



Metropolitan Transportation Authority

June 2025

MTA Board Action Items



MTA Board Meeting

**2 Broadway
20th Floor Boardroom
New York, NY 10004**

**Wednesday, 6/25/2025
9:00 AM - 12:00 PM ET**

1. PUBLIC COMMENT PERIOD

2. PRESENTATION

3. APPROVAL OF MINUTES

Joint Minutes of the MTA Board and Finance Committee - Page 3

4. COMMITTEE ON CAPITAL PROGRAM

C&D Procurements - Page 14

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

a. LIRR Procurement

LIRR Ratification - Page 26

6. COMMITTEE ON NYCT & BUS

Ratification Item - Page 33

7. COMMITTEE ON MTA BRIDGES & TUNNELS OPERATIONS - No Items

8. COMMITTEE ON FINANCE

a. Action Items

New York State PWEF Assessment - Page 39

MTA Advertising Policy - Page 40

b. Procurements

MTAHQ Competitive Procurements - Page 51

c. Real Estate

Real Estate Action Items - Page 62

9. DIVERSITY COMMITTEE

a. Action Items

MTA Military Benefits Policy - Page 72

Joint Minutes of the Metropolitan Transportation Authority, 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, Metro-North Commuter Railroad Company, MTA Construction and Development Company, the MTA Bus Company, Grand Central Madison Operating Company, and the First Mutual Transportation Assurance Company

May 2025 Finance Committee and Regular Board Meeting Minutes

May 28, 2025

Noon

2 Broadway

New York, NY

The following Board Members were present (*attended remotely)

Hon. Janno Lieber, Chair & CEO

Hon. Andrew Albert

Hon. Samuel Chu

Hon. Daniel Garodnick

Hon. Michael Fleischer

Hon. Marc Herbst

Hon. Christopher Leathers

Hon. Blanca Lopez

Hon. David Mack

Hon. Haeda Mihaltses

Hon. Dr. John-Ross Rizzo

Hon Lisa Sorin

Hon. Edward Valente

Hon. Neal Zuckerman

The following alternate non- voting members were present:

Hon. Gerard Bringmann

Hon. Randolph Glucksman

The following Board Members were not present:

Hon. Meera Joshi

Hon. David Jones

Hon. John Samuelsen

Hon. Midori Valdivia

1. CALL TO ORDER

Chair Lieber called to order the Regular May Board Meeting, the May meeting of the Finance Committee as well as the Annual 2025 First Mutual Transportation Assurance Company (FMTAC) Board Meeting.

A safety announcement was made.

2. PUBLIC COMMENT SESSION

The following members of the public provided comments (*live virtual comments):

Gian Carlo Pedulla, private citizen
Lisa Daglian, PCAC
Tramell Thompson, Local 100
Debra Greif, Chairperson BFSSAC
Michael Ring, DIA
Jack Nierenberg, Passengers United
Evangaline Byars, Stronger Together CTA
Charlton D'Souza, Passengers Untied*
Rachel Fauss, Reinvent Albany*
Rebecca Stoll, Norwalk Bike/Walk Commission*
Carl Perrera, Our Neighbors Civic Association of Ozone Park, Inc*
David Kupferberg, Passengers United
Kevin Sexton, LIRR BLE
Anna Humphrey, Center for Independence of the Disabled, NY
Shampree Scott, NYCT
Sandra Cardillo, IS 77Q*
Michael Sosa, private citizen
Christopher Greif

3. CHAIR'S REMARKS

Chair Lieber thanked all that joined today's meeting. The Chair started the meeting with a discussion on service. Year to date, subways weekday OTP is at 83.4%, the best it's been in 12 years. One line – the J/Z reported its highest ever OTP for last month, excluding peak COVID, almost 95%. This is a positive milestone for a line that has had some challenges. In April, average paid weekday ridership hit a new post-pandemic high at 4.12 million – a full 10% increase over last year. Metro – North is coming in at 98% and LIRR 97% with strong OTP numbers. The railroads are also breaking ridership records. On May 20 the railroads carried a combined 540,000 riders, which was, again a post –COVID ridership record. Further, there have been dramatic increases since COVID in the way that MNR is serving the Bronx. City Ticket was introduced with a price cut for ridership on commuter railroads inside the City so more NYC people, more working-class people from those neighborhoods, whether its Queens or the Bronx could ride, and they are riding. In the Tremont station, we have doubled the ridership we had before COVID and at many other stations in the Bronx it is at similar levels. Credit to Metro-North and also to LIRR which has seen another surge in ridership in Queens and inside the City in general since the advent of Grand Central Madison. Continuing to paratransit, on-time performance remains at historic levels, over

97% according to the national 30-minute standard, and 94% using our own more ambitious yardstick. We've tightened our own standards on how we rate ourselves for paratransit. In April, we carried 1.3 million riders on almost a million trips. Ridership is up 20% from only a year ago and 35% up over the last pre-pandemic April. On top of progress in service delivery – we're doing a better job at maintaining key elements of systems like elevators, partly by promptly replacing them. In just the first five months of the year, we modernized 13 elevators and have more than 30 elevator replacement projects underway. We have in the last few years brought the cycle of elevator and escalator replacements pretty close to what we call a State of Good Repair- when you don't have to wait years after the useful life of a key element is exhausted, when you are on schedule to replace it timely. Referring to a photo of a new elevator recently installed at 34 St – Penn Station, these modernized machines are making us a much more reliable system from a State of Good Repair, from an elevator accessibility standpoint.

The Chair, speaking broadly, stated the MTA has more elevators than ever before and much higher availability. In January 2020, right before COVID, we had 115 accessible stations, and the availability rate was 93.4%. Today we have well more than 150 accessible stations, additional 36 projects in construction, 25 more in procurement or design, and 60+ projects included in our new Capital Program. As of last month, elevator availability is at 98.4%, which is five points higher than pre-COVID and well above our agency goal of 96.5%. We want to work with C&D and our E&E – our fantastic New York City Transit elevator and escalator department – to get availability higher, but we have made significant progress. When elevators do go down – we are doing a better job letting people know about it. Customers can sign up for real-time alerts about outages. Those same updates are posted on our website, and we have a monthly accessibility newsletter. We're going to continue to collaborate with our partners in the accessibility advocacy community, but I believe we are making significant and positive progress. The Chair stated that 75% of our cost structure is labor and pensions and benefits and I'm thrilled to share that fare revenue is surging. We are at 78% of pre-COVID levels thanks partly to our effective efforts to push back against fare evasion. On fare evasion, the Chair states that it has been something he's been talking about since early 2022. We created a Blue-Ribbon Panel because fare evasion is such a challenge, we prioritized the issue of Fair Fare, equity and prioritized the physical fare array so that we weren't in effect opening the door to fare evasion. Three years later, looking at last summer to now, subway fare evasion has been reduced by 30%. We're down three consecutive quarters on buses where we have a significant challenge before us. The Chair acknowledged the efforts of Demetrius Crichlow, Chief Michel Kemper, EAGLE team members at New York City Transit and the gate guards who are instrumental in preventing fare evasion and deserve our thanks. These teams are doing so much to deal with the challenges. We are installing delayed egress in 150 stations by year's end. Transit teams have redone the turnstiles so there are lots of physical changes; fins, sleeves and anti-backcocking measures are in 200 stations. In spite of what some people say, in all kinds of settings, we make sure that every one of our gate guard installations and deployments has an ROI – that we are actually increasing fare revenue notwithstanding that we have to pay those people for that work. Together those different investments and deployments have contributed to a 36% reduction in those stations that have all of the different interventions. Making a difference, and it is giving us some time to effectuate the ambitions of the next Capital Plan, when we're going to get 150 stations the new fare array, the new kind of turnstiles that are going to contribute significantly to increased deterrence.

Moving to C&D, the Chair talked about what MTA is going to keep pointing to projects that prove that it is a different MTA. C&D President Torres-Springer has talked about how C&D has saved 43 billion in recent years by changing contracts, cutting scope, reducing customization and increasing accountability by empowering project CEOs to really run jobs rather than make them messengers. Recently on the Rockaway project, MTA is celebrating the return to full service on the A train. Today, after rebuilding the whole viaduct, we've got a brand-new bridge from an operational standpoint. Further – we are making better use of our in-house forces to do important capital work. The most significant capital news is the whole Capital Program got approved by the Legislature this month. The Chair credited everyone at the MTA who worked so hard to get us to this milestone. It's the largest program in MTA history and it is the first capital program to be based on a comprehensive review of the condition of this priceless system that is the legacy that we've inherited. It is also the first capital program, based on that analysis, to truly and unapologetically say we are prioritizing State of Good repairs. The Chair stated that the Board would hear more about how the funding works, but in the meantime were not waiting until the final CPRB approval after we readopt the capital program. President Torres-Springer and his team at C&D are moving into the process, lots of projects that are part of the new capital program to get started on the double.

The Chair transitioned his remarks to congestion pricing. He thanked the Board again for its foresight and its stalwart support on congestion pricing, noting that there was no U.S. precedent and highly controversial. People are talking about the improvements they see each day. And Congestion pricing has really worked well. The New York Times did a deep dive piece today noting they're seeing what we're seeing; fewer cars on the street, faster traffic, peak commute time that are way faster, local buses that are less delayed an economy that is humming with more people coming to the Central business District that before congestion pricing, and on. Even so, we are still fighting with the feds about whether we have the right to diagnose and attack New York's traffic problem. We did score a major victory yesterday as folks are aware – federal Judge Liman directed the U.S. DOT to stop the threats, to refrain from engaging in any punitive action in an attempt to coerce us into dropping congestion pricing. The Chair states he is very confident about that litigation. The Chair also congratulated the Board and acknowledged the transit advocates and so many others who made their voices heard in support of the State of New York's and the MTA and the State and City DOTs' long effort to deal with our traffic problem and also to find new funding for mass transit. The Chair acknowledged that it all hasn't been easy but to think about what has been accomplished in the last few years. The operating budget is back from a fiscal cliff, ridership is back to support the region's revival after COVID and we brought service all the way back from the pre-pandemic era. In addition to improving service, the Board has effectively been attacking the challenges to safety – cameras in every station, on every subway car, being leaders with innovations and how to deal with the underground mental health crisis through SCOUT and other safety improvements. Criminal justice advocate Falasca and Chief Kemper are making a difference and strengthening our relationship with the NYPD in so many ways. MTA's reputation is changing too, it's reputation for delivering capital projects from late and over budget to: better, faster, cheaper. MTA is on it's way to implementing the historic switch to OMNY. Redesigning bus maps, and we're on the verge of doing the historic Queens Bus Network Redesign. The Chair emphasized that lots is getting done, the MTA is not done, but there is still more to do. Chair Lieber expressed he is most proud of the frontline workforce, who continue to show up every day and deliver. The workforce, station agents, conductors and operations, cleaners and mechanics are all the heart of the MTA, and the MTA's

accomplishments are possible because of them. The Chair concluded his remarks with thanks for MTA workforce who are delivering for New York.

Refer to the video recording of the meeting, produced by the MTA and maintained in the MTA records, for details of the presentation and board member remarks.

General Counsel Paige Graves confirmed that quorum of members was present.

4. CAPITAL PLAN FUNDING

Chair Lieber called on Chief Financial Officer Kevin Willens to discuss Capital Plan funding.

Refer to the video recording of the meeting, produced by the MTA and maintained in the MTA records, for details of the presentation and board member remarks.

5. CAPITAL PLAN RESUBMISSION

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

1. Resubmission of the MTA 2025-2029 Capital Plan to the Capital Plan Review Board.

Refer to the video recording, the staff summary and documentation filed with the records of this meeting.

6. EXECUTIVE SESSION.

Chair Lieber asked to convene an Executive Session regarding labor matters. Upon motion made and duly seconded the Board entered into an Executive Session.

Upon the conclusion of Executive Session and upon motion duly made and seconded, the board voted to reconvene in public session.

7. PUBLIC SESSION RESUMES.

Chair Lieber stated that while in Executive Session the Board was briefed on and voted affirmatively on labor agreements between the MTA and various labor unions.

8. FIRST MUTUAL TRANSPORTATION ASSURANCE COMPANY ANNUAL MEETING

Jaibala Patel, Co-Chief Financial Officer, presented annual highlights of the captive insurance program and two action items for board approval.

The first item seeks Board approval of the annual Cybersecurity Certification of Material Compliance, filed with the NYS Department of Financial Services on April 11, 2025, for First Mutual Transportation Assurance Company (FMTAC), reflecting updates to personnel and the cybersecurity plan in accordance with 23 NYCRR Part 500 (Cyber Security Regulation).

The second item seeks Board approval of the updated Business Continuity Plan (BCP) and Disaster Recovery Plan (DRP) for First Mutual Transportation Assurance Company (FMTAC), as required by NYSDFS Circular Letter #3, to reflect personnel and business plan changes since the last approval in 2024, of updates to FMTAC's Business Continuity Plan and Disaster Recovery Plan.

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

Refer to the video recording, the staff summaries and documentation filed with the records of this meeting for details.

9. COMMITTEE ON FINANCE

The 2024 Annual Investment Report and Guidelines

Ms. Patel presented the 2024 Annual Investment Report, pursuant to the requirements of Section 2925 of the Public Authorities Law, provides the MTA Board with information on the MTA portfolio's investment performance for 2024.

Ms. Patel stated that in accordance with the State law and the MTA Investment Guidelines, most of the MTA-managed \$10 billion portfolio is invested in short Treasury securities with maturities ranging from a couple of days to up to 2-3 months. MTA also invests into fully collateralized repurchase agreements to meet daily liquidity needs. In 2024, MTA-managed portfolio achieved the net earnings of \$509 million and the weighted average yield of 5.05%. Compared to the benchmarks, the achieved yield is slightly lower than the 1- and 3- month average Treasury yields but higher than the 6- month and 12- month averages.

It was further requested that the Board approve: (1) the MTA 2024 Annual Investment Report; and (2) the MTA All Agency Investment Guidelines.

Upon motion duly made and seconded, the Board approved the two investment matters.

Queens Transfer Fare Policy

Ms. Patel presented the Queens Transfer Fare Policy. She requested board approval to launch a promotional transfer policy, beginning on June 29, 2025, when Phase One of the Queens

bus network redesign takes effect. The promotional policy would last for approximately six months, until January 2026.

Refer to the video recording, the staff summaries and documentation filed with the records of this meeting for details.

Information Items

Ms. Patel stated that the following information items were available in the Committee Book:

- a. the MTA Deferred Compensation Program that has entered into a contract with Empower Annuity Insurance Company to provide trustee and recordkeeping services for the Program,
- b. the submission of station maintenance billings to New York City and the counties for maintenance of LIRR and MNR stations for the April 1, 2024, through March 31, 2025 period,
- c. the draft 2024 fourth quarter MTA financial statements,
- d. a brief annual review of the MTA Sponsored Pension and Retirement Funds, and
- e. the Monthly consolidated reports.

Ms. Patel further stated that, overall, year to date, the MTA is favorable in terms of revenue, subsidies, and expenses by \$257 million. Passenger revenues were favorable by 2% or \$30 million. While other revenue reflects higher reimbursement for paratransit expenses. Other subsidies are favorable by \$129 million, primarily driven by the payroll mobility tax and real estate taxes that have been higher in the first four months of 2025. And expenses were slightly favorable to the budget by almost \$40 million. Congestion relief revenue for the month of April 2025 continues to be on target with projections, as the program collected \$56.7 million. The total Year-to-date revenue for the program is \$215.7 million. Accrued expenses totaled \$46.7 million as of April 2025. The net revenue for the first four months of the congestion relief program is \$169 million.

Chair Lieber made comments regarding paratransit costs, the budget resolution related to those costs, and city reimbursement for paratransit expenses.

MTA HQ Procurements

Lisette Camilo, Chief Administrative Officer, presented three MTA Headquarters items for Finance Committee approval in the estimated amount of \$22.2 million. These actions were found in the May 2025 Finance Committee Book.

The first item is a request to award a three-year noncompetitive personal service contract to Marine Tiger Technologies Corporation (“Marine Tiger”) to furnish project management consulting services for the transition to the new Paratransit Technology System (“PTS”) which provides essential scheduling and routing support for daily Paratransit operations. The contract’s estimated value is \$5.6 million. Marine Tiger will work with Paratransit to closely

manage the selected PTS vendor that will build the new system, ensure that it meets all of the business and technical requirements and that it will be delivered on time and on budget.

The second item is a request for Board approval to ratify the modification of a competitively negotiated personal service contract awarded to Cubic Transportation Systems (“Cubic”) for Customer Service Point-of-Sale (“CS POS”) Terminals in the amount of \$1.5 million and an additional amount of \$2.11 million to cover two, 1-year options. The total requested amount is \$3.65M.

This modification covers (1) a three-year service agreement, which includes 28 months of retroactive services for Cubic to provide all labor and materials for Remedial and Preventive Maintenance of the CS POS terminals; (2) the development of software for Key Performance Indicators; and (3) procurement of three additional CS POS terminals.

The third and final item is a request for Board approval to ratify a modification of the base contract awarded to Cubic for the Customer Website AI Chatbot Service Feature in the amount of \$2.97 million, and an additional amount of \$9.96 million to cover one, 5-year option. The total requested amount is \$12.9 million.

The chatbot diverts call volume away from the OMNY call center by allowing customers to obtain information directly by typing their questions into a chat box. This modification includes 31 months (October 2022–May 2025) of retroactive services and covers (1) the development and ongoing services for the Chatbot and (2) continued software updates and maintenance.

Ms. Camilo commented that the chatbot feature is a supplement to the call center in response to Hon. Lopez’s question about the Chatbot.

Hon. Mihaltses inquired about a prior Cubic issue related to completing the complete OMNY rollout. Jamie Torres-Springer, President of MTA Construction and Development, addressed the inquiry and stated that they are identifying and addressing issues found as customers transition from MetroCard to OMNY. Additionally, Cubic remains committed to completing the functional buildout of OMNY by the end of 2025, which also includes a 12-year operating contract following the buildout's completion.

Upon motion duly made and seconded, the Board unanimously approved the first item. The second and third items were also approved by the Board, with Hon. Mihaltses voting No to both items.

Refer to the video recording, the staff summaries and documentation filed with the records of this meeting for details.

Real Estate

David Florio, Chief Real Estate Transactions and Operations Officer, presented one administrative and five transactional action items for consideration and approval.

The administrative action item for the MTA is an authorization to acquire property interests by negotiated agreement or eminent domain in the Bronx and New Rochelle, for the Penn Station Access Project.

The second and third are transactional items for MTA New York City Transit and include:

- A lease with Stillwell Transit, Inc. for a travel/convenience grab and go retail store in the Stillwell Avenue Terminal in Coney Island serving the D,F,N & Q lines;
- master lease with B&B Station Management LLC for five retail spaces at Rockaway Park – Beach 116 Station, serving the A Line and Rockaway Shuttle. In addition to an existing diner and jewelry store, the tenant will undertake a substantial renovation and upgrade to the building that will result in three additional spaces for new retail amenities.

The final three transactional items are for MTA Metro-North Railroad, and include:

- A license with Global Java Inc. for food and beverage retail use on the inbound platform at the Larchmont Station
- A lease with The Grand Concourse for a café and bar in the Poughkeepsie Station waiting room, and
- A lease agreement with Vizz Group for a restaurant in the Shuttle Passage at Grand Central Terminal.

Mr. Florio addressed a question by Hon. Mihaltses concerning the acquisition of property interests in New Rochelle.

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

Mr. Florio presented four information items, which included:

- A short-term permit between MNR and the Town of Ossining for the use of commuter parking lots at Ossining Station
- An entry permit between B&T and Philip Kaplan Glass and Mirror property Tunnel Exit Street to support work at the adjacent 633 Third Avenue; and
- A permit agreement between NYCT and New York City Department of Parks and Recreation for the construction of accessibility improvements at the Broadway Junction Station in Brooklyn, and finally;
- The report on retail agreements entered into directly by the Real Estate Department pursuant to board policy.

Refer to the video recording, the staff summaries and documentation filed with the records of this meeting for details.

10. MINUTES

Upon motion duly made and seconded, the Board approved the Finance Committee meeting held on April 28th 2025 and the Regular Board meeting held on April 30th 2025, as distributed.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records for details.

11. CORPORATE GOVERNANCE

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

1. All Agency Procurement Guidelines and All Agency Guidelines for Procurement Services; and
2. Revisions to certain existing policies of the MTA and its Agencies in order to comply with Public Authorities Law Section 2824.

Refer to the video recording, the staff summaries and documentation filed with the records of this meeting for details.

12. COMMITTEE ON AUDIT

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

1. MTA Consolidated Year End 2023 Financial Statements; and
2. MTA Investment Compliance Report

Refer to the video recording, the staff summaries and documentation filed with the records of this meeting for details.

13. CAPITAL PROGRAM COMMITTEE

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

1. Award of a publicly advertised and competitively solicited contract with Defoe Corporation (Contract D81709) for Design-Build services to eliminate a center lane merge where the RFK Bridge's exit ramp meets the FDR Drive in order to enhance traffic safety and increase traffic flow on the RFK Bridge; and,
- 2-27. Award of modifications to extend twenty-six Indefinite Quantity contracts (13 federal and 13 state) for consultant construction management and inspection services for 18 months, through December 31, 2026 and to increase the aggregate budget for these contracts by \$400 Million. Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records for details.

14. JOINT MEETING OF THE NEW YORK CITY TRANSIT AUTHORITY, LONG ISLAND RAIL ROAD and METRO-NORTH RAILROAD and the TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY COMMITTEES

The Committees met jointly on May 28th and had no items for Board action.

ADJOURNMENT

Upon motion duly made and seconded the Board voted to adjourn the meeting at 2:35p.m.

Paige Graves
General Counsel and
Corporate Secretary
MTA

Haley Stein
Acting General Counsel and Corporate Secretary
Metro-North Railroad

David Farber
General Counsel and
Corporate Secretary
NYCT and MTA Bus

Haley Stein
Vice President,
General Counsel and Corporate Secretary
Long Island Railroad Company

Paul L. Friman
General Counsel
and Corporate Secretary

Evan Eisland
General Counsel and Corporate Secretary
MTA C&D

Contracts Department

Evan Eisland, Executive Vice President and General Counsel

PROCUREMENT PACKAGE JUNE 2025

PROCUREMENTS

The Procurement Agenda this month includes 5 actions for a proposed expenditure of \$ 264.2 M.

Staff Summary

Page 1 of 1

Subject Request Authorization for Several Procurement Actions					
Contracts Department					
Evan Eisland, Executive Vice President and General Counsel					
Board Action					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	06/23/25	X		
2	Board	06/25/25	X		

Date: June 17, 2025			
Internal Approvals			
	Approval		Approval
X	Deputy Chief Development Officer, Delivery	X	President
X	Deputy Chief Development Officer, Development	X	Executive Vice President & General Counsel

Purpose

To obtain the approval of the Board to award several procurement actions and to inform the Capital Program Committee of these procurement actions.

Discussion

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

<u>Schedules Requiring Two-Thirds Vote</u>	<u># of Actions</u>	<u>\$</u>	<u>Amount</u>
C. Competitive Requests For Proposals (Award of Purchase and Public Work Contracts)	1	\$	249,003,000
SUBTOTAL	1	\$	249,003,000

MTA Construction & Development proposes to ratify awards in the following category:

<u>Schedules Requiring Majority Vote</u>	<u># of Actions</u>	<u>\$</u>	<u>Amount</u>
K. Ratification of Completed Procurement Actions	4	\$	15,208,600
SUBTOTAL	4	\$	15,208,600
TOTAL	5	\$	264,211,600

Budget Impact

The approval of these procurement actions will obligate capital and operating funds in the amounts listed. Funds are available in the operating and capital program budgets for this purpose.

Recommendation

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

MTA Construction & Development

BOARD RESOLUTION

WHEREAS, in accordance with Sections 559, 2879, 1209 and 1265-a of the Public Authorities Law and the All Agency General Contract 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 Service Contract Procurement Guidelines and the All Agency General Contract Procurement Guidelines, the Board authorizes the award of certain non-competitive miscellaneous service and miscellaneous procurement contracts, certain change orders to purchase, public work, and miscellaneous service and miscellaneous procurement contracts; and

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.

JUNE 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

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

(Staff Summaries required for all items greater than \$1M.)

- | | | | |
|----|---|----------------------|--------------------------------------|
| 1. | Skanska Koch Inc.
Contract No. VN-8Q | \$249,000,300 | <u>Staff Summary Attached</u> |
|----|---|----------------------|--------------------------------------|

MTA Construction & Development requests Board approval to award to Skanska Koch Inc. a publicly advertised and competitively solicited contract for Design-Build services for the installation of a cable dehumidification system on the four main cables of the Verrazzano-Narrows Bridge.

Staff Summary

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

Page 1 of 2

Item Number 1 Department, Department Head Name: Delivery, Romolo Desantis, P.E., SVP & Chief Engineer, B&T Business Unit					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	06/23/25	X		
2	Board	06/25/25	X		
Internal Approvals					
Order	Approval	Order	Approval		
X	Deputy Chief, Development	X	Executive Vice President & General Counsel		
X	Deputy Chief, Delivery	X	President		

SUMMARY INFORMATION	
Vendor Name	Contract Number
Skanska Koch Inc.	VN-8Q
Description	
Design-Build Services for the Main Cable Dehumidification at the Verrazzano Narrows Bridge	
Total Amount	
1. Design-Build Contract:	\$249,003,000
2. Stipend Payments:	\$500,000
Contract Term (including Options, if any)	
1,521 Calendar Days	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

ACTION REQUESTED

MTA Construction & Development ("C&D") requests Board approval to award to Skanska Koch Inc. ("Skanska") a publicly advertised and competitively solicited contract (the "Contract") for Design-Build services for the installation of a cable dehumidification system on the four cables of the Verrazzano-Narrows Bridge ("VNB"). The Contract is in the amount of \$249,003,000 and for a duration of 1,521 Calendar Days. In accordance with MTA policy regarding the use of Design-Build contracts, and to enhance competition and defray proposal costs, the solicitation included a stipend of \$250,000 to be paid to each of the two unsuccessful proposers for a total of \$500,000.

DISCUSSION

The Contract is for the installation of a cable dehumidification system on the four main cables of the VNB to prevent corrosion and preserve the current strength of the cables. The work will also include installation of an acoustic monitoring system on the four main cables for monitoring of the conditions within the cables, associated electrical and communication systems, internal inspection of selected cable panels, replacement of hand ropes and stanchions, and maintenance of the cable dehumidification and acoustic monitoring systems for five years after commissioning.

A two-step procurement process was utilized for this Contract. In Step 1, a Request for Qualifications was advertised, resulting in the submission of four Statements of Qualifications which were then evaluated against pre-established Threshold Criteria (addressing completeness, timeliness, capacity, responsibility, and financial capability) and Substantive Evaluation Criteria (addressing team, key personnel and organization, project approach, prior Design-Build experience, past performance, and diversity compliance). Based on these criteria, all four firms submitting Statement of Qualifications were selected to receive a Request for Proposals ("RFP") in Step 2:

- American Bridge Company ("ABC")
- Kiewit Infrastructure Co. ("Kiewit")
- Skanska
- Tutor Perini Corporation ("Tutor Perini")

In response to the RFP, Kiewit, Skanska, and Tutor Perini submitted technical and price proposals. ABC withdrew from the RFP process. The selection committee, consisting of representatives from C&D Delivery, Development, Contracts, and B&T's Operations Department, reviewed the technical proposals and attended the oral presentations of each of the three teams. The selection committee evaluated the technical proposals using the following preestablished selection criteria: design and construction, schedule, key personnel, management plan, safety and quality, past performance, diversity practices and other relevant matters. The selection committee next opened the price proposals which were as follows: Kiewit \$321,697,000, Skanska \$249,503,000, Tutor Perini \$423,770,000.

After reviewing the price proposals, the selection committee invited Skanska to participate in negotiations. Kiewit and Tutor Perini were not invited to participate in negotiations because their price proposals were outside of the competitive range. Negotiations with Skanska included detailed discussions of Skanska's overall cost as well as proposed schedule and approach to design and construction. Following negotiations, Skanska was given the opportunity to submit a Best and Final Offer ("BAFO"). The BAFO submitted was in the amount of \$249,003,000.

The selection committee unanimously recommends Skanska for the award of the Contract. In addition to providing the lowest competitive price, the selection committee determined that Skanska's proposal provided the best value to the MTA, when considering the quality of its technical proposal. Skanska's schedule includes a reduction of 304 calendar days from the maximum duration permitted under the Contract. Skanska's proposal maximizes project efficiencies by mobilizing its resources and incorporating lessons learned from an ongoing project of similar scope. Skanska also demonstrated a strong understanding of all components of the scope of work as established in its technical approach, and its key personnel have successfully completed Design-Build projects of similar scope and magnitude. Skanska's BAFO of \$249,003,000 is deemed to be fair and reasonable.

DBE/MBE/WBE/SDVOB INFORMATION

The MTA Department of Diversity and Civil Rights has established an MBE goal of 15%, WBE goal of 15%, and SDVOB goal of 6% for the Contract. Skanska is committed to meet the required goal requirements and their utilization plan is under review. Skanska has not recently completed any MTA contracts with goals; therefore, no assessment of its performance is available at this time.

IMPACT ON FUNDING

Funding for the capital portion this project is available in a combination of the 2020-2024 Capital Program (Project D801/VN8Q) and the 2015-2019 Capital Program (Project D701/VN8Q). Funds are being reallocated in the 2020-2024 Capital Program to reflect the value of project D801/VN8Q at award. As a result, this planned action amends B&T's 2020-2024 Capital Program to increase D801/VN8Q by \$65.5M from a combination of unallocated program contingency and a Steel Repair and Concrete Rehabilitation Reserve for the Verrazzano-Narrows Bridge (D801/VN32). Funding for the system maintenance expense is available from the B&T Operating Program.

ALTERNATIVES

None recommended. MTA lacks available in-house technical personnel to perform the scope of work associated with this Contract.

JUNE 2025**LIST OF RATIFICATIONS FOR BOARD APPROVAL****Procurements Requiring Majority Vote:****Schedule K. Ratification of Completed Procurement Actions (Involving Schedule E – J)**

(Staff Summaries required for all items requiring Board approval)

- | | | | |
|-----------|---|--------------------|--------------------------------------|
| 2. | SYSTRA Engineering, Inc.
Contract No. CM1539 | \$2,094,000 | <u>Staff Summary Attached</u> |
|-----------|---|--------------------|--------------------------------------|

MTA Construction & Development requests that the Board ratify a modification for additional engineering support services in support of the installation of a Communication Based Train Control signaling system on New York City Transit's Queens Boulevard West Line.

- | | | | |
|-----------|---|--------------------|--------------------------------------|
| 3. | Naik Consulting Group, PC
Contract No. PS886 | \$8,564,600 | <u>Staff Summary Attached</u> |
|-----------|---|--------------------|--------------------------------------|

MTA Construction and Development requests that the Board ratify a modification for continued project management services for three 42nd Street Corridor projects.

- | | | | |
|-----------|---|--------------------|--------------------------------------|
| 4. | Siemens Mobility, Inc.
Contract No. S48013-1 | \$3,200,000 | <u>Staff Summary Attached</u> |
|-----------|---|--------------------|--------------------------------------|

MTA Construction and Development requests that the Board ratify a modification to provide for changes to the carborne controller software on R179 subway cars to improve system performance and reliability.

- | | | | |
|-----------|--|--------------------|--------------------------------------|
| 5. | Hitachi Rail GTS USA Inc.
Contract No. S48013-2 | \$1,350,000 | <u>Staff Summary Attached</u> |
|-----------|--|--------------------|--------------------------------------|

MTA Construction and Development requests that the Board ratify a modification to provide for multiple changes to the carborne controller software on R211 subway cars to improve system performance and reliability.

Staff Summary

Schedule K: Ratification of Completed Procurement Actions

Page 1 of 1

Item Number: **2**

Vendor Name (& Location) SYSTRA Engineering, Inc. (New York, NY)	
Description Consultant Services to Support the Construction of the Communication Based Control/AWS Signal System for the Queens Boulevard Line and for the Qualification of a Future CBTC Vendor	
Contract Term (including Options, if any) 73 Months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Delivery, Mark Roche, Deputy Chief Development Officer	

Contract Number	AWO/Modification #
CM-1539	9
Original Amount:	\$ 12,555,698
Prior Modifications:	\$ 12,637,527
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 25,193,225
This Request:	\$ 2,094,000
% of This Request to Current Amount:	8.31%
% of Modifications (including This Request) to Original Amount:	117.33%

Discussion:

MTA Construction & Development ("C&D") requests that the Board ratify a modification for additional engineering support services in support of the installation of a Communication Based Train Control ("CBTC") signaling system on New York City Transit's Queens Boulevard West Line ("QBLW").

Contract CM-1539 (the "Contract") provides engineering consultant services for both QBLW and the Queens Boulevard East Line ("QBLE"). Modification No. 8 extended the contract term through March 31, 2027 for the QBLE project and formally terminated Systra's support services for QBLW as of February 26, 2024, however, left open, for a subsequent modification, the issue of compensation for services provided for QBLW for the period April 30, 2023 to February 26, 2024. This Modification resolves that issue and provides for compensation for services performed with respect to QBLW from April 30, 2023 to February 26, 2024. Those services included additional engineering support required to address modifications to cutover plans and other technical challenges; coordination of Automatic Train Supervision expansion activities between various projects, additional inspection and acceptance testing requirements; and work related to the resequencing of the QBLW arising from the COVID-19 pandemic.

Systra submitted its cost proposal in the amount of \$3,526,810. Negotiations yielded a settlement amount of \$2,094,000. C&D analyzed the merit of the claims submitted by Systra and deems this resolution to be fair and reasonable.

Staff Summary

Schedule K: Ratification of Completed Procurement Actions

Page 1 of 1

Item Number: **3**

Vendor Name (& Location) Naik Consulting Group, PC (New York NY)	
Description Program Management and Consultant Construction Management Services for Midtown 42nd Street Corridor Projects	
Contract Term (including Options, if any) 39 months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Delivery, Matthew Zettwoch, Vice President, Stations	

Contract Number	AWO/Modification #
PS886	2
Original Amount:	\$ 26,426,103.00
Prior Modifications:	\$ 0.00
Prior Budgetary Increases:	\$ 0.00
Current Amount:	\$ 26,426,103.00
This Request:	\$ 8,564,599.99
% of This Request to Current Amount:	32.4%
% of Modifications (including This Request) to Original Amount:	32.4%

DISCUSSION

This Contract, which was awarded on June 21, 2021, provides project management and administrative oversight services for 24 projects along the 42nd Street Corridor (the 42nd Street Corridor Projects"). MTA Construction & Development ("C&D") requests that the Board ratify a modification to extend the contract by 19 months, through April 30, 2026, to provide continued services for three of those projects, for the not-to-exceed amount of \$8,564,599.99.

At the time of award of the Contract, the 42nd Street Corridor Projects were in various stages of development. Three of those projects remain ongoing and continued project management services are required. The ongoing projects are (i) Contract A-37679, which includes the replacement of eight escalators that service the Flushing Line and Grand Central and addresses leaks and other repairs at the mezzanine level of the Lexington Avenue line at Grand Central; and (ii) Contract A-37693, which includes circulation improvements at Grand Central – 42nd Street Station, including the construction of a new passageway, new stairs, and widening of existing stairs. Both of these projects are in construction and scheduled to be completed in the second quarter of 2026 and will continue to require project management and close-out services until complete. The third project will provide for four new elevators and state of good repair work at the Bryant Park – 42nd Street and Fifth Avenue Station. This package is currently in the procurement phase and this extension will only provide for pre-construction support. Project management services for the design-build phase will be provided under a separate contract.

The Contractor submitted a cost proposal in the not-to-exceed amount of \$12,623,456.12. Negotiations resulted in an agreed upon not-to-exceed cost of \$8,564,599.99, which was found to be fair and reasonable.

Staff Summary

Schedule K: Ratification of Completed Procurement Actions

Page 1 of 1

Item Number: **4**

Vendor Name (& Location) Siemens Mobility, Inc. (New York, NY)	
Description Supplemental Agreement for CBTC Carborne Equipment for R179 Cars for the 8 th Avenue Line	
Contract Term (including Options, if any) March 27, 2019 – March 9, 2026	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Delivery, Mark Roche, Deputy Chief Development Officer	

Contract Number	AWO/Modification #
S-48013-1	10
Original Amount:	\$ 20,675,412
Prior Modifications:	\$ 981,000
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 21,656,412
This Request:	\$ 3,200,000
% of This Request to Current Amount:	14.8%
% of Modifications (including This Request) to Original Amount:	20.2%

DISCUSSION:

Contract S-48013-1 (the “Contract”) provides for the installation of Communication Based Train Control (“CBTC”) equipment for R179 subway cars. MTA Construction and Development (“C&D”) requests that the Board ratify a modification to the Contract to provide for changes to the carborne controller software to improve system performance and reliability. The work includes:

- Updates to the carborne controller software to provide operational improvements, including better alignment of the R179 trains with short platforms, improved functioning in work zones during general orders, and smoother transitions from train yards to mainline territory.
- Updates to the status indication fields on the Monitoring and Diagnostic system to streamline the maintenance process. The Monitoring and Diagnostic System is a diagnostic tool designed to monitor and provide the status of rail cars equipped with CBTC components. It assists maintenance personnel to identify failed hardware components using status indication fields displayed by the train’s onboard screen.
- Updates to the carborne CBTC software to resolve coordination issues the R179 onboard control software.

The contractor submitted a cost proposal of \$3,807,711. Negotiations resulted in the agreed lump sum price of \$3,200,000, which has been determined to be fair and reasonable. This modification includes a reservation of the parties’ rights with respect to an extension of time and impact costs, if any, for compensable delays. To mitigate any schedule impact, authorization was obtained from the President of MTA C&D to direct the Contractor to commence the work on April 2, 2025.

Staff Summary

Schedule K: Ratification of Completed Procurement Actions

Page 1 of 1

Item Number: 5

Vendor Name (& Location) Hitachi Rail GTS USA Inc. (New York, NY)	
Description R211 Carborne Equipment for the CBTC 8 th Avenue Line	
Contract Term (including Options, if any) March 27, 2019 – May 25, 2028 (including options)	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Delivery, Mark Roche, Deputy Chief Development Officer	

Contract Number S-48013-2	AWO/Modification # 6
Original Amount: (including options)	\$ 47,174,567
Prior Modifications:	\$ 1,288,000
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 48,462,567
This Request:	\$ 1,350,000
% of This Request to Current Amount:	2.8%
% of Modifications (including This Request) to Original Amount:	5.6%

DISCUSSION:

Contract S-48013-2 (the “Contract”) provides Communication Based Train Control (“CBTC”) equipment for R211 subway cars. MTA Construction and Development (“C&D”) requests that the Board ratify a modification to the Contract to provide multiple changes to the carborne controller software to improve system performance and reliability. The work includes:

- A software modification for the carborne controller to disable the Automatic Train Operation (“ATO”) function upon detection of loss of communication with the Automatic Train Supervision (“ATS”) system and to re-enable the ATO when the communication is restored. This will allow for manual operation during a loss of communication.
- A software modification to provide date and time information from the ATS to the carborne controller. The date and time information will enable the ATS and other CBTC subsystems to handle processes that involve the current time (e.g., alarm timestamping).
- An enhancement that will allow for the updating of the carborne controller with updated track information directly from the wayside communications equipment without the need to take a train out of service.
- A software modification to more rapidly initiate a switchover from the active onboard radio to the back-up radio when the carborne controller loses communication with the active radio.

The contractor submitted a cost proposal of \$1,839,922. Negotiations resulted in the agreed lump sum price of \$1,350,000 with no schedule impact, which has been determined to be fair and reasonable.



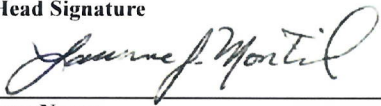
Long Island Rail Road Procurements

Lawrence Montreuil, Assistant Deputy Chief Procurement Officer – LIRR Procurement



PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed estimated expenditure of \$23M.

Subject Request for Authorization to Award Various Procurements						June 16, 2025			
Department LIRR Procurement						Department			
Department Head Name Lawrence Montreuil						Department Head Name			
Department Head Signature 						Department Head Signature			
Project Manager Name Rose Davis									
Board Action									
Order	To	Date	Approval	Info	Other				
1	Committee	06/23/25							
2	Board	06/25/25							
Internal Approvals (cont.)									
Order	Approval	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 Long Island Rail Road Committee of these procurement actions.			
DISCUSSION			
LIRR proposes to award Noncompetitive procurements in the following categories: None			
LIRR proposes to award Competitive procurements in the following categories: None			
LIRR proposes to award Ratifications in the following categories:			
<u>Schedules Requiring Two-Thirds Vote:</u>			
Schedule D: Ratification of Completed Procurement Actions	1	\$	23.0 M
TOTAL		1	\$ 23.0 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 Sections 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 regarding 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

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.

JUNE 2025

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

D. Ratification of Completed Procurement Actions

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

- | | | |
|---|---------------------------------|--------------------------------------|
| 1. Gatekeeper System USA Inc.
Three years + Warranty Period
Contract # 40000000003442 | \$22,951,498 (estimated) | <i>Staff Summary Attached</i> |
| <p>Contract award for the replacement of Long Island Rail Road's ("LIRR") current Audio-Visual Recording Monitoring ("AVRM") system on its M7 fleets, C3 coaches, Diesel-Electric Dual Mode 30, and adding the system to the M3 fleet, totaling 1,087 railcars.</p> | | |

Item Number:

Vendor Name (Location): Gatekeeper System USA Inc. (Abbotsford, British Columbia)	Contract Number: 400000000003442	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description: LIRR Audio Visual Recording (AVRM) Monitoring System Upgrade	Total Amount: \$22,951,498 (estimated)	
Contract Term (including Options, if any): Three Years plus Warranty Period, as stated in Contract Terms	Funding Source: <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	Requesting Department: LIRR Maintenance of Equipment	
Procurement Type: <input checked="" type="checkbox"/> Competitive (Informal) <input type="checkbox"/> Noncompetitive		
Solicitation Type: <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Immediate Operating Need		

Discussion:

It is requested that the Board formally ratify the declaration of an Immediate Operating Need ("ION") approved by the Deputy Chief Procurement Officer, MTA Procurement for the award of a three-year estimated quantity contract to Gatekeeper System USA Inc. ("Gatekeeper") for the provision of federally mandated equipment to replace Long Island Rail Road's ("LIRR") current Audio-Visual Recording Monitoring ("AVRM") system on its M7 fleets, C3 coaches, Diesel-Electric Dual Mode 30, and adding the system to the M3 fleet, totaling 1,087 railcars.

The Federal Railroad Administration ("FRA") has issued an unfunded mandated (October 2023 Fast Act) in 49 CFR Part 229.136 that every lead locomotive and any car that could be used in a forward-facing position operating in commuter passenger service must be equipped with a CCTV system that records video from both a forward-facing camera and a cab camera to a crash-hardened memory device by October 12, 2027. Further, the system must be inspected daily and be fully operational for the lead locomotive /car to be used in passenger service. Currently, LIRR is not in compliance with the new FRA mandate due to the technological age of LIRR's existing CCTV system equipment and component obsolescence. The AVRM currently in use must be replaced in order to ensure compliance, as train cars that do not meet the FRA mandate cannot be used in service, resulting in service disruption and delays.

An ION was declared to accelerate this project. A Limited Notice of Award was issued to fund Engineering Design Work and to authorize the purchase of long lead time materials to meet the compliance date. Post-award tasks include: the design of the equipment and software, manufacturing lead time, and installation by LIRR force account on all its rolling stock fleets. LIRR will work closely with Gatekeeper to compress the schedule.

Procurement Process

A scope of work was developed that included replacing LIRR's current AVRM system on its fleets to ensure compliance with the FRA changes. Procurement issued a competitive Request for Proposal ("RFP") procurement pursuant to Public Authorities Laws 1265-a and received proposals from five firms. The LIRR Selection Committee ("SC") evaluated the technical proposals submitted using the RFP selection qualitative criteria: (1) Technical Approach; (2) Experience of Proposed Staff; and (3) Demonstrated Ability to Meet Contract Schedule. Based on the SC's evaluation, three firms were invited to give oral presentations on their technical proposals: Gatekeeper, Railhead Corporation ("Railhead"), and Wi-Tronix. The SC unanimously agreed that Gatekeeper provided the best overall technical solution.

The SC subsequently reviewed the price proposals submitted, noting that Gatekeeper provided the lowest price: Gatekeeper \$28,364,675, Railhead \$45,046,534, and Wi-Tronix \$28,997,200. Gatekeeper was found to be the most qualified firm to perform the work, as it (1) exceeded all technical requirements set forth in the RFP; (2) has significant experience; and (3) can meet the required milestone schedule. LIRR made the recommendation to proceed with further discussions / negotiations with Gatekeeper. Through extensive price negotiations, LIRR was able to secure a Best and Final Offer ("BAFO") of \$22,951,498. This represents a \$5,413,176 or 19 percent reduction from its initial proposal of \$28,364,675. Gatekeeper's prices for the kits will remain fixed throughout the three-year period. The final negotiated pricing is considered fair and reasonable, and the technical proposal from Gatekeeper provides the best overall value to the MTA.

While the MTA has not done business with Gatekeeper, Gatekeeper has successfully performed work of similar scope and size with Southeastern Pennsylvania Transportation Authority ("SEPTA"), an agency that deemed Gatekeeper's performance satisfactorily, meeting or exceeding performance standards within SEPTA's public transit agency.

The three-year contract term includes warranty on workmanship for a period for one year from the installation of the equipment. Additional warranty coverage for hardware (includes all kit components) covered by the Technical Scope of Work shall be unconditionally warranted for a period of three years from the date of installation by the LIRR or 3.5 years post-delivery, whichever comes later, at no additional cost for parts and labor. Software covered by the Technical Scope of Work shall be unconditionally warranted for a period of three years after acceptance by the Railroad of qualification testing for each fleet type. Gatekeeper will furnish and install software upgrades at no extra cost to LIRR.

This contract has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions.

Gatekeeper has certified that pursuant to EO 16 it is not doing business in Russia.

The MTA Department of Diversity and Civil Rights (“DDCR”) has established a 3.6 percent MBE, 3.6 percent WBE, and 1 percent SDVOB goals for this contract. Gatekeeper is committed to meet the required goal requirements. Gatekeeper has not recently completed any MTA contracts with goals; thus, no assessment of its performance is available at this time.

Impact on Funding

This procurement action will utilize MTA 2025–2029 Capital and Operating funds.

New York City Transit Procurements

Louis Montanti, MTA Deputy Chief Procurement Officer – Procurement Operations

PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed estimated expenditure of \$1.7M.

Subject Request for Authorization to Award Various Procurements						June 18, 2025			
Department MTA Procurement						Department			
Department Head Name Lisette Camilo						Department Head Name			
Department Head Signature <i>Lisette Camilo</i>						Department Head Signature			
Project Manager Name Rose Davis						Internal Approvals			
Board Action									
Order	To	Date	Approval	Info	Other		Approval		Approval
1	Committee	6/23/25					President NYCT		Pres. MTA Bus/SVP DOB
2	Board	6/25/25				X	CFO	X	Subways
						X	Law		Diversity/Civil Rights
Internal Approvals (cont.)									
Order	Approval		Order	Approval		Order	Approval		Order Approval

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

DISCUSSION
 NYC Transit proposes to award Noncompetitive procurements in the following categories: None
 NYC Transit proposes to award Competitive procurements in the following categories: None
 NYC Transit proposes to award Ratifications in the following categories:

<u>Schedules Requiring Two-Thirds Vote:</u>	<u># of Actions</u>	<u>\$ Amount</u>
Schedule D: Ratification of Completed Procurement Actions	1	\$ 1.7 M
SUBTOTAL	1	\$ 1.7 M
TOTAL	1	\$ 1.7 M

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

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

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

BOARD RESOLUTION

WHEREAS, in accordance with Sections 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 regarding 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

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.

JUNE 2025

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

D. Ratification of Completed Procurement Actions

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

- | | | |
|---|-----------------------------|-------------------------------|
| 1. NEU International Railways
Two Years
Contract# 6%33825 / 6%35651 | \$1,658,620 (not to exceed) | <i>Staff Summary Attached</i> |
| Contract for emergency repair services on R251 Vacuum Train 4 (“VT4”); Ratification of an Immediate Operating Need. | | |

Schedule D: Ratification of Completed Procurement Actions

Item Number: 1

Vendor Name (Location) NEU International Railways (La Chapelle d'Armentières Cedex, France)	Contract Numbers 6%33825 / 6%35651	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description Fire Damage Repair of Vacuum Train No. 4 (Immediate Operating Need)	Total Amount: \$1,658,620 (Not-to-exceed)	
Contract Terms (including Options, if any) March 29, 2024–March 31, 2026	Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a	Requesting Department: Department of Subways, William Amarosa	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive		
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: ION		

Discussion:

It is requested that the Board ratify the declaration of an Immediate Operating Need (“ION”) approved by the Deputy Chief Procurement Officer, MTA Procurement, waiving competitive bidding pursuant to Article III, Paragraph A, of the All-Agency Procurement Guidelines and Public Authorities Law 1209, subsection 9(a) and approve the award of an emergency repair service contract on R251 Vacuum Train 4 (“VT4”) to NEU International Railways (“NEU”) in the not-to-exceed amount of \$1,658,620.

The R251 Vacuum Train fleet, manufactured by NEU and delivered in 2018, is crucial to NYC Transit’s track-cleaning initiatives. The R251 Vacuum Train consists of three cars: one center car and two filter cars, all pulled by a locomotive. In June 2022, VT4 Filter Car 2 (“FC2”) was damaged by a fire that resulted in the need to replace its interior workings. The damaged car was bypassed, and VT4 has since been operating at reduced capacity. The repair of VT4 includes the fabrication and installation of a new complete filter car module (FC2), its wiring, and operating software. As the Original Equipment Manufacturer of the R251 Vacuum Trains, retaining NEU is required to furnish and install new equipment to repair FC2 and return VT4 to a state of good repair. NEU has the experience, technical capability, and resources to perform the work required.

The fabrication of required components will take place in France at NEU’s manufacturing facility. The components will then be delivered to the United States and repairs will take place at an NYC Transit facility in Westchester. A combination of NEU and in-house labor will perform the work. An initial award of \$1 million was made March 29, 2024, half of which was a bonded advanced payment so that NEU would initiate procurement and fabrication of the required replacement components until final negotiations were concluded. The second half will be payable once the components are delivered to the worksite. A second award of \$658,620 was made March 3, 2025, to cover all remaining costs and expenses required to complete the work. Delivery of materials is scheduled for 27 weeks later, in August 2025, with onsite work being completed within six weeks, including recommissioning of the repaired unit.

The price of \$1,658,620 offered by NEU for this requirement was found fair and reasonable by Procurement with support from MTA Audit. The pricing includes \$1,036,770 in materials; and \$621,850 in labor, engineering, freight, and all other costs and expenses required to complete the work.

NEU has certified that it is compliant with the contract’s cybersecurity requirements.

NEU has certified that pursuant to EO 16 it is not doing business in Russia.

Impact on Funding

This procurement action will utilize Operating funds.

Subject 2025 New York State PWEF Assessment	Date June 23, 2025
Department Office of the Chief Financial Officer	Vendor Name
Department Head Name Kevin Willens, Chief Financial Officer	Contract Number
Department Head Signature	Contract Manager Name
Project Manager Name David Keller, Director, Consolidated Analysis	Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	6/23			
2	MTA Board	6/25			

Internal Approvals			
Order	Approval	Order	Approval
1	CFO		
2	General Counsel		
3	Chief of Staff		

Purpose: To authorize actions relating to the payment of the New York State assessment on the MTA and its constituent agencies for the Public Work Enforcement Fund (“PWEF”) for calendar year 2025.

Discussion: Chapter 511 of the Laws of 1995, as amended, requires State agencies and authorities to pay to the State Comptroller an assessment based on one-tenth of one percent 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 on the estimated amount of public works contracts and are adjusted to reflect the actual experience from the prior year. The 2025 payment, therefore, is based on a 2025 estimate and an adjustment for the 2024 actual. MTA estimates the 2025 assessment to be \$5,478,526. In 2024, the estimated 2024 assessment of \$1,608,341 was less than the actual assessment of \$1,767,660 by \$159,319. This true-up of \$159,319 when added to the estimated 2025 assessment of \$5,478,526 requires a total payment of \$5,637,845.

Financial Implications: The 2025 MTAHQ Budget contains sufficient funds for this payment.

Recommendation: It is recommended the Board authorize staff to remit the 2025 PWEF assessment payment as adjusted for the 2024 actual assessment.

STAFF SUMMARY

Subject	Date
MTA Advertising Policy	June 18, 2025
Department	Vendor Name
Strategic Initiatives	N/A
Department Head Name	Contract Number
Jon Kaufman, Chief Strategic Initiatives	N/A
Department Head Signature	Contract Manager Name
	N/A
Project Manager	Table of Contents Ref #
Jessica Lazarus, Deputy Chief, Commercial Ventures	N/A

Board Action					Internal Approvals		
Order	To	Date	Approval	Info	Order	Approval	Approval
1	Finance Committee	6/23/2025	X		1	CFO	
2	Board	6/25/2025	X		2	Legal	
					3	Chief Policy External Relations	
					4	Chief Administrative Officer	

I. Purpose

To obtain Board approval of updates to the MTA Advertising Policy, annexed hereto.

II. Discussion

The Metropolitan Transportation Authority (“MTA”) had long maintained an Advertising Policy to set standards for the display of advertising in and on the facilities, vehicles and other property (together “Property”) of the MTA and its affiliated and subsidiary agencies (together “MTA”). The MTA is recommending today that the Board approve the following updates to the policy:

First, the updated policy clarifies the scope of the MTA’s Advertising Policy applies to all MTA properties, including station advertising, billboards, and digital properties.

Second, the updated policy clarifies the requirements for proposed “Large Format Advertising.” This format includes (i) advertising that physically “wraps” and so covers all or nearly all of the exterior surfaces of subway cars, train cars, or buses and (ii) any other advertisement in any medium that appears on MTA Property that is an equivalent or greater size. Any advertising which prominently displays the unclothed human body, regardless of the nature of any clothing items depicted, will not be accepted in such formats.

Third, the updated policy maintains alcohol advertising in the policy’s “Prohibited” category, while also now allowing for alcohol advertising in the following limited settings:

- On digital displays within stations or attached to station exteriors, and on the interior of railcars and buses, but only outside of typical student commutation hours (6-8 a.m. and 2-5 p.m. on weekdays when school is in session);
- On static displays inside (1) major commuter rail hubs and (2) stations adjacent to large venues where alcohol is lawfully sold;
- In “train wrap” format on the S shuttle train between Times Square and Grand Central – but not on the exterior of any other MTA railcars or buses; and
- On billboards, but only where the advertiser certifies that such billboards are not readable within 500 feet of a school, playground, or place of worship. The same requirement to certify compliance of the 500-foot limitation would apply to signage affixed to station exteriors.

Advertisers of alcohol products would also be required to verify their compliance with all applicable federal and state laws and regulations regarding alcohol advertising. Advertisers would be forbidden to target alcohol ads to any particular geographic community.

Fourth, the updated advertising policy reassigns within the MTA the responsibility to issue final determinations regarding decisions by the MTA’s Advertising Committee. Advertisers can request a final determination after the committee rejects an ad pursuant to the Advertising Policy. Such final determinations will now be made by the MTA’s Chief Administrative Officer or their designee.

Fifth, the proposal before the Board also includes several other changes that are administrative and textual clean up. These changes would not materially alter the types of advertising that are displayed in the MTA system.

Finally, as an information item, the existing pilots for audio announcements and audio advertising are being renewed until July 2026.

I. Recommendation

It is recommended that the Board approve and adopt the annexed updated MTA Advertising Policy.

MTA ADVERTISING POLICY

I. PURPOSE

A. To establish uniform, reasonable, and viewpoint-neutral standards for the display of advertising in and on the facilities, stations, vehicles, digital assets (e.g. MTA webpages and mobile apps) and other property (together “Property”) owned or controlled by the Metropolitan Transportation Authority and its affiliated and subsidiary agencies (together “MTA”).

B. To maintain the attractiveness of the Property and the MTA’s services to a multicultural, multi-ethnic, religiously diverse and otherwise diverse ridership, including minors.

C. To maintain the advertising space on the Property as a non-public forum by limiting the range of expression permitted in the forum, including but not limited to by excluding advertising of a political nature as defined below.

II. SCOPE

This policy (the “Advertising Policy”) applies to all advertisements proposed to be displayed in and on the Property on or after the Effective Date set forth below.

III. OBJECTIVE

The MTA’s mission is to provide safe, reliable, and efficient public transportation and crossings within its service area. The MTA’s transportation operations are funded by a combination of federal, state, and local funds, including grants and taxes, as well as fare box and toll revenue. Advertising revenues are an important supplemental source of revenue that supports the MTA’s transportation operations. The MTA’s purpose in allowing paid advertising to be displayed in and on the Property is to maximize such supplemental revenue to support transportation operations.

By accepting paid advertising for display in and on the Property, the MTA is acting in a proprietary capacity as a provider of public transportation and crossings seeking to maximize advertising revenue to support its transportation operations. The MTA does not intend that the advertising permitted to be displayed in and on the Property be created, designated, or used as a public forum for expressive activities or general discourse or opinions. In furtherance of the MTA’s purpose of maximizing advertising revenue, the MTA in its proprietary capacity is limiting advertisements it will accept for display in and on the Property to paid commercial advertising, certain public service announcements that will help build goodwill for the MTA among its riders and the public, and governmental messages, and prohibiting certain advertisements described below. The MTA retains control over the advertising that it will allow to be displayed in and on the Property by subjecting all proposed advertisements to this Advertising Policy. The MTA expressly intends that the advertising space on the Property be a non-public forum.

In establishing and enforcing this Advertising Policy, the MTA seeks to fulfill the following goals and objectives:

- Maximize advertising revenue.
- Maximize ridership and fare revenue, including by adopting an advertising policy that will create an attractive environment for a diverse ridership, including minors.

- Maintain a secure and orderly operating environment.
- Maintain a safe and welcoming environment for all MTA employees and customers, including minors, who use the MTA's subways, buses, commuter trains, and crossings.
- Minimize the extraordinary resources and executive attention that have been expended to resolve disputes relating to the permissibility of certain political advertisements and advertisements of a sexual nature, thus unnecessarily diverting the organization from performing its mission.
- Avoid identification of the MTA with, and the appearance of MTA endorsement of, the advertisements of non-MTA parties displayed in or on the Property, including the associated messages, products, services, or events being proposed or promoted.
- Preventing government property from being used to promote invidious discrimination against constitutionally and statutorily recognized protected classes, via advertising to MTA customers who are captive audiences.

This Advertising Policy contains additional restrictions for two categories of advertisements:

- Large Format Advertisements, as set out in section V below. Because of their much larger size, Large Format Advertisements have a stronger, more visceral impact than other advertising on the Property, especially as the graphics become larger and often more detailed and more difficult for customers to avoid. Further, Large Format Advertisements on buses and subways on outdoor tracks travel through communities whose members may not have affirmatively chosen to use the MTA's services. For these reasons, Large Format Advertisements must satisfy both the standards for all advertisements and also the additional requirements.
- Advertisements of alcoholic beverage products or brands, as set out in section IV.D below. Such advertisements can raise concerns about their impact on young people and on certain communities. For these reasons, such advertisements must satisfy both the standards for all advertisements and also the additional requirements.

IV. ADVERTISING STANDARDS

A. Permitted Advertising

The MTA will only display advertisements that fall under one or more of the following categories of permitted advertising:

1. Commercial advertising. Paid advertisements that propose, promote, or solicit the sale, rent, lease, license, distribution, or availability of, or some other commercial transaction concerning, goods, products, services, or events for the advertiser's commercial or proprietary interest, or more generally promote an entity that engages in such activities.
2. Governmental advertising. Notices or messages from the MTA that promote the MTA or any of its functions or programs, and paid notices or messages of the United States government, the States of New York, New Jersey and Connecticut and their agencies and counties, the City of New York and its departments, or of any of the County governments within the Metropolitan Commuter Transportation District that advance specific governmental purposes.

3. Public service announcements. Public service announcements not otherwise prohibited under Section IV.B of this Policy, which are sponsored by a nonprofit corporation that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, and which are directed to the general public and relate directly and exclusively to:
 - i. Prevention or treatment of illnesses;
 - ii. Promotion of safety or personal health;
 - iii. Education or training programs (e.g., colleges, graduate school programs, or vocational training programs);
 - iv. Art or culture programs (e.g., free art exhibitions or concerts);
 - v. Provision of children and family services;
 - vi. Provision of services and programs that provide support to low-income persons, senior citizens, or people with disabilities; or
 - vii. Public education that solely informs the public of the existence of current New York City, New York State or national laws or constitutional provisions and that contains only a quotation from and citation to such provision and/or explanatory graphics accurately reflecting the law, and the identity of the advertiser.

B. Prohibited Advertising

Even if an advertisement qualifies as permitted advertising under Section IV.A of this Advertising Policy, the MTA will not accept any advertisement for display in or on the Property if it falls within one or more of the following categories of prohibited advertising:

1. Promotes or opposes a political party, a ballot referendum, any proposed or contemplated legislation or regulation, or the election of any candidate or group of candidates for government offices.
2. Prominently or predominantly supports, opposes, or comments on any action, inaction, prospective action, or policies of a government entity, except for advertisements that (i) qualify as permitted advertising under Section IV.A.2 of this Advertising Policy; (ii) are limited to providing public education regarding the existence of current government programs and services under Section IV.A.3(i) through Section IV.A.3(vi) of this Advertising Policy; or (iii) are limited to providing public education regarding existing laws under Section IV.A.3(vii) of this Advertising Policy.
3. Prominently or predominantly supports, opposes, or comments on a matter of public policy, except for advertisements that (i) qualify as permitted advertising under Section IV.A.2 of this Advertising Policy; (ii) are limited to providing public education regarding the existence of current government programs and services under Section IV.A.3(i) through Section IV.A.3(vi) of this Advertising Policy; or (iii) are limited to providing public education regarding existing laws under Section IV.A.3(vii) of this Advertising Policy. Public policy is defined as a system of laws, regulatory measures, courses of action or inaction, and funding priorities concerning a given issue or topic promulgated, proposed to be promulgated, administered, or effectuated by a government entity or its representatives, and can relate to issues that are political, economic, cultural, religious, or social in nature, among other issues.

4. Prominently or predominantly supports, opposes or comments on any international dispute or warfare among nations or religious, ethnic, or other similar groups.
5. Prominently or predominantly supports, opposes or comments on a matter of religious policy. Religious policy is defined as the doctrines, practices, belief systems, or edicts promulgated or proposed to be promulgated by a religious entity or religious group or their respective representatives. This subsection IV.B.5 is not intended to prohibit advertisements that inform the public of the existence of a religious or atheist group or institution or the availability of their services if such advertisements otherwise comply with this Advertising Policy.
6. Is false, misleading, or deceptive.
7. Promotes unlawful or illegal goods, services, or activities, or involves other unlawful conduct.
8. The advertisement (i) depicts or describes in a patently offensive manner sexual or excretory activities so as to satisfy the definition of obscene material as contained in New York Penal Law § 235.00, as such provision may be amended, modified, or supplemented from time to time; or (ii) contains material that, if sold or loaned to a minor for monetary consideration with knowledge of its character and content, would give rise to a violation of New York Penal Law § 235.21, which prohibits the dissemination of indecent material to minors, as such provision may be amended, modified, or supplemented from time to time; or (iii) contains material that, if displayed with knowledge of its character and content, would give rise to a violation of New York Penal Law § 245.11, which prohibits the public display of offensive sexual material, as such provision may be amended, modified, or supplemented from time to time.
9. Advertises a film, publication or other content, including but not limited to an Internet website, that (i) satisfies the definition of obscene material contained in New York Penal Law § 235.00, Law § 235.00, as such provision may be amended, modified, or supplemented from time to time; (ii) if sold or loaned to a minor for monetary consideration with knowledge of its character and content, would give rise to a violation of New York Penal Law § 235.21, which prohibits the dissemination of indecent material to minors, as such provision may be amended, modified, or supplemented from time to time; or (iii) that, if displayed with knowledge of its character and content, would give rise to a violation of New York Penal Law § 245.11, which prohibits the public display of offensive sexual material, as such provision may be amended, modified, or supplemented from time to time.
10. Implies or declares an endorsement by the MTA of any service, product, or point of view.
11. Encourages or depicts conduct that is a violation of any of the MTA's Rules of Conduct, or other unsafe or undesirable behavior with respect to the MTA's transportation operations, such as failure to comply with normal safety precautions in awaiting, boarding, riding upon, or disembarking from MTA vehicles, or is otherwise directly adverse to the commercial, administrative or operational interests of the MTA as a business. This prohibition includes advertisements that incidentally portray the MTA, MTA employees, or MTA services in advertisements which primarily promote an unrelated product or service.
12. Contains an image of a person who is or appears to be a minor in sexually suggestive dress, pose, or context, or contains sexually explicit material that appeals to the prurient interest in sex, as judged by contemporary community standards relevant to MTA Property.
13. Promotes an escort service, strip club, or a Sexually Oriented Product or Service. A Sexually Oriented Product or Service as employed herein is any good, product, or service primarily related to or used for the purposes of sexual activity by persons of any gender or orientation,

including but not limited to genital intercourse, oral sex, anal sex, masturbation, sadomasochism, erotic touching of covered or uncovered genitals, pubic area, buttocks, anus, or breasts, obtaining or maintaining an erection, or experiencing an orgasm ("Sexual Activity"). Sexually Oriented Products or Services include but are not limited to sex toys, sexual enhancement products, sexual dysfunction medications and supplements, genital or anal lubricants, libido enhancing medications and supplements, surgical procedures for the enhancement of sexual activity or sexual pleasure, and surgical procedures for the enlargement of breasts or genitals. Sexually Oriented Products or Services do not include contraceptives or reproductive or family-planning services, gender affirming surgery, or post-operative breast reconstruction surgery, and advertisements that promote these topics are not prohibited so long as they comply with all other provisions of this Advertising Policy.

14. Contains profanity, including words, symbols or gestures commonly understood as profanity even if they are mis-spelled or do not contain all their letters, or slang terms for the genitals, pubic area, buttocks, anus or breasts. Examples of profanity include: fuck, shit, asshole, bitch, and cunt.
15. Depicts, references, or contains symbols or images reasonably understood to represent or evoke feces, urine, semen, orgasms, erections or Sexual Activity, excluding kissing.
16. Promotes tobacco, nicotine, or any tobacco-related or nicotine-related product; any alcohol product (except where compliant with section IV.D below); cannabis or any cannabis-related product; or hallucinogenic mushrooms or hallucinogenic mushroom-related product.
17. Contains material the display of which the MTA reasonably foresees would (a) result in harm to, disruption of or interference with the normal operations of the transportation system operated by the MTA, or (b) incite or provoke imminent violence or other imminent breach of the peace and so harm, disrupt, or interfere with safe, efficient, and orderly transit operations.
18. Contains material that demeans, disparages, praises, or promotes an individual or group of individuals on the basis of race, national origin, sex, sexual orientation, gender identity, disability, age, alienage, or religion. For purposes of determining whether an advertisement "demeans or disparages" an individual or group on this basis, the MTA will determine whether a reasonably prudent person, knowledgeable of the MTA's ridership and using prevailing community standards, would believe that the advertisement contains material that is abusive to, or debases the dignity of, an individual or group of individuals on the basis of the listed classes.
19. Portrays graphic violence; sexual violence; mutilation, dismemberment, decomposition, or burning of human body parts, animal parts, or fetuses; or the purposeful infliction of pain to a human being or animal.

C. Additional Provisions Relating to Advertisements

To avoid identification of the MTA with messages or images contained within advertisements displayed in and on the Property and to avoid the appearance of MTA endorsement of goods, products, services, or events by advertisers, advertisements shall readily and unambiguously identify the person, corporation, or entity paying for the advertisement. An advertiser may, at the MTA's discretion, be required to include in the advertisement a statement explicitly identifying the person, corporation, or entity paying for the advertisement. An advertiser may also, at the MTA's discretion, be required to incorporate additional language to avoid the appearance of MTA endorsement. The advertiser may in

the MTA's discretion be required to include such identifying information within each advertisement, adjacent to an advertisement, or both.

D. Alcohol Advertising

Pursuant to section IV.B.16 above, advertisements for alcohol products or brands remain prohibited, with the following exceptions:

1. Alcohol advertisements may only be displayed:
 - a. in digital formats within the interior of MTA stations, railcars or buses, or affixed to station exteriors, provided that the advertisements:
 - i. may only run outside of typical student commutation hours, i.e., 6 a.m. to 8 a.m. and 2 p.m. to 5 p.m. on weekdays when school is in session,
 - ii. may not be targeted to run in any particular geographic community, and
 - iii. for signs on station exteriors, the advertiser must certify to the MTA or its advertising vendor that the advertisements may not be readable within 500 feet of a school, playground, or place of worship;
 - b. in fixed "train wrap" format only on the S subway line (i.e., the shuttle between Times Square and Grand Central);
 - c. in fixed formats within:
 - i. the commuter rail portions of Grand Central Terminal, Grand Central Madison, Jamaica Station and Penn Station, or
 - ii. subway or rail stations adjacent to venues where (i) alcoholic beverages are legally served, and the venue's seating capacity is 5,000 or more (if within New York City) or 1,500 or more (if within the MTA service area outside of New York City);
 - d. on billboards, subject to the advertiser certifying to the MTA or its advertising vendor that the advertisements may not be readable within 500 feet of a school, playground, or place of worship).
2. Advertisers must certify to the MTA or its advertising vendor their compliance with any applicable federal or state laws or regulations and industry self-regulatory codes regarding alcohol advertising.
3. These additional requirements do not apply to:
 - a. Advertising in or on retail sale establishments located on the Property, whether the establishment is fixed (e.g., a physical retail store) or temporary (e.g., a holiday pop-up kiosk);
 - b. Advertisements for events where an alcoholic beverage company is a sponsor, and where the advertisement predominantly promotes the event and not an alcoholic beverage product or brand; or
 - c. Advertisements that promote other types of products or services, but also incidentally depict an alcoholic beverage, product or brand.

V. LARGE FORMAT ADVERTISING

Large Format Advertising is defined to include (i) advertising that physically “wraps” and so covers all or nearly all of the exterior surfaces of subway cars, train cars, or buses and (ii) any other advertisement in any medium that appears on the Property that is an equivalent or greater size.

In addition to the prohibited categories of advertising set forth in Section IV.B.15 of this Policy, the MTA will not accept Large Format Advertising that depicts or explicitly references lingerie, underwear, or swimsuits; prominently displays the unclothed human body, regardless of the nature of any clothing items depicted; or promotes any brand that prominently promotes itself in its marketing materials as a company selling Sexually Oriented Products or Services.

The MTA may, from time to time, implement further restrictions on Large Format Advertising as part of short-term pilot projects to test what standards are appropriate for these advertising spaces.

VI. REVIEW OF ADVERTISING PROPOSED FOR DISPLAY IN OR ON THE PROPERTY

1. Before accepting an advertisement for display in or on the Property, the advertising contractor shall review such proposed advertisement to determine whether the advertisement potentially may not comply with the Advertising Standards.
2. If the advertising contractor determines that a proposed advertisement may not comply with the Advertising Standards, it shall promptly notify the MTA Advertising Review Committee (or a designee) in writing. The advertising contractor has no authority to reject an advertisement on behalf of the MTA and any statements by the advertising contractor to the advertiser regarding an advertisement are not binding on the MTA.
3. In reviewing an advertisement for compliance with the Advertising Standards, the Advertising Review Committee (or its designee) may consult the advertiser’s website, marketing and promotional materials, the content found at any link, QR code or similar reference within the proposed advertisement itself, government filings, materials regarding the nature or content of advertised products or services, or any other material that would inform its judgment (the “Broader Materials”). The Advertising Review Committee also may request additional facts or materials from the advertiser to determine whether the advertisement complies with Advertising Standards. The MTA’s decision to accept a proposed advertisement or not under this Advertising Policy may be based not only on the content of the proposed advertisement, but also on the Broader Materials.
4. In reviewing a commercial advertisement promoting a book, film, television show, audio program (such as a radio show, album or podcast), live event, or other similar form of entertainment (collectively, “Media Products”), the MTA will distinguish between ads where the title of the Media Product and advertising copy merely identify the topic of the Media Product, on the one hand, and ads where the title of the Media Product and advertising copy advocate a position of the advertiser on the issues identified in Section IV.B.1-5 of this Policy, on the other hand. In determining whether a proposed advertisement is not permitted under Section IV.B.1-5 of this Policy, one factor among others that the MTA may consider is whether the advertiser is a media or entertainment company whose business is to regularly engage in the distribution of Media Products.

5. The promotion in an advertisement of the sale of bumper stickers, t-shirts, buttons or other similar products with slogans, symbols, images, or logos shall not render an otherwise non-commercial advertisement a commercial advertisement.
6. If the Advertising Review Committee determines that a proposed advertisement does not comply with this Advertising Policy, the advertiser shall be notified by the advertising contractor. If the MTA so desires, the advertising contractor, in consultation with the Advertising Review Committee (or a designee), or the Advertising Review Committee, may discuss with the advertiser revisions to the advertisement to try to bring the advertisement into compliance with the Advertising Standards, and the advertiser may submit a revised advertisement to the advertising contractor for review. This procedure is optional and in the MTA's sole discretion.
7. If the advertiser has received notice that the Advertising Review Committee has determined that a proposed advertisement does not comply with the Advertising Policy, the advertiser may request a final determination from the MTA Chief Administrative Officer or their designee. In reaching a final determination, the MTA Chief Administrative Officer or their designee may consult with the advertising contractor, the Advertising Review Committee, the MTA General Counsel or their designee, other members of MTA leadership, or with any other individuals, and may consider any materials submitted by the advertiser or relevant to the determination. The MTA Chief Administrative Officer or their designee shall advise the advertiser and the advertising contractor of the final determination in writing.
8. The MTA may from time-to-time issue Frequently Asked Questions regarding the Advertising Policy, to assist the public with respect to the Advertising Policy. In the event of any conflict between the FAQ and this Advertising Policy, the Advertising Policy shall control.

VII. SEVERABILITY

If any section, subsection, sentence, clause, phrase or other portion of this Policy is, for any reason, declared invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such invalidity shall not affect the validity of the remaining portions of this Policy, which remaining portions shall continue in full force and effect.

VIII. EFFECTIVE DATE

This Advertising Policy is effective as of June __, 2025.

JUNE 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

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

(Staff Summaries required for items requiring Board approval.)

- | | | | |
|----|---|-----------------------------|-------------------------------|
| 1. | Alstom Transportation Inc.
Term
Contract #237848 | \$2,304,271,712 (estimated) | <i>Staff Summary Attached</i> |
| | Contract award for M-9A Passenger Railcars Procurement. | | |

Procurements Requiring Majority Vote:

F. Personal Service Contracts

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

- | | | | |
|----|--|--------------|-------------------------------|
| 1. | 21 Tech LLC
Four years + two 2-year Options
Contract # 900000000005018 | \$13,001,280 | <i>Staff Summary Attached</i> |
| | Contract award for the provision of consulting services to replace a 29-year-old Computer Maintenance Management System in 27 bus depots and four shops within the five boroughs | | |
| 2. | BlackRock Financial Management Inc.
Five-years
Contract # 15900 | \$2,848,750 | <i>Staff Summary Attached</i> |
| | Contract award for the provision of portfolio management services in connection with the assets held within the First Mutual Transportation Assurance Company. | | |

G. Miscellaneous Contracts

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

- | | | | |
|----|---|--------------------|-------------------------------|
| 3. | Tango Analytics LLC
Three years + two 1-year Option
Contract # 900000000004944 | \$2,313,338 (est.) | <i>Staff Summary Attached</i> |
| | Contract award to furnish and implement an MTA-wide Energy Management System for utility billing data management and efficient and cost-effective management of MTA energy use. | | |

JUNE 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

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

1. Alstom Transportation Inc. \$2,304,271,712 (estimated) *Staff Summary Attached*
Base: September 2036 / Option: March 2038
Contract #237848
Contract award for M-9A Passenger Railcars Procurement.

Staff Summary

Item Number 1			
Department, Department Head Name: Procurement & Logistics, Lawrence Montreuil			
Internal Approvals			
Order	Approval	Order	Approval
1	Chief, Rolling Stock Programs Officer MTA		
2	MTA General Counsel		
3	MTA CFO		

SUMMARY INFORMATION	
Alstom Transportation Inc.	Contract No. 237848
Description Design, Manufacture, Test & Deliver M-9A Passenger Railcars	
Total Amount: Estimated \$2,304,271,712	
Contract Term (including Options, if any) Base: September 2036 Option: March 2038	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose

To obtain MTA Board approval authorizing Long Island Rail Road (“LIRR”) and Metro-North Commuter Railroad (“MNR”), collectively (“the Railroads”), to award a purchase contract for M-9A Passenger Railcars to Alstom Transportation Inc. (“Alstom”) in the estimated amount of \$2,304,271,712, for the design, manufacture, test, furnish, and delivery of 316 (160 LIRR/156 MNR) self-powered base order cars. The base order includes apparatus such as special tools, bench test equipment, diagnostic test equipment, spare parts, technical documentation, and training materials. Base order cars will be utilized in LIRR electric territories, while MNR cars will operate on the Hudson and Harlem lines. The contract also includes future options from 100 up to 242 cars (180 LIRR/62 MNR) for which subsequent Board approval will be sought. This procurement will be funded through the Capital Program. Option cars will be financed through future Capital Programs, which will support ridership growth.

Discussion

The M-9A cars are needed to replace the MNR M-3 cars that are beyond their service life and retire the LIRR M-3 cars whose service has been extended to support Grand Central Madison (“GCM”) service expansion. The M-9A car will be produced as an Electric Multiple Unit in a paired configuration. The M-9A car will build on the success of the M-7, M-8, and M-9 car procurements, continuing the modernization of the Railroads’ fleets. These cars will provide improved and reliable passenger service to LIRR and MNR’s electric branch customers, offering greater operational efficiency and flexibility. Because the LIRR cars were identified in the Federal Transit Administration (“FTA”)/MTA Full Funding Grant Agreement for GCM, the awarded M-9A contract is required to follow FTA Procurement Guidelines, including Buy America requirements.

The Board authorized the use of a competitive Request for Proposal (“RFP”) process for the procurement of M-9A Railcars. The M-9A RFP was advertised in compliance with Public Authorities Law Section 1265-a. Aggressive outreach by the Railroads resulted in eight car builders having obtained the RFP package.

Three car builders were conditionally qualified to submit a Price and Technical Proposal for the original one hundred base-order cars included in the M-9A procurement. Initial Technical and Price Proposals were received in January 2020 from two of the three conditionally qualified car builders: Bombardier Transit Corporation (“Bombardier”) and China Rail Rolling Stock Corporation Sifang America Incorporated (“CRRC”). Hyundai Rotem USA Corporation, the third conditionally qualified car builder, did not submit a proposal.

In March of 2020, the procurement was paused during the COVID-19 pandemic. In January 2021, amid the peak of the pandemic, Alstom acquired Bombardier.

In December 2021, the National Defense Authorization Act (“NDAA”) came into effect and prohibited the MTA from awarding procurements of rolling stock to any manufacturer that is “owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in” certain foreign countries, including the People’s Republic of China. Consequently, CRRC was notified that it would no longer be eligible for consideration for the M-9A Contract award in accordance with the provisions of the National Defense Authorization Act for Fiscal Year 2020.

Following CRRC's exit from the M-9A procurement the Railroads reengaged with Alstom (as the acquiror of Bombardier), which was the sole remaining carbuilder. The commercial negotiations with Alstom, however, took significant time as Alstom’s post-acquisition position on the technical specification and terms and conditions were significantly different than what Bombardier submitted in its proposal. In order to address their evolving operational needs, the Railroads updated their Procurement strategy by expanding the base order to encompass both LIRR (GCM Cars) and MNR (M-3 replacements), which increased the total number of cars from 100 to 222. A request for an interim proposal was issued to Alstom in June 2022. Alstom submitted its proposal in October 2022; however, Alstom’s proposal included detailed exceptions to the Railroads’ commercial and technical requirements.

The Railroads and Alstom participated in extensive negotiations following Alstom’s October 2022 proposal submission. The negotiations focused on Alstom’s submitted exceptions and ways of mitigating various risks in order to secure more efficient pricing and to otherwise improve production timing. The Railroads also further expanded the base order from 222 to 316 cars (160 LIRR/156 MNR) to further reduce the per-car price and address the Railroads’ operational needs.

The Railroads issued a request for updated pricing following negotiations in November 2023. Alstom’s proposal, which was received in March 2024, also included exceptions to the Railroads’ commercial and technical requirements. In response, the Railroads engaged in a comprehensive modernization of its contract to allocate risk more efficiently between the parties, applying the principles used for the improvement of construction contracts by MTA Construction & Development. Negotiations progressed through several rounds of extensive discussions with Alstom, emphasizing both commercial flexibility and technical aspects, resulting in substantial changes to both the terms and conditions and the technical specifications.

The Railroads issued their request for a Best and Final Offer (“BAFO”) in August 2024, and Alstom submitted a proposal in November of the same year.

The Railroads negotiated certain aspects of Alstom’s price, with extensive emphasis placed on reducing both the production and delivery schedules, resulting in a decrease of approximately 11 months. Consequently, Alstom was able to submit an update to its proposal that was compliant, commercially competitive, and technically sound.

The delivery of the 316 cars, starting with the pilot cars, is scheduled to commence in the third quarter of 2029 and to conclude in the fourth quarter of 2032, based on an award made in July 2025.

Alstom has committed to making parts available for 20 years after the acceptance of the last car. Alstom has further committed that 40 percent of the materials incorporated into these cars will be Commercial Off-the-Shelf.

The final negotiated price is \$2,304,271,712 for the base contract (316 cars) and \$1,499,780,544 for the option contract (242 cars). The total price of the base contract is 0.7 percent or \$16 million less than the independent estimate. Negotiations resulted in combined savings of \$395 million or 14.6 percent less than Alstom’s proposal for the base order cars compared to the November 2024 BAFO. The base price and option pricing have been determined to be fair and reasonable.

This contract includes price adjustment provisions requiring the MTA to cover price changes based upon changes in preestablished, published indices for factors outside of either parties control, for the term of the contract, such as changes in foreign currency market for specific subcomponents. These adjustments can increase or decrease the final pricing of the project.

Alstom demonstrates the requisite experience, technical competencies, resources, and facilities essential for executing the required work. The technical team from the Railroads conducted a site visit at Alstom’s NYS Hornell facility, designated for final assembly, and expressed satisfaction with the plan for staffing and equipping the facility.

Alstom’s Adjusted BAFO was evaluated based on price, schedule, and technical criteria, representing the best value for the Railroads.

Alstom will comply with the FTA Buy America requirement of 70 percent.

The MTA's Controller's Office found reasonable assurance that Alstom has the financial resources to support performance under this Award.

In connection with a previous contract awarded to Alstom, Alstom was found to be responsible notwithstanding significant adverse information ("SAI") pursuant to the All-Agency Responsibility Guidelines. No new SAI has been found relating to Alstom and Alstom has been found to be responsible.

Alstom has certified that pursuant to EO 16, it is not doing business in Russia.

Alstom has certified its compliance with MTA cybersecurity requirements, including requirements under federal, state, and local law regulations. Applicable cybersecurity requirements will be included in the final contract.

M/W/DBE Information

Because this contract will be subject to Federal Procurement guidelines, the FTA Transit Vehicle Manufacturer program applies. Requirements for subcontracting with disadvantaged business entities will be enforced in accordance with the applicable FTA regulations.

Impact on Funding

This contract will be funded with funds from the 2010–2014, 2015–2019, 2020–2024, and 2025–2029 MTA Capital Programs. The options, if exercised, will be funded in future Capital Programs.

Alternatives

None is recommended. In the current economic environment, with so much uncertainty about factors affecting international trade and tariffs, there is a low probability that a new solicitation will yield better pricing. It would delay the Railroads' ability to replace or procure railcars needed for GCM and M-3 replacement, which would potentially impact service.

Recommendation

It is recommended that the MTA Board approve the award of Contract No. 237848 to Alstom in the amount of \$2,304,271,712 for 316 M-9A Passenger Railcars and related non-car items, including special tools, bench test equipment, diagnostic test equipment, spare parts, technical documentation, and training materials.

Item Number: 2			
Department, Department Head Name: Department of Buses, Chris Pangilinan, Acting SVP			
Internal Approvals			
Order	Approval	Order	Approval
1	Procurement	6	Budget & Financial Management
2 X	MTA IT		
3 X	CFO		
4 X	Office of Civil Rights		
5	Legal		

SUMMARY INFORMATION	
Vendor Name 21Tech LLC	Contract: 900000000005018
Description Hexagon System Implementation for NYCT Department of Bus and MTA Bus	
Total Amount: \$13,001,280	
Contract Term (including Options, if any) Up to 8 years (4-year base + 2 two-year options) July 2025–June 2029, optional term: July 2029–June 2033	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose:

MTA Headquarters is seeking Board approval to award a competitively negotiated personal service contract to 21Tech LLC (“21Tech”) to provide consulting services to replace a 29-year-old Computer Maintenance Management System (“CMMS”) in 27 bus depots and four shops within the five boroughs to a new Hexagon Enterprise Asset Management System (“EAM”) for NYC Transit’s Department of Buses (“DOB”) and MTA Bus Company (“MTABC”). The value of the base four-year contract is \$8,999,680 and two, 2-year options priced at \$2,000,800 per option, for an overall total \$13,001,280. The Board is also requested to authorize the MTA Deputy Chief Procurement Officer to approve the exercise of the two, 2-year options pending the approval of funding.

Discussion:

DOB and MTABC currently use a legacy CMMS that was originally installed in the mid-1990s and configured by the system developer, SPEAR, specific to DOB and MTABC needs. CMMS manages maintenance activities including the bus fleets for both NYC Transit DOB and MTABC, DOB facilities, non-revenue fleet, and MTA bus depots. It centralizes asset maintenance information, automates processes, and optimizes maintenance workflows, ultimately improving equipment uptime and reducing downtime costs. Now obsolete, the CMMS can no longer be fully supported.

DOB and MTABC now require consulting services to replace the legacy CMMS with the new Hexagon EAM platform. In 2016, the MTA Board approved a competitive Request for Proposals (“RFP”) process to implement an MTA-wide EAM platform, which resulted in the standardization of INFOR (purchased by Hexagon on October 1, 2021). This initiative aided in standardizing a new set of federal requirements for managing assets that support process improvements. This Hexagon EAM is currently implemented at NYC Transit, NYC Transit Department of Subways, Long Island Rail Road, Metro-North Railroad, and Bridges & Tunnels. Under this contract, 21Tech will expand the implementation of Hexagon EAM to DOB and MTABC, which are the remaining agencies requiring this new platform.

An RFP was issued on December 16, 2024, and requested by 644 vendors. Proposals were received from four firms: 21-Tech; Accenture LLP (“Accenture”); Consultadd, Inc.; and ExterNetwork Inc. A Selection Committee (“SC”) consisting of the MTA Senior Director for the Department of Buses, Assistant Chief Financial Officer for Business Planning & Administration, Director of Business Process Re-engineering, and an IT Computer Specialist was established to review the proposals. The selection criteria, as set forth in the RFP, included (1) Hexagon EAM Integration Expertise & Knowledge; (2) Technical Proposals – knowledge of configuration; (3) Public Sector Experience and Knowledge in Bus Transportation Asset Management Systems; and (4) Pricing.

Of the four proposers, 21Tech and Accenture were shortlisted and invited for oral presentations. After a series of discussions and vendor evaluations, the SC unanimously determined 21Tech, a NYS Certified Minority-Owned Business Enterprise, to be the most technically qualified to perform work necessary to implement the Hexagon EAM system due to its in-depth experience and capabilities in implementing large-scale Hexagon EAM projects, such as Chicago Transit Authority, Los Angeles Metro Bus, San Francisco Municipal Transportation Agency, and METROLINX (Canada). With its 15+ years of public sector expertise, 21Tech focused on CMMS systems, primarily with SPEAR systems, that were successfully converted to a Hexagon EAM system.

The final hourly rates provided by 21Tech are 4–22.5 percent below those proposed by other firms. Additionally, 21Tech’s negotiated rates are 12.5–17 percent below current market rates received for contractors providing a Technical Project Manager title and a Hexagon Consultant title. Payments are made upon successful completion and acceptance of each project deliverable established in the contract. All rates, terms, and conditions remain firm throughout the contract period including the options years with no escalations. Based on the aforementioned, MTA Procurement and the Selection Committee found the price to be fair and reasonable.

Under this contract, 21Tech will perform consulting services including, but not limited to: requirements gathering, software design and development, testing, and implementation of a modern Hexagon system. The base four years (July 2025–June 2029) will allow sufficient time to build the Hexagon system, migrate data from the legacy CMMS system, and fully convert to the new Hexagon platform. The remaining optional years (July 2029–June 2033) will provide support and system configurations if needed, and potential roll out of training services.

This contract has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, will be included in the contract terms and conditions.

21Tech has certified that pursuant to EO16 it is not doing business in Russia.

M/W/DBE Information

DDCR has assigned goals of 15 percent MBE, 15 percent WBE, and 6 percent SDVOB for this procurement. 21Tech has submitted a utilization plan to achieve the assigned MWBE and SDVOB goals.

Impact on Funding

The total estimated contract is valued at \$13,001,280 and is funded by DOB’s Operating Budget. MTABC will be reimbursed by the City of New York for its portion of this engagement.

Alternatives

Perform services in-house: This alternative is not feasible since MTA IT has neither the bandwidth nor the experience in CMMS to Hexagon conversions, implementations and integrations.

Do not approve award: The old CMMS system is obsolete and is no longer supported by the OEM. The consequence of this will be failing to meet MTA’s commitments to a State of Good Repair to its funding partners to modernize asset management systems and failing to act on the recommendations of the 2019 Crowe Financial Audit related to the implementation of modern asset management systems. Also, EAM must meet the new federal requirements that support process improvements and the installation of an enterprise information system for asset management. The MTA and its agencies do not have resources or the trained personnel to perform these services.

Item Number: 3			
Department, Department Head Name: Kevin Willens			
Internal Approvals			
Order	Approval	Order	Approval
1	Procurement		
2	Legal		
3	DDCR		
4	Risk & Insurance Management		

SUMMARY INFORMATION	
Vendor Name BlackRock Financial Management Inc.	Contract No. 15900
Description Investment Portfolio Manager for FMTAC	
Total Amount: \$2,848,750 Base: \$1,709,250 + 2 Option years: \$1,139,500	
Contract Term (including Options, if any) <div style="text-align: right;">Five years August 1, 2025–July 31, 2030 (3 years + two, 1-year Options to renew)</div>	
Option(s) included in Total Amount?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Renewal?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose

To obtain Board approval to award a competitively negotiated personal service contract to BlackRock Financial Management Inc. (“BlackRock”) to serve as the Portfolio Manager to provide portfolio management services in connection with the assets held within the First Mutual Transportation Assurance Company (“FMTAC”), the MTA’s wholly owned captive insurance company. The proposed contract is for an initial term of three years beginning August 1, 2025, with two 1-year extension options to be exercised at MTA’s sole discretion. The five-year contract is for the total not-to-exceed amount of \$2,848,750. The Board is also requested to authorize the MTA Deputy Chief Procurement Officer to approve the exercise of one or both options.

Discussion

FMTAC is regulated by the New York State Department of Financial Services with respect to the amount of liquid assets that it must have available to cover FMTAC liabilities. FMTAC’s assets, which currently total approximately \$990 million, are separated into eight trust funds and its Investment Guidelines define the types of investments the Portfolio Manager can participate in for each fund. MTA management anticipates that the portfolio value will increase to over \$1 billion during the term of this contract.

MTA’s current contract for portfolio management services is with BlackRock, and it expires on July 31, 2025. In order to maintain the provision of these services, a Request for Proposals (“RFP”) was issued and publicly advertised in March 2024; notifications were emailed to 47 firms, including several MWBE firms. Proposals were received from seven firms: BlackRock; DWS Investment Management Americas, Inc (“DWS”); Conning; Goldman Sachs Asset Management (“Goldman Sachs”); Invesco Advisors, Inc.; Nuveen Asset Management, LLC; and T. Rowe Price Associates, Inc. The Selection Committee (“SC”), comprised of representatives from MTA Risk and Finance Departments, reviewed each of the proposals. The evaluation criteria included the following: a firm’s experience in the management of captive insurance company portfolios, experience of the personnel assigned to the account in the management of captive insurance company portfolios, responsiveness to the RFP, the firm’s demonstration of a clear understanding of the different funding arrangements of FMTAC and its objectives and the constraints of the investment program, the firm’s sample reports, cost; and diversity practices.

Following evaluations, three firms, BlackRock, DWS, and Goldman Sachs, were invited for oral presentations based on their respective (1) account team experience, (2) firm’s qualifications, (3) suggestion of new allocation ideas, and (4) size of the institutional insurance assets under management, historical positive growth. Subsequent to oral presentations, Goldman Sachs and BlackRock were selected for negotiations as they demonstrated the strongest understanding of FMTAC’s program structure and investment goals, and experience supporting captive insurers.

The fees for this service are determined by the total Net Asset Value (“NAV”) multiplied by the applicable basis points. Revised cost proposals and Best and Final Offers (“BAFOs”) were submitted by both shortlisted proposers BlackRock (\$2.85 million) and Goldman Sachs (\$2.97 million), assuming a total Net Asset Value of \$990 million, the estimated portfolio size at the time of BAFO issuance. Utilizing the projected portfolio value of \$990 million, BlackRock’s BAFO was \$121,250, or 4 percent, less than Goldman Sachs’ BAFO. For an additional comparison of the basis points cost structure currently in place using the assumed NAV of \$990 million, the negotiated five-year replacement contract cost of services will be \$1,113,750 less when compared to the existing contract. The basis points are fixed for the duration of the contract, inclusive of the option years. Based on the foregoing, the total not-to-exceed cost of \$2,848,750 is found to be fair and reasonable.

The SC unanimously chose BlackRock finding that its proposal offered the best value to the MTA from a technical and cost perspective, and that BlackRock’s staff has extensive experience managing portfolios with captive insurers. According to the SC the firm’s proposal offered an innovative and thorough approach to investments, and new allocation ideas. BlackRock is recognized as one of the leaders in this market with \$587 billion insurance assets under management. MTA project management has found BlackRock’s performance satisfactory under the current contract.

Negotiation of commercial terms and conditions have been substantially completed with the exception of a few remaining items that the parties are currently working to finalize. However, there does not appear to be any remaining terms and conditions to be negotiated that would impact BlackRock’s price.

The contract has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state and local law and regulations. Any applicable cybersecurity requirements, to the extent required, shall be included in the contract terms and conditions prior to award.

Pursuant to EO 16, BlackRock has certified that it is not doing business in Russia.

M/W/DBE Information

The Department of Diversity and Civil Rights has established zero percent MBE, zero percent WBE, and zero percent SDVOB participation goals on the contract.

Impact on Funding

The total cost of this contract will be funded by FMTAC’s general operating fund.

Alternatives

1. *Do not contract for a Portfolio Manager*: This alternative is not recommended. Failure to provide this service would limit FMTAC in maximizing its investment returns.
2. *Perform services in-house*: This alternative is not feasible or cost effective. MTA does not have staff with specialized expertise for these services.

Recommendation

It is recommended that the Board approve the award of a competitively negotiated personal service contract for Investment Portfolio Manager to BlackRock.

Item Number: 4

Vendor Name (Location) Tango Analytics LLC (Dallas, Texas)	Contract Number 900000000004944	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Description Energy Management System	Total Estimated Amount: \$2,313,338 (estimate)	
Contract Term (including Options, if any): Three Years plus two 1-year Options	Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	Requesting Department: MTAHQ Energy Finance	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Sole-Source		

Discussion:

MTA Headquarters is requesting Board approval to award an All-Agency competitively negotiated miscellaneous service contract to Tango Analytics LLC (“Tango”), to furnish and implement an MTA-wide Energy Management System (“EMS”) for utility billing data management and efficiently and cost-effectively manage MTA energy use through data collection, reporting monitoring and user engagement. The estimated amount is \$2,313,338 for up to a five-year period (three-year base + two 1-year options). The Board is also requested to authorize the MTA Deputy Chief Procurement Officer to approve the exercise of the two 1-year options, pending approval of funding. This contract replaces the current EMS (from 2015) provided by SourceOne, Inc. (“SourceOne”).

Over the past five years, the MTA has spent more than \$900 million annually on fuel and utilities with Agencies responsible for their own bill auditing. The EMS serves as a bill management system for the MTA, managing up-to-date and historical billing information for electricity, natural gas, water, steam, and heating and diesel fuel. Additionally, the platform stores electric interval meter data. This database provides the MTA Agencies with the ability to perform functions related to report creation and analytics, as well as bill auditing and payment services. It also enables the MTA to utilize energy data to track its emissions of greenhouse gases and air pollutants. Billing data is updated monthly, and interval data is updated daily.

The EMS has served as a vital tool over the past few years in managing the MTA’s energy usage and costs. The web-based energy data management platform is used MTA-wide and contains data across all MTA Agencies. The system gives agency users access to up-to-date and five-plus years of historical billing information for fuel, electricity, and other utility billing data as well as interval data for traction power electric meters. The system is used for bill auditing and analysis of energy consumption and cost data. Over the 2019–2024 time period, the annual average bill auditing savings were approximately \$2.4 million. In addition, energy consumption and cost data were utilized for cost benefit analysis of various proposed energy savings initiatives, including bus electrification energy supply analysis that resulted in change in bus depot energy supply strategy.

Tango will migrate energy billing data from SourceOne and establish with MTA’s energy providers the necessary interfaces to upload new bill data into Tango’s EMS.

A Request for Proposals (“RFP”) was released on September 8, 2023, with notices to multiple potential proposers. Three vendors submitted proposals: Tango; EnergyCAP, LLC; and Veolia d/b/a SourceOne (“Veolia”).

A Selection Committee (“SC”) comprised of representatives from MTAHQ, MTA-IT, Metro-North Railroad, Long Island Rail Road, and NYC Transit, was tasked with evaluating the proposals. The evaluation was based on a set of selection criteria established in the RFP that included vendor expertise and experience, past performance, project timeline, and costs. After evaluation of the technical proposals, all proposers were brought in for oral presentations and software demos. Subsequently, the SC deemed Tango and EnergyCAP the most technically capable with MTA’s Scope of Work and requirements. Based on negotiations, follow-up responses, and Best and Final Offers (“BAFOs”) from Tango and EnergyCAP, the SC unanimously determined Tango to be the most technically qualified.

Tango’s BAFO was \$38,282, or 1.6 percent less than EnergyCAP, and the SC deemed Tango’s responses to be the (1) best fit for MTA’s implementation approach, and (2) most responsive to ensuring all critical data available from MTA’s energy service providers are accessible, accurate and timely on Tango’s platform. Procurement negotiations yielded a 32 percent reduction from Tango’s original proposed price of \$3,418,133. This final price of \$2,313,338 is a discount of 43 percent from Tango’s five-year standard price of \$4,038,093. The SC deemed the pricing submitted by Tango to be fair and reasonable as it provides the best value to the MTA.

The five-year estimated contract value is \$2,313,338, as set forth below:

Implementation Cost	One-Time	\$173,520
Annual Software Subscription, Data Acquisition, and Interval Data Costs	Year 1	\$430,827
↓	Year 2	\$416,827
↓	Year 3	\$416,827
Option Years	Year 4	\$437,668
	Year 5	\$437,668
Total (including Options)		\$2,313,338

Tango is a seasoned corporation with a proven track record in the field of providing Energy Management Software as a Service. Since 2000, Tango has specialized in providing guidance and support for companies seeking to improve energy management and utilization. Tango has recently established similar contracts with City of Fort Worth, City of Sedona, LA Metro, Federal Reserve Board & Banks, and NYC Department of Education.

Agreement to Cybersecurity requirements and terms and conditions are complete. Contract terms and conditions are under review and appropriate provisions will be included.

M/W/DBE Information

DDCR has assigned zero goals for this contract.

Impact on Funding

Funding is provided by the MTAHQ Operating Budget.

JUNE 2025

MTA REAL ESTATE

FINANCE COMMITTEE AGENDA ITEMS

1. TRANSACTIONAL ACTION ITEMS

MTA Metro-North Railroad

- a. Amended and restated easement with Congregation Machzikei Hadas for property on the Piermont Line adjacent to Spring Valley

MTA Long Island Rail Road

- b. License with BNSF Railway Company for the use of a parcel of land and sidetrack along the Central Branch in connection with the Ryder Cup golf tournament in Uniondale
- c. License with PHQ Enterprises LLC for property to be used for storage on the Montauk Branch in East Hampton

MTA Bridges and Tunnels

- d. Amendment to the license agreement with The National September 11 Memorial and Museum for use of the Battery Parking Garage in connection with the tribute in light ceremony

2. INFORMATION ITEMS

- a. Report on agreements entered into directly by the Real Estate Department pursuant to Board policies

<u>Legal Name</u>	<u>Popular Name</u>	<u>Abbreviation</u>
<u>New York City Transit Authority</u>	<u>MTA New York City Transit</u>	<u>NYC Transit</u>
<u>The Long Island Rail Road Company</u>	<u>MTA Long Island Rail Road</u>	<u>LIRR</u>
<u>Metro-North Commuter Railroad Company</u>	<u>MTA Metro-North Railroad</u>	<u>MNR</u>
<u>Triborough Bridge and Tunnel Authority</u>	<u>MTA Bridges and Tunnels</u>	<u>MTA B&T</u>
<u>MTA Construction and Development Company</u>	<u>MTA Construction and Development</u>	<u>MTA C&D</u>
<u>MTA Bus Company</u>	<u>MTA Bus Company</u>	<u>MTA Bus</u>
<u>MTA Grand Central Madison Operating Company</u>	<u>Grand Central Madison</u>	<u>GCMC</u>

Staten Island Rapid Transit Operating Authority is a subsidiary of the Metropolitan Transportation Authority. Its popular name is MTA Staten Island Railway (abbreviated as SIR).

Manhattan and Bronx Surface Transit Operating Authority is a subsidiary of the New York City Transit Authority (abbreviated as MaBSTOA).

MTA METRO-NORTH RAILROAD

Staff Summary

Subject AMENDED AND RESTATED EASEMENT WITH CONGREGATION MACHZIKEI HADAS OF BELZ FOR PROPERTY ON THE PIERMONT LINE IN SPRING VALLEY, NY	Date JUNE 25, 2025
Department REAL ESTATE	Vendor Name
Department Head Name DAVID FLORIO	Contract Number
Department Head Signature	Contract Manager Name
Project Manager Name JASON ORTIZ	Table of Contents Ref. #

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	Finance Committee	06/23/25	X			1	Legal		
2	Board	06/25/25	X			2	Chief Administrative Officer		
						3	Chief Financial Officer		

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

GRANTEE: Congregation Machzikei Hadas of Belz ("CMHB")

LOCATION: Piermont Line at stations monument 522 and adjacent to 3 North Cole Avenue, Spring Valley, New York

EASEMENT AREA: Twenty-five foot (25') wide parcel of land over the Piermont Line

USE: Ingress and egress of (i) emergency vehicles and personnel, and (ii) school buses serving the school located on Grantee's Premises

ACTION REQUESTED: Authorization to enter into a second amended and restated deed of easement with CMHB to amend the use of the Easement Area to also include ingress and egress of passenger vehicles

TERM: Perpetual

COMPENSATION: One-time fee of \$7,500.00

COMMENTS:

MTA Real Estate received a request from CMHB, the commercial property owner of 3 North Cole Avenue, Spring Valley, New York ("CMHB's Property"), to expand its existing authorized use of MNR property along the Piermont Branch situated adjacent to CMHB's Property.

The Easement Area is subject to a Deed of Easement ("Easement"), dated December 20, 1988, between MNR and CMHB for a twenty-five foot (25') wide driveway connecting the CMHB Property, for access only by emergency vehicles and personnel. Subsequently, an Amended and Restated Deed of Easement, dated June 11, 1992, was entered into by MNR and CMHB to include the use of the driveway by school buses in connection with a private school located on CMHB's property.

CMHB will be constructing a seventy-five thousand square foot building on its Property to accommodate additional students and to further provide increased transportation safety, CMHB is requesting to expand the use provisions of the Easement Area to include access for personal vehicles.

FINANCE COMMITTEE MEETING

AMENDED AND RESTATED DEED OF EASEMENT WITH CONGREGATION MACHZIKEI HADAS OF BELZ AT 3 NORTH COLE, SPRING VALLEY, NY (Cont'd)

Page 2 of 2

MNR approved CMHB's request to expand the use of the Easement Area. The approval is contingent upon several conditions, including obtaining municipal approval for vehicle access (now secured), cleanup of debris, installation of two (2) eight-foot (8') fences along the easement, ongoing maintenance of the gate and fence, and installation of signage indicating the driveway is active.

In exchange for the expansion of the permitted use over the Easement Area, MTA Real Estate will receive a one-time fee of \$7,500.

Based on the foregoing, MTA Real Estate hereby requests authorization to enter into an Amended and Restated Deed of Easement with CMHB under the above-described terms and conditions.

MTA LONG ISLAND RAIL ROAD

Staff Summary

Subject LICENSE AGREEMENT WITH BNSF RAILWAY COMPANY FOR PROPERTY LOCATED ALONG THE LIRR CENTRAL BRANCH ADJACENT TO THE INTERSECTION OF QUENTIN ROOSEVELT BOULEVARD & COMMERCIAL AVENUE IN UNIONDALE, NY	Date JUNE 25, 2025
Department REAL ESTATE	Vendor Name
Department Head Name DAVID FLORIO	Contract Number
Department Head Signature	Contract Manager Name
Project Manager Name NEIL MASTROPIETRO	Table of Contents Ref. #

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
1	LIRR	06/23/25		X		1	Legal		
2	Finance Committee	06/23/25	X			2	Chief Administrative Officer		
3	Board	06/25/25	X			3	Chief Financial Officer		

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

LICENSEE: BNSF Railway Company ("BNSF")

LOCATION: LIRR right-of-way running along the Central Branch adjacent to the intersection of Quentin Roosevelt Boulevard & Commercial Avenue in Uniondale, New York

PREMISES: Parcel of land consisting of approximately 24,232 square feet and adjacent sidetrack consisting of approximately 33,395 square feet.

USE: Passenger bus access for the pick-up and drop-off of Ryder Cup event attendees and storage of sixteen (16) railcars on the sidetrack adjacent to the parcel of land.

ACTION REQUESTED: Authorization to enter into a license agreement with BNSF

TERM: Eight (8) days, commencing September 21, 2025, and terminating September 29, 2025

COMPENSATION: \$3,112 per day (\$1,128 per day for the parcel of land and \$124 per day for each train car stored on the sidetrack)

COMMENTS:

MTA Real Estate has received a request from BNSF to utilize approximately 57,627 sq. ft. right-of-way running along the Central Branch adjacent to the intersection of Quentin Roosevelt Boulevard & Commercial Avenue in Uniondale, for the above-noted dates in connection with the 2025 Ryder Cup Gold Tournament event.

BNSF will use the Premises for eight (8) days, from September 21, 2025, to September 29, 2025, and will place 16 rail cars on the sidetrack and use the parcel of land as a passenger bus pick-up and drop-off site. Attendees of the event are being transported to and from the 2025 Ryder Cup Golf Tournament event.

FINANCE COMMITTEE MEETING

LICENSE AGREEMENT WITH BNSF RAILWAY COMPANY FOR LONG ISLAND RAIL ROAD PROPERTY LOCATED ALONG THE CENTRAL BRANCH ADJACENT TO THE INTERSECTION OF QUENTIN ROOSEVELT BOULEVARD & COMMERCIAL AVENUE IN UNIONDALE, NEW YORK (Cont'd)

Page 2 of 2

MTA Legal will draft the license agreement and BNSF will provide appropriate insurance coverage and indemnification and comply with LIRR's operating requirements. Furthermore, BNSF will be responsible to provide liability and other required insurance coverage.

Based on the foregoing, MTA Real Estate hereby requests authorization for LIRR to enter into a license agreement with BNSF under the above-described terms and conditions.

Staff Summary

Subject LICENSE AGREEMENT WITH PHQ ENTERPRISES LLC FOR THE USE OF LONG ISLAND RAIL ROAD'S RIGHT-OF-WAY AT THE REAR OF 5 TOILSOME LANE, EAST HAMPTON, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name NEIL MASTROPIETRO

Date JUNE 25, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	LIRR	06/23/25		X	
2	Finance Committee	06/23/25	X		
3	Board	06/25/25	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

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

LICENSEE: PHQ Enterprises LLC

LOCATION: Right-of-way abutting the rear of the property located at 5 Toilsome Lane in East Hampton, NY

PREMISES: Approximately 2,500 square feet

USE: Storage of non-hazardous materials, maintenance of a chain linked fence enclosing the Licensed Area and maintenance of air conditioning units installed on Licensor's property

ACTION REQUESTED: Authorization to enter into a license agreement with PHQ Enterprises LLC

TERM: Ten (10) Years

COMPENSATION: \$4,000.00 per annum (\$1.60 per square foot) with 3% annual increases

COMMENTS:

MTA Real Estate received a request from PHQ Enterprises LLC to utilize a portion of the LIRR right-of-way that abuts its property at 5 Toilsome Lane in East Hampton. Licensee will be using the Licensed Area to store non-hazardous materials related to its business' operations, and to maintain the fence running along the property, as well as air conditioning units. Furthermore, Licensee will be responsible, at its sole cost and expense, for maintenance of the Licensed Area.

Per the MTA Real Estate Department's Policy and Procedures for Licensing of Real Property, *Licenses Requiring Board Approval But Not Requiring Requests for Proposals*, Circumstance 2 states: The market rental value of the space in question, using standard practices for determining such market value, is considered less than \$5,000 per year or less than \$10.00 per square foot, whichever is greater. Here, the negotiated Compensation falls within an acceptable competitive range which is \$1.17 to \$2.00 per square foot, as determined by an independent broker's opinion of value.

Based on the foregoing, MTA Real Estate hereby requests authorization to enter into a license agreement on behalf of LIRR with PHQ Enterprises, LLC under the above-described terms and conditions.

MTA BRIDGES & TUNNELS

Subject AMENDMENT TO THE LICENSE AGREEMENT BETWEEN B&T AND THE NATIONAL SEPTEMBER 11 MEMORIAL AND MUSEUM AT THE WORLD TRADE CENTER FOUNDATION, INC. FOR USE OF THE BATTERY PARKING GARAGE IN CONNECTION WITH THE TRIBUTE IN LIGHT CEREMONY, MANHATTAN, NY	Date JUNE 25, 2025
Department REAL ESTATE	Vendor Name
Department Head Name DAVID FLORIO	Contract Number
Department Head Signature	Contract Manager Name
Project Manager Name JASON ORTIZ	Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	06/23/25	X		
2	Board	06/25/25	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Chief Administrative Officer		
3	Chief Financial Officer		

AGENCY: MTA Bridges and Tunnels ("B&T").

LICENSEE: National September 11 Memorial and Museum at the World Trade Center Foundation, Inc.

LOCATION: Battery Parking Garage ("BPG"), 70 Greenwich Street, New York, NY

PREMISES: BPG annex roof for Tribute in Light event, and ramp corner between 6th floor and rooftop for storage. Five (5) parking spaces for storage. One hundred and sixty-four (164) parking spaces for setup.

USE: Installation, maintenance and removal of temporary lighting project, and storage thereof.

ACTION REQUESTED: Authorization to enter into an amendment to the license agreement to extend the term of the license agreement.

TERM: One (1) year, August 1, 2025 to July 31, 2026, with two (2) one (1) year option periods.

COMPENSATION: Year (1) One: \$91,700.00
Year (2) Two: \$104,800.00
Year (3) Three: \$117,900.00

COMMENTS:

Since September of 2005, B&T has annually licensed a portion of the BPG for the Tribute in Light event. Under this Agreement (as hereinafter defined), the Licensee uses a portion of the roof for approximately three weeks to stage the production and uses the ramp corner between the 6th floor and rooftop to store the lights used in the display.

The current license between B&T and the Licensee (the "Agreement") expires on July 31, 2025. The Licensee has requested extension of the Term of the Agreement. MTA Real Estate proposed a three (3) year extension of the Agreement. Given current average occupancies at the BPG, revenue is not impacted by the occupancy and installation.

Based on the above, MTA Real Estate requests authorization for B&T to enter into an amendment of the Agreement with the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc. based on the terms and conditions described above.

Subject Public Authorities Law Required Policy Action: All-Agency Policy Directive: Military Benefits	Date JUNE 18, 2025
Department People/Human Resources	Vendor Name N/A
Department Head Name Mersida Ibric, Chief People Officer	Contract Number N/A
Department Head Signature	Contract Manager Name N/A
Project Manager Name Jennifer Franceschini	Table of Contents Ref#

Board Action						Internal Approvals			
Order	To	Date	Approval	Info	Other	Order	Approval	Order	Approval
	Diversity Committee	6/23/2025	X			1	Mersida Ibric		X
	Board	6/25/2026	X			2	Paige Graves		X

Purpose:

To obtain Board approval of a new All Agency Military Benefits Policy, as required by Public Authorities Law Section 2824 (“PAL 2824).

Discussion:

Military service members are valued employees of the MTA who are entitled to certain benefits under NYS and Federal law. The All-Agency Military Benefits Policy provides all-agency guidance on the pay and leave benefits available to qualifying service members during military leave and is an effort to standardize practices across the MTA agencies.

As background, MTA issued All-Agency Policy Directive Number 11-092 “Military Leave: Reporting to MTA/Reemployment After Return From Service” on May 28, 2025 (“Reemployment Policy”), which governs the reporting to work obligations and reemployment rights of employees returning from a leave of absence related to military service. The All-Agency Military Benefits Policy proposed herein addresses the pay and leave benefits where as the already issued Reemployment Policy addresses the reemployment rights of returning service members after leave.

Recommendation: It is recommended that the Board approve the All-Agency Military Benefits Policy.