.E.					
<b>Board Reviews</b>					
Order	To		Approval	Info	Other
1	President	6/8/18			
2	MTA B&T Committee	6/18/18			
3	MTA Board	6/20/18			
<b>Internal Approvals</b>					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>BB</i>	4	Chief of Staff <i>SM</i>		
2	General Counsel <i>MM</i>	5	Executive Vice President		
3	Chief Procurement Officer <i>BB</i>	6	President <i>AK</i>		

SUMMARY INFORMATION	
Vendor Name	Contract Number
N/A	GFM-527
Description	
Miscellaneous Construction on an As-Needed Basis at Various B&T Facilities	
Total Amount	
\$120,000,000 (estimated)	
Contract Term (including Options, if any)	
Four (4) years	
Option(s) included in Total Amount?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Renewal?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

**Narrative**

**I. PURPOSE/RECOMMENDATION**

B&T is seeking Board approval under the All-Agency Procurement Guidelines to declare competitive bidding to be impractical and/or inappropriate and authorize B&T to enter into a competitive Request for Proposal (RFP) process for Contract GFM-527 to obtain Miscellaneous Construction Services on an As-Needed Basis at Various Authority Facilities.

**II. DISCUSSION**

In accordance with the All-Agency Procurement Guidelines, B&T is requesting that the Board declare competitive bidding to be impractical for this solicitation and authorize B&T to enter into a competitive RFP process to award contracts for miscellaneous construction services. These contracts will be awarded to multiple contractors who could provide competitive bids for various construction projects. B&T has successfully utilized this type of as-needed contract since 2000 to meet certain construction requirements on an expedited basis. The budget for these as yet undefined projects is \$120,000,000. The duration of these contracts will be four years.

The selected contractors are invited to bid on specific construction projects throughout Authority facilities which are awarded to the lowest bidders. Funds from the aggregate amount are allocated to individual contracts to pay contractors for the work they perform. Projected requirements under these contracts will address a wide variety of work, from complex sub-tasks related to larger projects which have time-sensitive needs, smaller scale construction projects, and those critical projects that address safety issues. Categories of work to be undertaken under these contracts include but may not be limited to full and partial concrete deck and structural steel repairs, civil and traffic improvements to roadways and ramps, retaining structures, as well as, demolition, electrical and other building repairs.

## Staff Summary

The scopes of these miscellaneous as-needed construction projects cannot be readily determined at this time. During the contract term, the Scope of Work for each miscellaneous work order will be identified. Each of the contracted firms will then be given the Scope of Work for the prospective work order. Subsequent to a site tour, bids will be submitted. The contractor submitting the lowest responsive bid price shall be awarded that specific work order.

This competitive RFP method of selection is in the public's interest and provides the Authority with the following benefits:

- i) Immediate response and resolution to potential emergency and other unforeseen situations with a responsible contractor performing the work;
- ii) Price competition between selected contractors for each work order;
- iii) Reduces the need for and is an alternative to amendments to existing construction contracts.
- iv) It is impractical and inefficient to procure construction services discussed herein through a separate competitive contract bidding process for each work order.

Therefore, B&T deems it to be in the public's 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 INFORMATION

MTA DDCR will assign applicable goals prior to issuance of the Request for Proposal.

### IV. IMPACT ON FUNDING

Funding under Contract GFM-527 will be provided from the Operating and Capital Budgets in the amount of \$120,000,000.

### V. ALTERNATIVES

Utilize a standard competitive bidding process to award each as-needed construction project. This process is impractical due to potential delays in obtaining construction services from responsible firms for immediate or unanticipated/emergency needs and would not be in the best interest of B&T.

# Staff Summary

<b>Item Number: 2 (Final)</b>					
<b>Dept &amp; Dept Head Name:</b> Engineering & Construction Department, Joe Keane, P.E. <i>Joe Keane</i>					
<b>Division &amp; Division Head Name:</b> Engineering & Construction Department, Aris Stathopoulos, P.E. <i>Aris Stathopoulos</i>					
Board Reviews					
Order	To	Date	Approved	Info	Other
1	President	6/8/18			
2	MTA B&T Committee	6/18/18			
3	MTA Board	6/20/18			
Internal Approvals					
Order	Approval	Order	Approval		
1	Chief Financial Officer <i>[Signature]</i>	4	Vice President, Chief of Staff <i>[Signature]</i>		
2	General Counsel <i>[Signature]</i>	5	President <i>[Signature]</i>		
3	Chief Procurement Officer <i>[Signature]</i>				

SUMMARY INFORMATION	
<b>Vendor Name:</b> Greenman – Pedersen, Inc.	<b>Contract Number</b> PSC-17-3006
<b>Description:</b> Construction Administration and Inspection Services for Project TN-49, Replacement of the Roadway on the Suspended Span at the Throgs Neck Bridge	
<b>Total Amount</b> \$19,694,864.14	
<b>Contract Term including Options, if any</b> Four (4) Years, nine (9) months	
<b>Option(s) included in Total Amount?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Renewal?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

## Narrative

### I. PURPOSE/RECOMMENDATION

B&T is seeking Board approval under the All Agency Service Procurement Guidelines to award a personal service contract for Construction Inspection and Administration Services for Project TN-49, Replacement of the Roadway Deck on the Suspended Span at the Throgs Neck Bridge to Greenman – Pedersen, Inc. (GPI) located at 325 West Main Street, Babylon, NY 11702 in the negotiated amount of \$19,694,864.14 for a duration of four (4) years, nine (9) months.

### II. DISCUSSION

B&T requires the services of a consulting engineering firm to provide construction administration and inspection (CA&I) services necessary to assist B&T's Engineering and Construction Department for the oversight of Project TN-49, Replacement of the Roadway Deck on the Suspended Span at the Throgs Neck Bridge. The required CA&I services include: pre-construction; construction administration and inspection; and project closeout. The construction scope includes but is not limited to: (i) removal of existing roadway deck and installation of a new orthotropic deck, roadway overlay, drainage systems; (ii) replacement of median and parapet barriers on the suspended and anchorages; (iii) repairs and strengthening of floor beams and stiffening trusses; (iv) installation of new sign structures; (v) installation of a new fire standpipe system along the TNB Bronx Approach Viaduct and suspended spans; (vi) installation of new roadway lighting along the suspended spans and the Queens and Bronx Approach viaduct spans; (vii) cleaning and overcoat painting of specified areas on the suspended span; (viii) abatement of lead containing materials; and (ix) Maintenance and Protection of Traffic.

## Staff Summary

The service requirements were publicly advertised and five (5) firms submitted qualification information. Three (3) firms were selected to receive the RFP and all three (3) firms, submitted proposals: Louis Berger US, Inc. (\$22,683,242); LiRo Engineers, Inc. (\$18,300,786); and Greenman-Pedersen, Inc. (\$19,724,203.62). The proposals were evaluated against established criteria set forth in the RFP, which include: depth of understanding of the technical requirements; proposed work; project personnel; oral presentations and cost. The Selection Committee unanimously recommended that B&T enter into negotiations with GPI. GPI has the most extensive experience managing and inspecting orthotropic deck installation projects. They have successfully provided construction administration and inspection services for nine orthotropic deck installations over the past twenty-five (25) years for B&T, NYCDOT and PANYNJ. GPI's key personnel have extensive direct hands on experience working on projects of similar size and complexity.

GPI submitted a cost proposal in the amount of \$19,724,203.62. The Engineer's estimate is \$21,614,813. Negotiations resulted in B&T and GPI agreeing to the negotiated amount totaling \$19,694,864.14, which is 8.9% below the Engineer's estimate and is fair and reasonable. GPI's proposal is deemed most advantageous to B&T.

GPI was found to be responsible notwithstanding significant adverse information (SAI) pursuant to the All-Agency Responsibility Guideline and such responsibility finding was approved by the MTA Chairman/CEO in consultation with the MTA General Counsel in December 2014. There is no new known SAI at this time.

### III. D/M/WBE INFORMATION

The MTA Department of Diversity and Civil Rights has established goals of 15% MBE, 15% WBE and 6% SDVOB for this contract. GPI 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 TN-49, Task D03677 (\$17,606,294.47) and Project TN-49 Paint, Task D03683 (\$2,088,569.67).

### V. ALTERNATIVES

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

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

Item Number: 3 (Final)

<b>Vendor Name (&amp; Location)</b> Weidlinger Associates Inc./Parsons Brinckerhoff, A Joint Venture	<b>Contract Number</b> PSC-11-2897	<b>AWOModification#</b>
<b>Description</b> Design and Construction Support Services for Project TN-49, Deck Rehabilitation/Replacement of the Suspended Spans at the Throgs Neck Bridge		
<b>Contract Term (including Options, if any)</b> March 20, 2012–June 30, 2024	<b>Original Amount:</b>	\$4,837,206.14
<b>Option(s) included in Total Amount</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Prior Modifications:</b>	\$2,514,652.30
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	<b>Prior Budgetary Increases:</b>	\$0.00
<b>Solicitation Type</b> <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	<b>Current Amount:</b>	\$7,351,858.44
<b>Funding Source</b> <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	<b>This Request:</b>	\$7,975,734.00
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Engineering & Construction, Joe Keane, P.E.	<b>% of This Request to Current Amount:</b>	108.5%
	<b>% of Modifications (including This Request) to Original Amount:</b>	216.9%

### Discussion:

B&T is seeking Board approval under the All Agency Service Contract Procurement Guidelines (“All Agency Guidelines”) to amend this Contract with Weidlinger Associates Inc./Parsons Brinckerhoff, A Joint Venture (WA/PB) for funding to provide (i) construction support services (CSS) for Project TN-49, Deck Rehabilitation/Replacement of the Suspended Spans at the Throgs Neck Bridge; (ii) shop fabrication and testing oversight during orthotropic deck fabrication; and (iii) main cable and suspender rope investigation and evaluation in the total amount of \$7,975,734.00. Consistent with the All Agency Guidelines, this amendment constitutes a substantial change.

In March 2012 subsequent to Board approval the phased design contract was awarded to WA/PB for services, which included: field investigations; designs for structural, civil, mechanical, electrical, traffic engineering, maintenance and protection of traffic; performance of a wind study and seismic analyses for potential rehabilitation/replacement alternatives; asbestos and lead investigation and design; preparation of complete construction plans, specifications and estimates. The scope also included CSS, which was not funded since the required level of effort could not be reasonably determined until the design was completed. At that time, B&T informed the Board that a request for CSS funding would be submitted for approval at a future date. The Project TN-49 design is complete and the award of the construction contract is anticipated for the fourth quarter 2018.

The engineering services required during construction include: shop drawing reviews, responses to requests for information, review of catalog cuts and calculations, as well as attendance at field visits and meetings. The Project TN-49 construction scope includes: (i) removal of existing roadway deck and installation of a new orthotropic deck, roadway overlay and drainage system; (ii) replacement of median and parapet barriers on the suspended spans and anchorages; (iii) repairs and strengthening of floor beams and stiffening trusses; (iv) installation of new sign structures; (v) installation of a new fire standpipe system along the Bronx Approach Viaduct and suspended spans; (vi) installation of new roadway lighting along the suspended spans and the Queens and Bronx Approach viaduct spans; (vii) cleaning and overcoat painting of specified areas on the suspended span; (viii) abatement of lead containing materials; and (ix) Maintenance and Protection of Traffic.

WA/PB submitted a proposal in the amount of \$8,086,522.00. The Engineer’s estimate is \$7,710,982.00. Negotiations resulted in B&T and WA/PB agreeing to the negotiated amount totaling \$7,975,734.00, which is 3.4% above the Engineer’s estimate and is fair and reasonable. The negotiated amount of \$7,975,734.00 includes allowances for additional services in the amount totaling \$430,000. Funding is available in the 2015-2019 Capital Program under Project TN-49, Task D03678/CSS \$7,104,830.00 and Task D03684/CSS \$870,904.00.

Weidlinger Associates, Inc. is a responsible consultant. On March 25, 2008, Parsons Brinckerhoff was deemed responsible notwithstanding the existence of significant adverse information by the MTA Chief Executive Officer in consultation with the MTA General Counsel. There is no new SAI known at this time.

**Schedule I: Modifications to Purchase and Public Works Contracts**
**Item Number: 4 (Final)**

<b>Vendor Name (&amp; Location)</b> SAI Services, Inc., Totowa, NJ	<b>Contract Number</b> RKM-357	<b>AWO/Modification #</b>
<b>Contract Title</b> Concrete Repair and Rehabilitation of Curtain Walls at the Manhattan Plaza of the Robert F. Kennedy Bridge	<b>Original Amount:</b>	\$1,298,927
<b>Contract Term (including Options, if any)</b> September 15, 2016 – March 14, 2018	<b>Prior Modifications:</b>	\$0.00
<b>Option(s) included in Total Amount?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Prior Budgetary Increases:</b>	N/A
<b>Procurement Type</b> <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	<b>Current Amount:</b>	\$1,298,927
<b>Solicitation Type</b> <input type="checkbox"/> RFP <input checked="" type="checkbox"/> Bid <input type="checkbox"/> Other:	<b>This Request:</b>	\$491,843.31
<b>Funding Source</b> <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	<b>% of This Request to Current Amount:</b>	37.86%
<b>Requesting Dept/Div &amp; Dept/Div Head Name:</b> Engineering & Construction, Joe Keane, P.E.	<b>% of Modifications (including This Request) to Original Amount:</b>	37.86%

**Discussion:**

B&T is seeking the Board's approval under the All-Agency General Contract Procurement Guidelines to modify this contract with SAI Services, Inc. ("SAI") for additional work associated with the rehabilitation of the curtain walls of the Manhattan Plaza of the Robert F. Kennedy Bridge as well as a time extension in the amount of \$491,843.31.

On September 15, 2016, Contract RKM-357 was awarded to SAI under the Small Business Mentoring Program for furnishing all manpower, equipment and material necessary for the concrete repair and rehabilitation of curtain walls at the Manhattan Plaza of the Robert F. Kennedy Bridge for a duration of eighteen (18) months, in an amount not-to-exceed \$1,298,927.

During the course of the Work, an inspection of the work site revealed additional curtain wall rehabilitation work which is necessary for the public and employee safety and to keep the Facility in a state of good repair.

For the rehabilitation, restoration and cleaning of the curtain walls, SAI submitted a proposal in the amount of \$508,085.81. The Engineer's estimate is \$509,309.15. Negotiations resulted in SAI reducing its proposed amount to \$491,843.31. Given that SAI's revised total proposed amount is less than the Engineer's estimate, the proposed amount of \$491,843.31 was accepted as fair and reasonable. The Substantial Completion date will also be extended by seven (7) months.

Additional funding for this amendment is available in the 2018 Major Maintenance Program under Project R04320.