



Metropolitan Transportation Authority

Corporate Governance Committee Meeting

JULY 2020

Committee Members

P. Foye, Chairman

R. Herman

L. Lacewell

R. Linn

S. Metzger

L. Schwartz

Corporate Governance Committee Meeting

2 Broadway, 20th Floor Board Room

New York, NY 10004

Wednesday, 7/22/2020

10:00 AM - 5:00 PM ET

1. PUBLIC COMMENTS PERIOD

2. APPROVAL OF MINUTES- DECEMBER 16, 2019

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3. REVIEW AND APPROVE PROCUREMENT GUIDELINES

Staff Summary All Agency Procurement Guidelines - Page 6

All Agency General Contract Procurement Guidelines - Page 8

4. REVIEW AND APPROVE MISSION STATEMENT AND PERFORMANCE MEASUREMENT REPORT

Staff Summary Mission Statement and Measurement Report 2019 - Page 23

2019 Mission Statement and Performance Indicators Report - Page 24

5. REVIEW AND APPROVE MTA POLICIES IN CONNECTION WITH PROVISIONS OF THE PUBLIC AUTHORITIES LAW

Staff Summary Public Authorities Law Required Policies - Page 59

6. OTHER BUSINESS

MINUTES OF THE MEETING
MTA Corporate Governance Committee
December 16, 2019
2 Broadway – 20th Floor
New York, New York

The following MTA Corporate Governance Committee members were present:

Hon. Patrick J. Foye, Chairman
Hon. Rhonda Herman
Hon. Robert W. Linn
Hon. Susan G. Metzger

The following MTA Corporate Governance Committee members were absent:

Hon. Sarah E. Feinberg
Hon. Linda A. Lacewell
Hon. Lawrence Schwartz

The following MTA staff attended the meeting:

Thomas J. Quigley, General Counsel
Lamond W. Kearse, Chief Compliance Officer
Monica Murray, Deputy Chief Compliance Officer
Evan Eisland, EVP, General Counsel & Secretary

* * *

Chairman Foye called the December 16, 2019 meeting of the MTA Corporate Governance Committee to order at 4:20p.m.

Public Comments Period

There was one public speaker for the public comments portion of the meeting.

Approval of Minutes

Upon motion duly made and seconded, the Committee approved the minutes of the Committee meetings held March 19, 2019.

1. 2020 Draft Committee Work Plan

Mr. Kearse informed the Committee that the draft 2020 committee workplan was in the committee book for their review and approval.

Upon motion duly made and seconded, the Committee recommended approved the 2020 Corporate Governance Committee Work Plan.

2. Review MTA By-Laws

Mr. Kearse advised the Committee that each year it is required to review the By-Laws of the MTA and its Agencies. Mr. Kearse advised the Committee that there were no recommended changes at this time except for Capital Construction which will be addressed separately at this Committee meeting.

3. Review Board Committee Charters

Mr. Kearse informed the Committee that each year this Committee is required to review its charters as well as the charters for each of the individual Committees. Mr. Kearse informed the Committee that there are no recommended changes at this time.

4. Review Governance Guidelines

Mr. Kearse advised the Committee that each year this Committee is required to review its governance guidelines and that there are no recommended changes at this time.

5. Review MTA All Agency Code of Ethics

Mr. Kearse informed the Committee that each year this Committee is required to review the MTA All Agency Code of Ethics. There are no changes recommended at this.

Chairman Foye, Hon. Herman and Hon. Linn began a brief discussion about a letter sent to the MTA by Reinvent Albany. Chairman Foye indicated that there should be further discussion with all Board member at a later meeting, potentially during the first quarter of 2020.

6. Review and Approve MTA Policies in connection with provisions of the Public Authorities Law

Mr. Kearse advised the Committee that pursuant to Public Authority Law Section 2824, Board members of state authorities are required to establish certain written policies and procedures.

Mr. Kearse advised the Committee that at this time there are only two (2) policies being submitted for their review and approval. He stated that changes in the policies were necessary to comply with changes in the law.

Upon motion duly made and seconded, the Committee recommended Board approval of the proposed changes to the policies.

7. Review and approve Capital Construction Name Change

Mr. Eisland advised the Committee that pursuant to Public Authorities Law, Section 1266(5) MTA is permitted to change the name of MTA Capital Construction.

Mr. Eisland advised the Committee this recommended name change is in line with the MTA Board plan to transform the MTA into a more efficient and effective organization with MTA Construction and Development centralizing the lifecycle of capital projects.

Upon motion duly made and seconded, the Committee recommended Board approval of the proposed name change of MTA Capital Construction to MTA Construction and Development.

8. Other Business

There was on other MTA business discussed at this Committee meeting.

Adjournment

Chairman Foye adjourned the December 16, 2019, meeting of the Corporate Governance Committee at 4:28pm.

Respectfully submitted



Lamond W. Kears
MTA Chief Compliance Officer

Staff Summary

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|---|
| Subject All Agency General Procurement Guidelines |
| Department MTA Office of the General Counsel |
| Department Head Name Thomas J. Quigley |
| Department Head Signature |
| Project Manager Name Thomas J. Quigley |

| |
|---------------------------------------|
| Date July 22, 2020 |
| Vendor Name N/A |
| Contract Number N/A |
| Contract Manager Name N/A |
| Table of Contents Ref # N/A |

| Board Action | | | | | |
|--------------|-----------|------|----------|------|-------|
| Order | To | Date | Approval | Info | Other |
| | Corp.Gov. | 7/22 | | | |
| | Board | 7/22 | | | |
| | | | | | |

| Internal Approvals | | | |
|--------------------|----------------|-------|----------|
| Order | Approval | Order | Approval |
| 1 | Legal | | |
| 2 | Chief of Staff | | |
| | | | |

NARRATIVE

I. PURPOSE

To obtain Board approval of the revised MTA's All Agency General Procurement Guidelines ("the Guidelines").

II. DISCUSSION

The Guidelines were last revised and approved by the Board at its June 26, 2019 meeting.

The major change to the Guidelines is to incorporate the recommendations of the MTA Cost Containment Committee, a committee which consists of several Board members and members of MTA Senior Staff. The purpose of the committee is to increase competition for MTA contracts and to reduce costs of such contracts. The committee has met a number of times during the past year and has reported to the Board on its progress; the committee's recommendations are incorporated in the attached All Agency Procurement Guidelines. The proposed changes include the following: the inclusion of neutral dispute resolution contract provisions; the appointment of Project CEO's for each project, who shall be accountable for the project's budget and schedule; the inclusion of a strategy designed to optimize cost savings and schedule reduction for each project during the development of RFP's or bid documents, including but not limited to a contracting approach that considers factors other than just price in selecting a contractor (such as utilizing a competitive RFP or A+B bidding), optimal turnaround times for submittals and similar documentation, a strategy to allocate risk to the party in the best position to manage it, the inclusion of favorable payment terms to be established in consultation with the CFO, and the use of guidelines to promote the use of off-the-shelf products and components to eliminate customization; as well as the reduction of

bonding requirements, providing that the contracting entity is able to provide adequate alternative security and/or guarantees.

Other changes in the Guidelines include a modification which adds to the circumstances in which change orders require Board approval. Change orders which (a) increase the total contract price by more than ten percent of the original value, or (b) increase the contract duration by more than ten percent of the original contract duration, will now require Board approval.

Another change to the Guidelines is the modification of a provision which states that, except to the extent prohibited by law, the Chairman or Chief Executive Officer, or his/her designee, with prior notice to the Chairman of the Finance Committee, may waive the provisions of the Guidelines in the event of an emergency involving the health or safety of the public. This is more restrictive than the provisions of the current Guidelines for situations in which the Guidelines may be waived.

The Guidelines, once approved, will be implemented by the agencies, as required.

III. RECOMMENDATION

It is recommended that the Board approve the attached revised All Agency General Contract Procurement Guidelines.



ALL AGENCY GENERAL CONTRACT PROCUREMENT GUIDELINES

Adopted by the Board on ~~June 26~~ July 22, 2020~~19~~

These guidelines (the “**General Contract Guidelines**”) apply to the Metropolitan Transportation Authority (“**MTA**”), the New York City Transit Authority (“**NYCT**”), the Long Island Rail Road Company (“**LIRR**”), The Metro-North Commuter Railroad Company (“**MNR**”), the Staten Island Rapid Transit Operating Authority (“**SIRTOA**”), the Manhattan and Bronx Surface Transit Operating Authority (“**MaBSTOA**”), MTA Capital Construction (“**MTACC**”), MTA Bus Company (“**MTA Bus**”), First Mutual Transportation Assurance Co. (“**FMTAC**”) and the Triborough Bridge and Tunnel Authority (“**Bridges and Tunnels**”) insofar as they are consistent with the provisions of law applicable to Bridges and Tunnels (each of the MTA, NYCT, LIRR, MNR, SIRTOA, MaBSTOA, MTACC, MTA Bus, FMTAC, and Bridges and Tunnels is referred to jointly and severally, as the “**Authority**”).

Article I - Applicability of General Contract Guidelines

These **General Contract Guidelines** apply to

- A. purchase contracts for supplies, materials, equipment or other goods (“**Purchase Contracts**”);
- B. public work contracts (“**Public Work Contracts**”); and
- C. “**Miscellaneous Procurement Contracts**” are defined as leases of equipment with or without an option to purchase, computer software licenses, including software as a service subscription, software maintenance agreements, printing contracts (where editorial services do not predominate), and any other contract which is not otherwise classified under these General Contract Guidelines or the All Agency Service Contract Procurement Guidelines (the “**Service Contract Guidelines**”, and collectively with these General Contract Guidelines, the “**Guidelines**”).

Purchase Contracts, Public Work Contracts and Miscellaneous Procurement Contracts are collectively referred to herein as “**General Contracts**”.

In the event a proposed contract contains elements of more than one type of General Contract and/or elements of either or both types of Service Contracts (as such term is defined in the Service Contract Guidelines), the elements of the type of contract that predominates shall determine whether the General Contract Guidelines or the Service Contract Guidelines apply and which type of contract within the applicable Guidelines shall apply.

Article II - Delegation of Authority

The Chairman, the Managing Director, the President, or chief procurement officer (“**CPO**”) of the relevant Authority thereof, and any further delegations that the Chairman or relevant Authority President may make for those specified delegated purposes only (each defined for purposes of these General Contract Guidelines as an “**Authorized Officer**”) are hereby empowered with respect to General Contracts to be entered into by the relevant Authority acting on its own behalf or as agent for MTA, as follows:

- A. to implement these General Contract Guidelines.

- B. to establish procedures for the award of General Contracts (including contracts for a small business concern (“SBC”), a certified minority or women-owned business enterprise (“MWBE”) or a certified service disabled veteran owned business (“SDVOB”)) estimated to involve the expenditure of \$1 million or less, which procedures shall be competitive to the extent deemed practicable by the Authorized Officer;
- C. to do the following for the award of Purchase Contracts and Public Work Contracts estimated to involve the expenditure in excess of \$1 million:
 - 1. to determine the criteria for the evaluation of bids/proposals, which may include, but are not limited to, unit or aggregate amount bid, life cycle costs or savings (including but not limited to costs or savings associated with installation, energy use, maintenance, operation, salvage and disposal), discounts and costs of maintenance and inspection services;
 - 2. to determine whether a Purchase Contract or Public Work Contract required to be advertised in the New York State Contract Reporter (“NYSCR”) is exempt from such requirement due to the need to award such contract on an emergency or other critical basis;
 - 3. to advertise for, solicit and open bids/proposals;
 - 4. to record the name of each bidder and the amounts of the bid/proposal;
 - 5. to determine the lowest responsive and responsible bidder, including, in the event two or more responsible bidders submit identical bids which are the lowest bids, to award the Purchase Contract or Public Work Contract to any of such bidders or obtain new bids from such bidders;
 - 6. to reject all bids when it is determined to be in the public interest to do so; and
 - 7. to award the Purchase Contract or Public Work Contract;
- D. to determine whether a bidder/proposer is responsible pursuant to the All-Agency Responsibility Guidelines; and
- E. in addition to the other authorizations set forth elsewhere in these General Contract Guidelines, to establish guidelines governing the qualifications of bidders for General Contracts, and to fix the standards for the prequalification of bidders entering into such contracts for the East Side Access Project in accordance with Section 1265-a.2(c) of the Public Authorities Law.

Article III - Selection of General Contractors Without Competitive Sealed Bidding

- A. A competitively bid Miscellaneous Procurement Contract may be awarded without Board approval. No Board approval shall be required for a Miscellaneous Procurement Contract ride pursuant to Article III.B.5.
- B. Except as otherwise provided in Article III.C. or Article VII., a General Contract estimated to involve the expenditure in excess of \$1 million may be awarded without competitive bidding under the circumstances set forth below, provided that the Authorized Officer recommends such an action and the Board adopts a resolution (i) declaring competitive bidding to be impractical or inappropriate because of the existence of any of the circumstances set forth in Articles III.B.1. to 6., (ii) stating the reasons therefore, and (iii)

summarizing any negotiations that have been conducted. Except in a situation specified in Article III.B.1., such resolution shall be approved by two-thirds of the members of the Board then in office. A resolution under Article III.B.1. shall require approval by a majority of the members of the Board in attendance at a meeting at which a quorum is present.

1. Emergency, Critical Need or Unforeseen Circumstances. The existence of an emergency involving danger to life, safety or property, or a critical need or unforeseen circumstance which requires immediate action and cannot await competitive bidding; or when the item to be purchased is essential to the efficient operation of or the adequate provision of service and, as a consequence of an unforeseen circumstance, such purchase cannot await competitive bidding. Competitive bidding is hereby declared to be impractical and inappropriate in any of the foregoing situations where an Authorized Officer must take appropriate action and cannot await action by the Board; provided, however, that notice of such action shall be given to the Board in a timely manner, together with a statement of the reasons for such action and a request for ratification by the Board.
2. Single Source. The item to be purchased is available only from a single responsible source provided, however, that a notice of the Authority's intent to purchase such item without competitive bidding shall be posted on the Authority's website, and, if bids have not been solicited for such item within the preceding twelve months, a notice must be published pursuant to Article V hereof. Any notices required by this Article III.B.2. shall a. set forth the Authority's intent to purchase the item without competitive bidding because the item is available from only one source, and b. invite any firm which believes it can provide the item to so inform the Authority and to provide the Authority with additional information which confirms that the firm can supply the item.
3. No Bids or One Responsive Bid. Competitive bids are solicited and
 - a. no responsive bid is received; or
 - b. only a single responsive bid is received, and the Authorized Officer rejects the bid.
4. Experiments, Tests and Evaluations. With respect to a product or technology, the Authority wishes to:
 - a. experiment with or test it;
 - b. experiment or test a new source for it; or
 - c. evaluate its service or reliability.

Such a General Contract may not be awarded until at least thirty days after the date the Board has declared competitive bidding to be impractical or inappropriate.

5. Riding an Existing Contract. The item is available through an existing General Contract between a vendor and any of the following and the resolution adopted

by the Board, if Board authorization would otherwise be required under these General Contract Guidelines, includes a determination that, and the reasons, why, it is in the public interest to do so:

- a. Any public authority (not New York State) provided such General Contract had been awarded through a process of competitive sealed bidding or a competitive request for proposals (“RFP”);
- b. A New York State agency or authority (including the New York State Office of General Services (“OGS”)), the City of New York, or Nassau County (except for NYCT, SIRTOA and MaBSTOA, as to Nassau County only).

It is hereby determined that competitive bidding is inappropriate and, because of the likelihood that a competitive process will not result in better commercial terms, that it is in the public interest to purchase an item through an existing General Contract of the State of New York, the City of New York, a different Authority, or any other public authority, where price and other commercial terms specified in such General Contract are satisfactory to the Authorized Officer. Such a determination shall be documented in writing by the Authorized Officer, and included in the contract file.

6. Request For Proposals. The Authority determines that it is in the public interest to award the General Contract through a competitive RFP.

- a. For purposes of this Article III.B.6., an RFP shall mean a method of soliciting proposals and awarding a General Contract on the basis of a formal evaluation of the characteristics which are deemed relevant to the Authority’s operations, such as quality, cost, delivery schedule and financing, against stated selection criteria. Where the RFP involves the purchase or rehabilitation of rail cars, transit cars or buses, the selection criteria may also include the extent to which the performance of all or a portion of the General Contract will involve the use of sites within the State of New York or the use of goods produced or services provided within the State of New York.
- b. For those General Contracts awarded under this Article III.B.6., (1) such contracts may not be awarded until at least thirty days after the Board has declared competitive bidding to be impractical or inappropriate and (2) the Board’s approval resolution must (i) disclose the other proposers and the substance of their proposals, (ii) summarize the negotiation process including the opportunities, if any, available to proposers to present and modify their proposals, and (iii) set forth the criteria upon which the selection was made. The Board’s contract approval resolution may be adopted simultaneously with or subsequent to the Board’s declaration that competitive bidding is impractical or inappropriate, provided that, if the Board’s declaration and the Board’s approval resolution are adopted simultaneously or within less than thirty days of each other, the subject General Contract may be executed by the

Authority no less than thirty days after the adoption of the Board's declaration that competitive bidding is impractical or inappropriate.

- c. In addition to the information required under Article V.C., the public notice of an RFP must include a statement of the selection criteria. Such notice shall also be provided by mail or electronically to professional and other organizations, if any, that represent or regularly notify certified MWBEs or -certified SDVOBs of the type of procurement opportunity that is the subject of the RFP notice.
 - d. The Authority may engage in a selection process involving multiple steps such as requests for interest, requests for qualifications, requests for technical proposals and requests for quotations. After the publication of the notice, any or all of the selection criteria specified in the advertisement may be changed, provided that, if the change is material, proposers and potential proposers who, prior to the deadline for the receipt of proposals, have expressed an interest in the RFP, shall be informed of the change and afforded the opportunity to modify their proposals.
 - e. After receipt of the proposals, an Authority may:
 - i) change the selection criteria provided that, if the change is material, all proposers that have not been eliminated from the competitive process prior to such change, are informed of the change and afforded the opportunity to modify their proposals;
 - ii) request that any of the proposers make a presentation. If it does so, it is not required to afford such opportunity to all proposers;
 - iii) negotiate with any of the proposers. If it does so, it is not required to negotiate with all proposers;
 - iv) reject any proposal at any time; and
 - v) reject all proposals, in which event the Authority may decide to take no further action, solicit new proposals or solicit bids.
- C. Under the MTA Small Business Mentoring Program (the "**SBMP**"), a non-federally funded Public Work Contract that is designated by the Authority as a small business mentoring program contract within the meaning of Section 1265-b(1)(e) of the Public Authorities Law, may be awarded in accordance with the provisions of Section 1265-b of the Public Authorities Law, notwithstanding any other provision of law or these General Contract Guidelines. A Public Work Contract that is partially or wholly federally funded, subject to United States Department of Transportation regulations and estimated to involve an expenditure of not more than \$3 million, may be awarded pursuant to the MTA Small Business Federal Program (the "**SBFP**") established under 49 CFR 26.39 in accordance with the competitive procedures established under the SBFP, notwithstanding any other provision of law or these General Contract Guidelines. Pursuant to the SBMP procedures, the Chairman or Authority President designates members of an SBMP steering committee, which includes diversity, engineering and procurement personnel. Such

SBMP steering committee is authorized to designate which eligible Public Work Contracts shall be SBMP or SBFP Public Work Contracts.

- D. A Purchase Contract or a Miscellaneous Procurement Contract, not estimated to involve the expenditure in excess of \$1 million, that is not federally funded, may be awarded pursuant to Section 1209.7(b) or Section 1265-a.2(b) of the Public Authorities Law without competitive sealed bidding or other formal competitive process, notwithstanding any other provision of law or these General Contract Guidelines where the Purchase Contract or Miscellaneous Procurement Contract involves goods or technology that are recycled or remanufactured.

Article IV - Qualified Products Lists

The Board hereby determines that for reasons of efficiency, economy, compatibility or maintenance reliability, there is a need for standardization as to various supplies, materials and equipment which are purchased by the Authorities and authorizes the establishment of a qualified products list (“QPL”) identifying such supplies, materials and equipment as hereinafter provided. A purchase contract for an item which has been included on a QPL duly established and maintained by an Authority may be entered into by that Authority as hereafter set forth:

- A. An Authorized Officer determines as to a specific item that, for reasons of efficiency, economy, compatibility or maintenance reliability, there is a need for standardization.
- B. The QPL is reviewed no less than two times per year in order to evaluate whether to add or delete items or vendors to or from the QPL.
- C. A notice is published by the Authority no less than one time per year in a general circulation newspaper and in the NYSCR which:
 - 1. advertises the existence of the QPL;
 - 2. states that the QPL is available for public inspection; and
 - 3. specifies the name and address of the Authority’s office which may be contacted in regard to the procedure for the compilation of the QPL.
- D.— A contract for an item on the QPL may be awarded:
 - 1. without competitive sealed bidding if only one source for the item is specified on the QPL;
 - 2. by competitive sealed bidding, but without advertising, provided the invitation to bid is sent to all vendors listed on the QPL for the particular item;
 - 3. by competitive sealed bidding after advertising the bid pursuant to Article V.A. of these General Contract Guidelines.
- E. Two or more Authorities may utilize the same QPL provided that such Authorities jointly comply with the provisions of this Article.

Article V – Notice and Advertising

Except as provided in Article V.C. and Article III.B.2., in those instances where advertising is required under these General Contract Guidelines:

- A.— Regardless of the selection process used, for Purchase Contracts and Public Work Contracts in the actual or estimated amount in excess of \$1 million, an advertisement shall be published at least once in a newspaper of general circulation in the area served by the Authority and in the NYSCR. Such advertisement and notice in the NYSCR must be placed at least fifteen (15) business days prior to the planned date on which a bid/proposal is due; provided that, if the Purchase Contract or Public Work Contract is to be awarded without the solicitation of competitive sealed bids or RFP, the timing of the publication in the NYSCR shall be determined by an Authorized Officer.
- B. The advertisement and the notice in the NYSCR must contain, as applicable, a statement of: 1) the name of the contracting Authority; 2) the contract identification number; 3) a brief description of the goods, supplies, materials, or equipment sought, the location where work is to be performed or goods are to be delivered and the contract term; 4) the address where bids/proposals are to be submitted; 5) the date when bids/proposals are due; 6) a description of any eligibility or qualification requirement or preference; 7) a statement as to whether the contract may be fulfilled by a subcontracting, joint venture (“JV”) or co-production arrangement; 8) any other information which the Authority deems useful to potential contractors; 9) the name, address and the telephone number of the person to be contacted for additional information; and 10) the time and place where bids received will be publicly opened and read. In addition, if a purchase contract is involved, the advertisement in the NYSCR shall also include a statement as to whether the goods, supplies, materials, or equipment sought had, in the immediately preceding three year period, been supplied by a foreign business enterprise as that term is defined in Article 4-C of the Economic Development Law.
- C. Advertisement in a general circulation newspaper and in the NYSCR is not required if the Authority regularly purchases the particular supplies, material or equipment and bids are solicited from a list of potential suppliers for the item which has been established and maintained as set forth in Article VI hereof.
- D. In addition to the above advertisements, the Authority shall provide notice to professional and other organizations, if any, that regularly notify MWBEs of the type of procurement opportunity that is the subject of the solicitation.

Article VI - Contractor Outreach

The Authority shall encourage firms to be interested in competing for Authority contracts. The Authority shall do so in the following manner:

- A. Suppliers Lists for Purchase Contracts: the Authority shall compile a list of potential sources of supplies, materials, equipment, and other goods which it regularly purchases. Such list must be compiled in accordance with the following procedures:

1. Advertisements must be periodically placed in one or more publications which are likely to be read by manufacturers, suppliers and others who deal in the item, including firms which may be MWBEs or SDVOBs, which set forth a general description of categories of items which are regularly procured by the Authority and invites firms to utilize the MTA Business Services Center Vendor Portal to be placed on the suppliers list for specific items or categories of items.
2. — A periodic effort:
 - i) must be undertaken to identify potential bidders for the item who are not on the list, including MWBEs and SDVOBs. Such effort shall include the use of the Authorities' websites, use of appropriate publications, including those, if any, that serve MWBEs and SDVOBs, other sources of information, and cooperation with federal, state and local agencies and other authorities. Where appropriate, a print or electronic letter shall be sent to a new potential supplier which invites it to request that it be added to the list and, if it does not wish to be added, requests that it indicate why; and
 - ii) where appropriate, must be undertaken to identify firms which have not responded to bids or expressed an interest in remaining on a list. An effort should be made to contact such firms to determine why they have not bid, whether they are interested in remaining on the list and, if not, why not. A firm may be deleted from the list where it requests deletion, or where the circumstances indicate that it is unlikely that the firm is interested in remaining on the list.
3. The Authority will maintain lists of certified MWBEs and SDVOBs, including professional firms that have expressed an interest in doing business with the Authority and ensure that such lists are updated regularly. The Authority will also consult the lists of MWBEs maintained by the New York State Department of Economic Development and the lists of SDVOBs maintained by, the OGS Division of Service-Disabled Veterans' Business Development ("OGS DSDVBD").
4. An advertisement must be placed quarterly in the State Register and in the NYSCR.
5. In the event it is not practicable to maintain a suppliers list for a specific item, such item shall be included in a broader category or other appropriate classification which reasonably includes the item, and a suppliers list shall be maintained with respect to the category or classification.

- B. Capital Program Purchase Contracts and Public Work Contracts: the Authority shall establish an Outreach program, to be developed by the Chief Development Officer or his designee, to identify and attract capable U.S. and international firms to compete for MTA contracts. In addition, the Authority shall place an advertisement in the NYSCR no less than four times per year which sets forth a general list of anticipated capital program Purchase Contracts and Public Work Contracts, and the address of the Authority's office which may be contacted in order to be afforded the opportunity to compete for such

contracts and for other Authority contracts. Advertisements will also be placed in publications that serve MWBEs.

Article VII – MWBE, SDVOB, and Disadvantaged Business Enterprise (“DBE”)

The potential exists for MWBE, SDVOB, and DBE involvement in General Contracts. The Authority shall use its best efforts to maximize the utilization, as applicable, of DBEs under the Authority’s federal program, and MWBEs and SDVOBs under the New York State programs set forth in Public Authorities Law §2879, Article 15-A and Article 17-B of the Executive Law and these General Contract Guidelines.

- A. The MTA Chief Diversity Officer is responsible for ensuring compliance with all applicable laws and regulations and for overseeing the programs established by the MTA to promote and assist: 1) the participation by MWBEs and SDVOBs in procurement opportunities and facilitation of the award of General Contracts to such enterprises; 2) the utilization of MWBEs and SDVOBs as subcontractors and suppliers to Authority prime contractors; and 3) the utilization of partnerships, JVs or other similar arrangements between MWBEs, SDVOBs and prime contractors. The Chief Diversity Officer reports directly to the Chairman in connection with the responsibilities set forth herein, and will participate in the procurement process either directly or through his or her designees.

- B. A Purchase Contract or a Miscellaneous Procurement Contract, not estimated to involve the expenditure in excess of \$1 million, that is not federally funded, may be awarded pursuant to Section 1209.7(b) or Section 1265-a.2(b) of the Public Authorities Law without competitive sealed bidding or other formal competitive process, notwithstanding any other provision of law or these General Contract Guidelines where the proposed award is to a SBC, MWBE or SDVOB. The MTA and its agencies will administer set-aside procurements pursuant to the laws, rules and procedures that govern small purchase contracting.

The Authority CPO or his/her designee shall determine which Purchase Contracts or Miscellaneous Procurement Contracts are appropriate for these procurements. In the case of Purchase Contracts or Miscellaneous Procurement Contracts that are eligible pursuant to Section 2879(3)(b)(i) of the Public Authorities Law for award to SBCs, MWBEs or SDVOBs, the CPO may make a determination that any such Purchase Contract or Miscellaneous Procurement Contract may only be awarded to an MWBE, or only to an SDVOB, or only to an MWBE or an SDVOB. The basis for such a determination must be to promote participation of MWBEs and SDVOBs in Authority contracts, as mandated by Articles 15-A and 17-B of the Executive Law, respectively, and to assist the Authorities in achieving their MWBE and SDVOB goals.

Notice of such procurements shall be placed on the Authority website inviting responsive bids/proposals from qualified SBCs, MWBEs and/or SDVOBs. Awards pursuant to this process shall be made to the bidder/proposer determined to have submitted the bid/proposal that is most advantageous to the Authority after considering price and any other relevant factors. The CPO may reject all offers and withdraw the designation of a contract as one to be awarded pursuant to this process if the CPO determines that an award will result in the payment of an unreasonable price or otherwise not be advantageous to the Authority.

The value for SDVOB set aside contracts may be in excess of \$1 million. In these instances, notice of such procurements must also be placed in the NYSCR.

- C. For contracts awarded pursuant to these General Contract Guidelines, other than those whose award process is described in Article VII.B., the Authority shall establish appropriate goals for participation by MWBEs and SDVOBs and for the utilization by prime contractors of MWBEs and SDVOBs as subcontractors and suppliers. Statewide MWBE numerical participation target goals will be established by the Authority based on the findings of the most recent New York State Disparity Study.
- D. The Authority will conduct non-federally funded procurements in a manner that enables the Authority to achieve the maximum feasible portion of the goals set pursuant to Article VII.C., including by taking the following actions:
 - 1. establishing measures and procedures to ensure that MWBEs and SDVOBs are given the opportunity for maximum feasible participation in the performance of Authority contracts and to assist in the identification of those contracts that are best suited for MWBE and SDVOB participation so as to facilitate the Authority's achievement of the maximum feasible portion of the MWBE and SDVOB goals;
 - 2. designating the New York State Division of Minority and Women-owned Business Development ("**DMWBD**") to certify and decertify MWBEs, and OGS DSDVBD to certify and decertify SDVOBs, for purposes of these General Contract Guidelines;
 - 3. setting forth in each contract solicitation the expected degree of MWBE and SDVOB participation based on potential subcontracting opportunities and the availability of MWBEs and SDVOBs to respond competitively to those opportunities;
 - 4. providing to prospective contractors in writing, or by identifying a link to a website containing a current list of MWBEs and SDVOBs;
 - 5. with regard to JVs, allowing a bidder/proposer to count toward meeting its MWBE and SDVOB participation goals, the MWBE or SDVOB portion of the JV;
 - 6. waiving a contractor's obligation relating to MWBE or SDVOB participation after a showing of good faith efforts to comply with the participation goal; and
 - 7. verifying that MWBEs and SDVOBs listed in a successful bid/proposal are actually participating to the extent listed in the project for which the bid/proposal was submitted.
- E. - The Authority will also consider, where practicable:
 - 1. the severability of construction projects and other bundled contracts;
 - 2. with respect to MWBEs, the implementation of a program that will enable the Authority to evaluate each contract to determine the appropriateness of the goal pursuant to the most recent New York State Disparity Study; and

3. compliance with the requirements of any federal law or regulations concerning opportunities for any DBEs, MWBEs and SDVOBs that effectuates the purposes of this Article VII.
- F. The Chief Diversity Officer or his/her designee is responsible for ensuring compliance with all applicable laws and regulations with regard to the utilization of DBEs on federally funded General Contracts.

Article VIII - Change Orders

- A. A change order to a General Contract which (a) exceeds \$1 million, (b) increases the total contract price by more than ten percent of the original value, or (c) increases the contract duration by more than ten percent of the original contract duration, may be entered into by an Authorized Officer, upon the approval of the Board pursuant to a resolution adopted in accordance with Article IX hereof. The submission to the Board shall include an explanation of the need for the change order. In order to avoid splitting change orders to below \$1 million for the purpose of avoiding the Board approval requirements of this Article VIII.A., the CPO of the relevant Authority must approve multiple change orders to the same contract and for the same scope of work, if all such change orders for any rolling 12-month period would equal to or be more than \$1 million. For example only, if change order #1 is issued in March Year 1 for \$600,000, change order #2 is issued in June Year 1 for \$300,000 and change order #3 is issued in January Year 2 for \$200,000 (all for the same scope of work), then the CPO would be required to approve change order #3 because the total amount would be \$1.1 million for the rolling 12-month period from March Year 1 to March Year 2, and further the CPO would need to approve any other change order issued during any rolling 12-month period which would bring that 12-month period total to be equal to or greater than \$1 million.
- B. All other change orders shall be approved by an Authorized Officer; provided that a change order over \$250,000 must be approved by the Authority President, CPO, or the Authority President's designee. This provision applies to all contracts subject to these General Contract Guidelines.
- C. Notwithstanding the foregoing, an Authorized Officer may enter into a change order without Board approval in any of the following situations as determined by an Authorized Officer:
1. The existence of an emergency, other critical need or unforeseen circumstance;
 2. There is a risk of a substantial increase in cost or delay if prompt action is not taken; or
 3. The change order does not change the total contract price to exceed the contract budgeted cost, including contingency.

- ~~D.~~ D. Change orders that do not require Board approval pursuant to Paragraph C above, but that (a) increases the total contract price by more than ten percent of the original value, or (b) increases the contract duration by more than ten percent of the original contract duration, shall require prior written notice to the Chairman of the Finance Committee.

- E. The Chairman shall establish policies with respect to the delegation of responsibilities set forth in this Article.

Article IX - Form of Board Resolution

- A. Except as otherwise required in Article III, the procedure for the adoption by the Board and the format of a resolution pursuant to these General Contract Guidelines shall be determined by the Chairman and may be in the form of a staff summary or a formal resolution. Provided, however, that any Board resolution or staff summary sought pursuant to these General Contract Guidelines shall 1) identify the contractor by name; 2) briefly describe the substance of the General Contract; 3) specify all the information required under the applicable provisions of these General Contract Guidelines; and 4) specify the estimated or actual cost to the Authority or that the estimated or actual cost shall be within the budget approved by the Board for that purpose.
- B. To the extent practicable, the recommendation of award and the associated resolution or staff summary shall first be submitted to the standing committee of the Board responsible for the Authority.
- C. The Chairman may modify the procedures in this Article for all Authorities.

Article X - Responsibilities of General Contractors

In each General Contract, a general contractor shall have the following responsibilities:

- A. To perform the contract in accordance with its terms and to remain a responsible contractor;
- B. To provide the public work, goods, supplies, materials, or equipment required under the contract competently, efficiently, in a timely manner, at a fair and reasonable cost and in a manner which is satisfactory to the Authority; and
- C. To cooperate with Authority personnel who are directing, supervising or monitoring the performance of the general contractor or who are assisting in their performance.

Article XI - Contracts Involving Former Officers or Employees of the Authority

The Authority may enter into contracts with any Authority's former officers, former employees or with firms employing such former officers or former employees only to the extent permitted by Public Officers Law §73.

Article XII - Miscellaneous

- A. ~~Any provision~~ Except to the extent prohibited by law, the Chairman or Chief Executive Officer, or his/her designee, with prior notice to the Chairman of the Finance Committee, may waive the provisions of these General Contract Guidelines ~~may be waived by the Chairman, an Authority President, or the Board, or such individuals as they may designate,~~

~~except to the extent prohibited by law. A waiver may also be in the form of a ratification event of an emergency involving the health or safety of the public.~~ If a contract is federally assisted, prior to issuing a waiver, consideration should be given to the steps which may be taken to assure that federal assistance is not jeopardized.

- B. No Board Committee action or Authority policy, other than one approved by the Chairman, shall be inconsistent with these General Contract Guidelines.
- C. An Authority may not divide or split any contract or series of contracts for the purpose of avoiding the requirements of these General Contract Guidelines provided that with regard to SBMP and SBFP contracts awarded under Article III.C. and discretionary contracts awarded under Article VII.B., an Authority may divide requirements for the purpose of unbundling contracts to create SBMP, SBFP or discretionary contracting opportunities.
- D. If prior to the commencement of an Authority fiscal year, an Authorized Officer reasonably anticipates that, during the next fiscal year, the Authority will expend, in the aggregate, in excess of \$1 million for a series of Purchase Contracts for the same or substantially similar good or for a series of Public Work Contracts for same or substantially the same type of public work: 1) such requirement shall be met pursuant to a requirements contract awarded pursuant to the applicable provisions of these General Contract Guidelines; 2) each such Purchase Contract shall be awarded pursuant to the provisions of Article II.C., Article III, Article IV, Article VI, or Article VII.B. of these General Contract Guidelines or 3) each such contract shall be awarded pursuant to the provisions of Article II.C., Article III, or Article VII.B. or a procedure determined by an Authorized Officer to be comparable to Article IV or Article VI.
- E. Nothing in these General Contract Guidelines shall preclude the Authority from accepting bids/proposals utilizing an electronic bidding system that may inform bidders whether their bid is the current low bid, and allow bidders to submit new bids before the date and time assigned for the opening of bids. Such procedure shall not constitute disclosure in violation of Section 2878 of the Public Authorities Law.
- F. A General Contract awarded by an Authority pursuant to these General Contract Guidelines may provide that the General Contract includes the requirements of one or more other Authorities.
- G. Each Authority shall maintain records, for each fiscal year, of the all Purchase Contracts in an actual or estimated amount of \$15,000 or more entered into by the Authority at the request of such Division/Department, and such reports shall be prepared pursuant to the specifications located in Article IX.B. and Article IX.C. of the Services Contract Guidelines.
- H. The Authority shall prepare a publicly available report no less frequently than annually, summarizing procurement activity by the Authority for the period of the report in accordance with the reporting requirements of Section 2879(6) of the Public Authorities Law.

- I. ~~I.~~ These General Contract Guidelines are intended for the guidance of officers and employees of the Authority only. Nothing contained herein is intended or shall be construed to confer upon any person, firm or corporation any right, remedy, claim or benefit under, or by reason of, any requirement or provision hereof.
- ~~II.~~ To make MTA work more appealing to contractors and thereby increase competition and reduce the costs that the MTA typically pays for its Capital Program projects, the following Cost Containment Initiatives shall be implemented on all Capital Program projects unless the Chief Development Officer grants a waiver based upon a determination that such Cost Containment Initiative is impractical for a specific project:
1. Neutral Dispute Resolution: Disputes shall be resolved by a neutral arbitrator or panel of arbitrators or in a court of competent jurisdiction.
 2. Project CEOs: The Chief Development Officer or his designee shall appoint a Project CEO ("PCEO") for each project who shall be empowered to make project decisions and shall be accountable for the project's budget and schedule. PCEO decisions affecting scope, budget and schedule can only be overruled or amended by the MTA Chief Development Officer.
 3. In developing the Request for Proposal or Bid documents for a project, and as part of any negotiation and contractor selection process, the PCEO shall develop a strategy designed to optimize the cost and schedule for the project. Such strategy shall be approved by the Chief Development Officer or his designee and shall establish the following:
 - a. A contracting approach that considers factors other than just price in selecting a contractor (e.g., competitive RFP or A+B bidding), even where design-build contracting is not required. Excluded from this requirement are contracts awarded under the Small Business Mentoring Program and the Small Business Federal Program for which a traditional low bid contracting approach is permissible.
 - b. Optimal turnaround times for submittals and similar documentation, which times shall be incorporated into the contract(s).
 - c. A strategy to allocate risk to the party in the best position to manage such risk. Factors to be considered in this category include, but are not limited to: (i) the availability of MTA provided outages, flaggers and other services; (ii) delays by third parties such as Amtrak, utility companies, and government agencies; and (iii) existing conditions, including both structural conditions and interferences and the existence of hazardous materials. The PCEO, in consultation with the Leaders of the MTAC&D Delivery and Contracts groups and the applicable operating agencies, shall establish for each project the optimal method for incorporation of such risk allocation into the contract(s) (e.g. guaranteed number of outages subject to a contractual percentage of cancelations, allowances, etc.).
 - d. Favorable payment terms, to be established in consultation with the MTA Chief Financial Officer. Unless otherwise indicated, payment terms shall be 15 days.
 - e. Guidelines that promote the use of off-the-shelf products and components and eliminate customization to the extent practicable.

4. Reduced Bonding Requirements: Unless otherwise prohibited by law or by MTA funding partners for specific projects (e.g., the Federal Transit Administration), the Request for Proposal or Bid documents for a project shall provide that Payment and Performance bonds on contracts more than \$250 Million may be reduced from 100% of the contract amount provided that the Contracting entity is able to provide adequate alternative security and/or guarantees. The appropriateness of such alternative security and/or guarantees shall be approved by the MTA Chief Development Officer and/or the MTA Chief Financial Officer or his/her designees.

K. Nothing in these General Contract Guidelines shall preclude the Authority from offering stipends to proposers on Design-Build contracts as part of an RFP process. The request for Board approval to use the RFP process for a specific Design-Build contract may include a request for approval of the use of stipends in connection with such RFP.

~~K~~L. Nothing contained in these General Contract Guidelines shall be deemed to alter, affect the validity of, modify the terms of or impair any contract or agreement made or entered into in violation of, or without compliance with, the provisions of these General Contract Guidelines.

~~M~~M. Where applicable federal, state or local laws, ordinances, codes, rules or regulations contain requirements which are in conflict with or which impose greater obligations upon the Authority than these General Contract Guidelines, then such requirements shall take precedence over those contained herein.

~~N~~N. For those General Contracts for which the Office of the State Comptroller (“**OSC**”) has requested review and approval pursuant to Public Authorities Law §2879-a, if the Authority has not received OSC approval or disapproval within thirty days of submission to the OSC, the Authority may enter into such General Contract without further waiting for such review and approval.

Staff Summary

| |
|--|
| Subject Mission Statement, Measurements, and Performance Indicators Report |
| Department Chief Operating Officer |
| Department Head Name Mario Peloquin |
| Department Head Signature |
| Project Manager Name |

| |
|-------------------------------------|
| Date July 22, 2020 |
| Vendor Name N/A |
| Contract Number N/A |
| Contract Manager Name N/A |
| Table of Contents Ref # |

| Board Action | | | | | |
|--------------|----------------------|---------|----------|------|-------|
| Order | To | Date | Approval | Info | Other |
| | Corporate Governance | 7/22/20 | | | |
| | Board | 7/22/20 | | | |
| | | | | | |

| Internal Approvals | | | |
|--------------------|--------------------------|-------|----------|
| Order | Approval | Order | Approval |
| 1 | Chief Operating Officer | | |
| 2 | Legal | | |
| 3 | Chief Compliance Officer | | |

Purpose:

To obtain Board approval of the MTA’s Mission Statement and to authorize submission of the annexed 2019 Mission Statement, Measurements, and Performance Indicators Report (the “Report”) to the Independent Authorities Budget Office (“ABO”) .

Discussion:

Section 1269-f and Section 2824-a of the Public Authorities Law require MTA to annually reexamine its mission statement, reassess its stakeholders and selected performance measurement indicators, and to submit a report based on the performance indicator results from the previous year.

The MTA and its Board engage in oversight of agency operating performance throughout the year. The Board, through its transit, rail and bridge/tunnel operating committees, closely monitors agency operating performance. Each operating agency reports its most recent performance data in posted monthly reports and in committee books distributed in advance of public MTA operating committee meetings, which are conducted at least eleven times a year. At these public meetings, operating agency results are reviewed and discussed by Board members and agency senior staff. In addition, presentations focused on particular areas of performance are made by the agency staff to the Board operating committees periodically through the year, in accordance with the work plan schedule of each operating committee. The MTA website also contains a “Performance Dashboard” for each of the MTA operating agencies, updated monthly, summarizing the agencies’ leading performance measurements.

The Report compiles the MTA Mission Statement, Stakeholder Assessment and the performance measurements from 2019. The operating agencies have each submitted, within the Report, a summary that evaluates agency performance on the applicable indicators in the past year.

Recommendation:

It is recommended that the MTA Board approve the annexed Report and authorize submission of such Report as required by Section 1269-f and Section 2824-a of the Public Authorities Law to the ABO.



Metropolitan Transportation Authority

**Metropolitan Transportation Authority
Mission Statement, Measurements, and Performance
Indicators Report Covering Fiscal Year 2019**

**In Compliance with New York State Public Authorities Law §1269-f and §2824-a
Submitted as Part of the MTA 2019 Annual Report to the Governor**

Note

Because of the timing of this report, some of the agency performance indicators are preliminary and may be subject to reconciliation as data are finalized over the course of the year. For that reason, some of the 2018 data presented in this report may have been updated and differ from those in the 2018 report. The 2019 performance is being measured against this more recent and accurate data, even if it differs only slightly from the data in last year's report. Likewise, the 2019 preliminary data are also subject to subsequent updating, and the 2020 report will measure performance against the most recent and accurate data available. All agency performance metrics are updated regularly on the "Performance Dashboards" under the "Transparency" section at www.mta.info.

MTA Mission Statement

The Metropolitan Transportation Authority (MTA) preserves and enhances the quality of life and economic health of the region it serves through the cost-efficient provision of safe, on-time, reliable, and clean transportation services.

Stakeholder Assessment

The main stakeholders of the MTA are its customers; the businesses, residents, and taxpayers of our service area and the State; the MTA’s employees and unions; and its government partners. A set of goals for each group has been defined, along with performance indicators to measure the attainment of these goals.

| Customers | | | |
|---|--|---|--|
| Our customers are those who ride our trains and buses or cross our bridges and tunnels. They include the residents of our region, as well as visitors. Our customers expect service that is safe, on-time, reliable, and that provides good value for their money. | | | |
| MTA Goals | Performance Indicators | | |
| Ensure our customers’ safety | <ul style="list-style-type: none"> ✓ Customer injury rates ✓ Bus collision rates | | |
| Provide on-time and reliable services | <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> ✓ Subway major incidents ✓ Subway service delivered ✓ Customer journey time performance ✓ Additional platform time ✓ Additional train time ✓ On-time performance (subway and commuter railroads) ✓ Subway terminal delays ✓ Subway wait assessment </td> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> ✓ Bus trips completed ✓ Bus Customer journey time performance ✓ Bus additional bus stop time ✓ Bus additional travel time* ✓ Bus service delivered * ✓ Bus average speeds * ✓ Bus wait assessment ✓ Mean distance between failures (subway, railroads, buses) </td> </tr> </table> | <ul style="list-style-type: none"> ✓ Subway major incidents ✓ Subway service delivered ✓ Customer journey time performance ✓ Additional platform time ✓ Additional train time ✓ On-time performance (subway and commuter railroads) ✓ Subway terminal delays ✓ Subway wait assessment | <ul style="list-style-type: none"> ✓ Bus trips completed ✓ Bus Customer journey time performance ✓ Bus additional bus stop time ✓ Bus additional travel time* ✓ Bus service delivered * ✓ Bus average speeds * ✓ Bus wait assessment ✓ Mean distance between failures (subway, railroads, buses) |
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| Provide services to people with disabilities | <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> ✓ Elevator availability ✓ Escalator availability ✓ Bus passenger wheelchair lift usage (does not include paratransit) ✓ Paratransit ridership ✓ Access-A-Ride on-time performance </td> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> ✓ Access-A-Ride on-time performance* ✓ Access-A-Ride provider no-shows * ✓ Access-A-Ride ride time * ✓ Access-A-Ride call center, calls answered* ✓ Passenger complaints * </td> </tr> </table> | <ul style="list-style-type: none"> ✓ Elevator availability ✓ Escalator availability ✓ Bus passenger wheelchair lift usage (does not include paratransit) ✓ Paratransit ridership ✓ Access-A-Ride on-time performance | <ul style="list-style-type: none"> ✓ Access-A-Ride on-time performance* ✓ Access-A-Ride provider no-shows * ✓ Access-A-Ride ride time * ✓ Access-A-Ride call center, calls answered* ✓ Passenger complaints * |
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| Repair, replace, and expand transportation infrastructure | <ul style="list-style-type: none"> ✓ Capital Program commitments ✓ Capital Program completions | | |

Note: * New NYCT Bus service indicators and Paratransit service indicators were introduced in 2018. All indicators are updated regularly on Performance Dashboards under Transparency at www.mta.info.

Businesses, Residents, and Taxpayers

The businesses, residents, and taxpayers in our service area want the MTA to spend its resources efficiently and appropriately, while enhancing the mobility of the region.

| MTA Goals | Performance Indicators |
|---|---|
| Perform services in an efficient manner | <ul style="list-style-type: none"> ✓ Farebox operating ratio ✓ Operating cost per customer ✓ Total support to mass transit |
| Maximize system usage | <ul style="list-style-type: none"> ✓ Ridership ✓ Traffic volume |
| Repair, replace, and expand transportation infrastructure | <ul style="list-style-type: none"> ✓ Capital Program commitments ✓ Capital Program completions |

Employees and Unions

Our employees and unions expect a safe workplace, skills training relevant to their roles, and opportunities for growth.

| MTA Goals | Performance Indicators |
|--|--|
| Ensure our employees' safety | <ul style="list-style-type: none"> ✓ Employee lost time and restricted-duty rate |
| Maintain a workforce that reflects the regional availability of all races, nationalities, and genders for our industry | <ul style="list-style-type: none"> ✓ Female representation in MTA workforce ✓ Minority representation in MTA workforce |

Government Partners (Federal, State, and Local Governments)

Our government partners expect us to enhance regional mobility by providing excellent service, while spending our resources in a cost-effective and appropriate manner.

| MTA Goals | Performance Indicators |
|---|---|
| Provide on-time and reliable services | <ul style="list-style-type: none"> ✓ Subway major incidents ✓ Subway service delivered ✓ Customer journey time performance* ✓ Additional platform time ✓ Additional train time * ✓ On-time performance (subway and commuter railroads) ✓ Subway terminal delays ✓ Subway wait assessment <ul style="list-style-type: none"> ✓ Bus trips completed ✓ Bus Customer journey time performance * ✓ Bus additional bus stop time ✓ Bus additional travel time* ✓ Bus service delivered * ✓ Bus average speeds * ✓ Bus wait assessment ✓ Mean distance between failures (subway, railroads, buses) |
| Maximize system usage | <ul style="list-style-type: none"> ✓ Ridership ✓ Traffic volume |
| Perform services in an efficient manner | <ul style="list-style-type: none"> ✓ Farebox operating ratio ✓ Operating cost per customer |
| Repair, replace, and expand transportation infrastructure | <ul style="list-style-type: none"> ✓ Capital Program commitments ✓ Capital Program completions |

MTA New York City Transit (“NYCT”)

| Performance Indicators | 2018 Actual | 2019 Actual |
|---|---------------|---------------|
| NYCT Subway Service Indicators | | |
| Weekday Major Incidents – Subways (monthly average) | 68.0 | 45.5 |
| Customer Journey Time Perf. (% within 5 min of scheduled) | 79.4% | 83.6% |
| Additional Platform Time (average beyond scheduled) | 0:01:18 | 0:01:11 |
| Additional Train Time (average beyond scheduled) | 0:01:19 | 0:00:54 |
| Weekday Service Delivered – Subways | 94.8% | 96.6% |
| Weekday Terminal On-Time Performance – Subways | 67.1% | 80.3% |
| Weekday Terminal Delays – Subways (monthly average) | 57,774 | 34,302 |
| Mean Distance Between Failures – Subways (miles) | 121,116 | 127,743 |
| Weekday Wait Assessment – Subways | 70.8% | 74.9% |
| Elevator Availability – Subways | 96.5% | 96.3% |
| Escalator Availability – Subways | 93.6% | 89.4% |
| Total Ridership – Subways | 1,680,060,402 | 1,697,727,329 |
| Weekday On-Time Performance – Staten Island Railway | 95.4% | 95.6% |
| Mean Distance Between Failures – Staten Island Railway (miles) | 70,949 | 77,187 |
| NYCT Bus Service Indicators | | |
| Percent of Completed Trips – NYCT Bus | 99.1% | 99.3% |
| Customer Journey Time Perf – NYCT & MTA Bus (% within 5 min of scheduled) | 71.7% | 72.3% |
| Additional Bus Stop Time – NYCT & MTA Bus (average beyond scheduled) | 0:01:47 | 0:01:44 |
| Additional Travel Time – NYCT & MTA Bus (average beyond scheduled) | 0:00:53 | 0:00:47 |
| Bus Customer Wheelchair Lift Usage – NYCT Bus | 1,382,447 | 1,412,076 |
| Service Delivered – NYCT & MTA Bus (% scheduled buses, peak hrs.) | 96.9% | 97.3% |
| Bus Speeds – NYCT & MTA Bus (average route speed, end-to-end) | 7.9 mph | 8.0 mph |
| Total Ridership – NYCT Bus | 569,361,238 | 556,950,541 |
| Mean Distance Between Failures – NYCT & MTA Bus (miles) | 6,244 | 7,967 |
| Wait Assessment – NYCT & MTA Bus | 77.5% | 77.8% |

Notes: Subway 2019 ridership is prior to post-close adjustment. New NYCT Bus service indicators were introduced in 2018. All indicators are updated regularly on Performance Metrics under Transparency at www.mta.info.

| Performance Indicators | 2018 Actual | 2019 Actual |
|--|----------------------------|----------------------------|
| NYCT Paratransit Service Indicators | | |
| Total Paratransit Ridership – NYCT Bus | 9,867,498 | 10,893,983 |
| AAR On-Time-Performance * Pick up within (30 min) / (15 min) | 30 min: 94% 15 min: 83% | 30 min: 96% 15 min: 86% |
| AAR Provider No-Shows (per 1,000 trips) | 2.37 | 1.44 |
| AAR Appointment OTP Trips (30 min early to 1 min late) | 38% | 40% |
| AAR Provider No-Shows (per 1,000 trips) | 2.37 | 1.44 |
| AAR Actual Ride Time at or Better than Planed Ride Time | 75% | 80% |
| AAR Customer Experience – Frequent Rider Experience * | 68% | 72% |
| AAR Call Center (% of calls answered) | 96% | 96% |
| AAR Passenger Complaints (per 1000 completed trips) | 4.0 | 5.0 |
| AAR Registrants | 153,575 | 161,526 |
| NYCT Safety Indicators | | |
| Customer Injury Rate – Subways (per million customers) | 2.99 | 2.92 |
| Customer Accident Injury Rate – NYCT Bus (per million customers) | 1.51 | 1.64 |
| Collisions with Injury Rate – NYCT Bus (per million vehicle miles) | 6.65 | 6.39 |
| Employee Lost Time and Restricted-Duty Rate NYCT Subways (per 100 employees) | 2.98 | 3.58 |
| Employee Lost Time and Restricted-Duty Rate NYCT Bus (per 100 employees) | 5.90 | 5.76 |
| NYCT Workforce Indicators | | |
| Female Representatives in NYCT Workforce | 18.5% | 18.55% |
| Minority Representatives in NYCT Workforce | 78.1% | 78.77% |
| NYCT Financial Indicators | | |
| Farebox Operating Ratio | 53.3% | 52.8% |
| Operating Cost per Passenger | 4.34 | 4.51 |
| NYCT Capital Program Indicators | | |
| Commitments in \$ Millions (% of annual goal) | \$6,024(141%) | \$2,302 (62%) |
| Completions in \$ Millions (% of annual goal) | \$2,965 (82%) | \$4,140 (99%) |

Notes: *These new AAR indicators were introduced in 2018 and first calculated and published in 2019. Financial indicators include NYCT Subways, Buses, and Paratransit and are preliminary. Actual 2019 financial indicators will be updated in April 2020. The Operating Cost per Passenger excludes debt service. The Capital Program Commitments/Completions have been adjusted to include “rollovers” from previous years achieved in 2019. Projects details are available on the Capital Programs Dashboard under Transparency at www.mta.info.

MTA GOAL: Ensure Customer Safety

PERFORMANCE INDICATORS: Customer Injury Rate

The “customer injury rate” for NYCT Subways was 2.92 per million customers in 2019, which represents a slight decline from the adjusted 2018 rate of 2.99 per million customers for the same period last year. NYCT Subways continues its efforts to improve customer safety through expanded use of safety messaging, train announcements, incident reports, and the training and deployment of station staff.

For NYCT Bus, the “customer accident injury rate” increased by 8.6 percent in 2019, from 1.51 per million customers to 1.64 per million. Causes of accidents typically include customer trips, slips, and stumbles while boarding or onboard a bus, or customers thrown by bus movement. The agency is studying these trends to improve its accident reduction programs and better define safety goals for agency divisions and depots.

NYCT Bus saw a decrease in its 2019 “collision injury rate” of 3.9 percent over the previous year to 6.39 injuries per million vehicle miles. Throughout the year, NYCT Bus continued to incorporate relevant accident findings into its safety and training initiatives. These initiatives focus on basic operating procedures in bus stop areas, including scanning mirrors, observing all sides of the bus, pulling in and out of bus stops properly, positioning the bus correctly in the bus stop, maintaining a proper following distance, and smooth operation of braking.

In 2019, NYCT Bus continued its Vision Zero III program, an eight-hour training session which emphasizes challenges in dealing with pedestrians and cyclists. In addition, the agency is using indicators such as speed-camera violations, red-light violations, cellphone infractions, and customer complaints as part of its bus operator monitoring program. In Spring 2019, NYCT Bus implemented Vision Zero IV, an enhanced version of the program. This iteration of the course will focus on new bus safety technologies, as well as trends in pedestrian, bicyclist, and customer accidents. All bus operators will be cycled through this new curriculum over a two-year period. Vision Zero III continues to be used as a training component for student operators, while Vision Zero IV is presented to current operators, supervisors, and managers.

NYC Transit, cont.

In a joint agreement with all labor unions, NYCT Bus continues its “zero-tolerance” policy on use of cellphones and electronic devices while operating a bus. Additionally, NYCT Bus worked with its labor representatives to establish a process whereby operators who receive speed-camera violations are disciplined and must pay the fine. NYCT Bus also continued to use the Accident Review System (ARS) as a corrective safety intervention tool for collision reduction.

MTA GOAL: Provide On-Time and Reliable Services

PERFORMANCE INDICATORS: On-Time Performance, Mean Distance Between Failures, Major Incidents, Service Delivered, Terminal Delays, Wait Assessment, Bus Trips Completed, Bus Average Speeds, Bus Additional Travel Time

NYCT Subways saw major improvements in key performance metrics over the course of 2019, largely due to the success of the Subway Action Plan, first launched in 2017, and the “Save Safe Seconds” campaign. Weekday Terminal Delays per month fell dramatically by 40.6 percent from 57,774 to 34,302. On-Time Performance (OTP) rose 13.2 percent to 80.3 percent. Weekday Service Delivered improved to 96.6 percent, up 1.8 percent over the previous year. At the Staten Island Railway (SIR), Mean Distance Between Failures (MDBF) improved 8.8 percent from 70,950 to 77,187.

Other indicators showing significant improvement in 2019 include weekday Major Incidents, which dropped from 68.0 per month on average to 45.5 per month, a 33.1 percent improvement for the year. Subway MDBF improved by 5.5 percent from 121,116 to 127,743 in 2019. Weekday Wait Assessment (WWA) improved from 70.8 percent to 74.9 percent. Subway Additional Train Time also improved from 0:01:19 to 0:00:54. Weekday OTP on the SIR improved slightly by 0.2 percent from 95.4 percent to 95.6 percent.

As indicated on the performance chart above, NYCT Bus and MTA Bus report combined data in some instances. For complete MTA Bus performance data, see page 27 of this report. Separately, NYCT Bus posted a MDBF of 7,967 miles in 2019, a 27.6 percent improvement over the previous year. NYCT continues to replace its remaining over-age bus fleet under the 2015-2019 Capital Program. The percentage of NYCT Bus trips completed increased slightly to 99.3 percent in 2019. Additional Bus Stop Time improved by 2.5 percent compared to the previous year. For both bus

agencies, Additional Travel Time improved by 12 percent in 2019; Customer Journey Time increased by 0.8 percent to 72.3 percent; and Wait Assessment increased by 0.4 percent to 77.8. Service Delivered for both agencies increased by 0.4 percent in 2019 to 97.3 percent, while average bus speeds were unchanged at 8 mph.

MTA GOAL: Provide Services to People with Disabilities

PERFORMANCE INDICATORS: Elevator Availability, Escalator Availability, Bus Passenger Wheelchair Lift Usage, Paratransit Ridership, AAR Service Indicators

In 2019, NYCT Paratransit made big strides in improving Access-A-Ride (AAR). As part of the Fast Forward Plan, the AAR dashboard was updated to provide increased transparency and more customer-facing metrics. That includes a new Customer Experience metric, which captures the percentage of customer trips that successfully met key service performance standards. Other updates include trends for Actual Ride Time versus Planned Trip Duration; more granular performance goals for OTP; and a revision to the time range for Appointment OTP, which is now between 30 minutes early to 1 minute after the appointment time. These revisions reflect recommendations from the Inspector General.

Overall AAR ridership increased from 9,867,498 to 10,893,983 in 2019, an increase of 10.4 percent, while registrants grew from 153,575 to 161,526 in 2019, a 5.2 percent increase. Pick-up OTP improved from 95 percent to 96 percent within the 30-minute window, and from 83 percent to 86 percent within the 15-minute window. The overall Customer Experience improved from 68 percent to 72 percent. Complaints increased from 4.0 to 5.0 per 1,000 completed trips, due largely to the transition from advanced reservation e-hail to enhanced broker service. It should be noted that from March to December of 2019, broker-related complaints decreased from 5.1 to 4.6 per 1,000 completed trips. These metrics indicate significant service improvements in 2019, as AAR continues to work with customers and advocacy groups to build on this positive trend.

The improvements also reflect several AAR initiatives launched in 2019. A new myAAR, was launched in the MYmta app, giving customers greater ability to schedule and track trips. The agency began the rollout of 700 new lift-equipped vans to replace older vehicles in Primary Carrier fleet. To further improve speed and reliability, the agency collaborated with NYC DOT introduced a new rule allowing Primary Carrier AAR vehicles to travel in dedicated bus lanes.

Also in 2019, AAR introduced Enhanced Broker Service in all five boroughs. This service makes taxis and for-hire vehicles an integral part of the AAR program. It delivers high trip volume at a lower cost than Primary Carrier service, while also providing customers with such benefits as online reservations, broker vehicle tracking, wheelchair-accessible vehicles, and door-to-door assisted service by specially trained operators, where required.

In other transit metrics, Wheelchair Lift Usage at NYCT Buses increased by 2.1 percent in 2019 to a total of 1.41 million customers. The agency's low-floor buses provide easier boarding and more reliable service for customers with wheelchairs. At NYCT Subways, Elevator Availability was 96.3 percent in 2019, a slight decrease from 96.5 percent in 2018 but still an improvement over 95.9 percent in 2017. Meanwhile, subway Escalator Availability dropped from 93.6 percent to 89.4 percent in 2019. Both elevator and escalator availability were challenged by special inspection campaigns and increased preventive maintenance that temporarily reduced availability.

MTA GOAL: Repair, Replace, and Expand Transportation Infrastructure

PERFORMANCE INDICATORS: Capital Program Commitments and Completions

NYCT committed \$2.3 billion of its Capital Program funds in 2019, or 62 percent of its annual goal. Major commitments included: Communications Based Train Control (CBTC) on the Culver Line in Brooklyn; station reconstruction and ADA accessibility at the Times Square Shuttle; purchase of hybrid-electric standard buses with the latest safety and customer service technologies; mainline track and switch replacement at multiple locations; a structural painting project on the Flushing Line in Queens; renewal of the Central Substation in Manhattan; station improvements and ADA projects at various locations; elevator and escalator replacements at various locations.

Commitments in 2019 also included multiple projects advancing the repairs to NYCT facilities and infrastructure damaged by Superstorm Sandy, along with resiliency projects to prevent potential damage from future storms.

NYCT achieved capital program completions in 2019 of \$4.1 billion, representing 99 percent of its annual goal. Major completions included: repairs and resiliency measures at the Clark Street Tube relating to damage from Superstorm Sandy; Communications Based Train Control (CBTC) on the Flushing (7) Line; a new Bus Command Center in Brooklyn; station renewals and ADA improvements on the Sea Beach Line in Brooklyn; track and switch replacements at various locations; the final delivery and acceptance of the new R179 railcar fleet; station and ADA improvements at various locations; the purchase of articulated buses with new safety and customer service technologies; and the structural rehabilitation of the 4th Ave Line in Brooklyn. Details of all projects can be found at the Capital Program Dashboard at www.mta.info.

MTA GOAL: Perform Services in an Efficient Manner

PERFORMANCE INDICATORS: Farebox Operating Ratio, Operating Cost per Passenger

The NYCT financial indicators combine NYCT Subways, NYCT Buses, and Paratransit. The farebox operating ratio in 2019 was 52.8 percent, down slightly from 53.2 percent in 2018. Preliminary operating cost per passenger, or cost per ride, is calculated in the second quarter of each year, prior to the July Financial Plan. At the time of this report, the preliminary 2019 cost per passenger was \$4.51, up 3.9 percent from the adjusted figure of \$4.34 for 2018. The operating cost per passenger excludes debt service.

MTA GOAL: Maximize System Usage

PERFORMANCE INDICATORS: Ridership

Total NYCT Subway ridership in 2019 was 1.697 billion rides, an increase of about 1.1 percent from 1.680 billion rides the previous year. By way of context, this increase reverses a three-year downward trend from a record ridership of 1.76 billion in 2015, which was the highest subway ridership since the 1940s. Total NYCT Bus ridership decreased in 2019 by 2.2 percent to around 557 million riders, as compared to just over 569 million riders the previous year.

MTA GOAL: Ensure Our Employees' Safety

PERFORMANCE INDICATORS: Employee Lost Time and Restricted-Duty Rate

The NYCT Subways employee “lost-time and restricted-duty” accident rates increased in 2019 by about 20 percent, from an adjusted rate of 2.98 per 100 employees in 2018 to 3.58 per 100 employees in 2019. NYCT Subways continues to operate a robust safety program for employees, including safety communications, safety audits, training, and accident investigations. In addition, NYCT Subways continues to maximize use of the FASTRACK program, which provides a safer working environment for maintenance and repair crews by curbing train operations in work areas.

At NYCT Bus, the lost time and restricted duty rate decreased to 5.76 per 100 employees from 5.90 the previous year. Both NYCT Bus and MTA Bus continued initiatives aimed at protecting bus operators from assault. These include bus operator shields installed across the entire fleet; the ongoing installation of onboard security cameras; and enhanced training in de-escalation tactics to prevent assaults. Additionally, NYCT Bus and MTA Bus conduct thorough customer complaint reviews to identify employees for additional counseling and/or de-escalation training. Both NYCT Bus and MTA Bus maintain collision-reduction campaigns to disseminate safe driving reminders, defensive driving techniques, and methods to correct unsafe driving habits. Both agencies continue to analyze employee injury data to identify causes and trends in the ongoing effort to reduce lost-time accidents.

MTA GOAL: Maintain a Workforce that Reflects Regional Availability of All Races, Nationalities, and Genders

Female representation agency-wide remained essentially unchanged in 2019 at 18.6 percent, continuing to fall below the estimated percentage of women available for work within NYCT's recruiting area. A contributing factor is the low percentage of women who apply for what are generally considered non-traditional jobs. NYCT will continue to increase its outreach and recruitment efforts to improve female representation within its workforce. Minority representation grew slightly from 78.1 percent in 2018 to 78.8 percent in 2019.

MTA Long Island Rail Road ("LIRR")

| Performance Indicators | 2018 Actual | 2019 Actual |
|--|----------------|----------------|
| Service Indicators | | |
| On-Time Performance | 90.4% | 92.4% |
| Elevator Availability | 99.1% | 98.8% |
| Escalator Availability | 96.9% | 96.7% |
| Total Ridership | 89,766,050 | 91,086,292 |
| Mean Distance Between Failures (miles) | 185,217 | 185,829 |
| Safety Indicators | | |
| FRA-Reportable Customer Injury Rate (per million customers) | 2.18 | 2.34 |
| FRA-Reportable Employee Lost Time Rate (per 200,000 worker hours) | 2.85 | 3.22 |
| Workforce Indicators | | |
| Female Representatives in LIRR Workforce | 14.9% | 14.8% |
| Minority Representatives in LIRR Workforce | 36.3% | 37.1% |
| Financial Indicators | | |
| Farebox Operating Ratio | 49.1% | 49.4% |
| Operating Cost per Passenger | \$16.82 | \$17.11 |
| Capital Program Indicators | | |
| Commitments in \$ Millions (% of annual goal) | \$389.2 (107%) | \$290.4 (109%) |
| Completions in \$ Millions (% of annual goal) | \$416.1 (68%) | \$257.4 (122%) |

Note: The 2019 Farebox Operating Ratios are preliminary and will be updated by the MTA Division of Management & Budget in April 2020. Capital Program Commitments/Completions include any "slipped" projects from prior years that were achieved in 2019.

MTA GOAL: Ensure Customer Safety

PERFORMANCE INDICATORS: Customer Injury Rate

In 2019, LIRR's customer injury rate increased by 7.3 percent compared to the previous year. Penn Station remains the location with the greatest number of customer injuries. This is due to the volume of customers traveling through the busiest terminal in the LIRR system as well as the infrastructure and operating constraints in this location. LIRR's "Let's Travel Safely Together" information campaign, produced in partnership with Amtrak, New Jersey Transit, and NYCT, remained an integral part of LIRR's safety program in 2019.

MTA GOAL: Provide On-Time and Reliable Services

PERFORMANCE INDICATORS: On-Time Performance, Mean Distance Between Failures

LIRR's On-Time Performance (OTP) for 2019 was 92.4 percent, an increase of 2.0 percent from the previous year. The increase in OTP was due to favorable weather and progress made on capital projects. The agency's 2019 Mean Distance Between Failures (MDBF) increased slightly by 0.3 percent to 185,829 miles from 185,217 in 2018. The MDBF for diesel coaches and locomotives improved significantly, while the MDBF for the electric M-3 and M-7 fleet declined. The year's decline was due to aging fleets, a decrease in the M-3 and M-7 performance, and delayed M-9 fleet delivery starts. The railroad continues to optimize fleet performance through its Reliability Centered Maintenance (RCM) program, Enterprise Asset Management (EAM) implementation, acquisition of the new M-9 fleet, and other performance initiatives.

MTA GOAL: Provide Services to People with Disabilities

PERFORMANCE INDICATORS: Elevator Availability, Escalator Availability

Elevator availability decreased by 0.2 percent to 98.8 percent in 2019. Escalator availability decreased to 96.7 percent, also down 0.2 percent from 2018. The decrease in the elevator availability was caused by scheduled equipment upgrades, and equipment issues at Penn Station-handled by Amtrak. The decrease in escalator availability was mainly due to major escalator outages at Penn Station, where an escalator/elevator renewal project is ongoing.

MTA GOAL: Repair, Replace, and Expand Transportation Infrastructure

PERFORMANCE INDICATORS: Capital Program Commitments and Completions

The LIRR's 2019 capital commitments totaled more than \$290.4 million, or 109 percent of the year's goal. Major commitments for the year included the 2019 Annual Track Program. The railroad's 2019 capital completions totaled more than \$257.4 million, or 122 percent of the year's goal. This includes "slipped" completion goals that were achieved in 2019. Major completions during the year included: the 2019 Annual Track Program; architectural fit-out for Centralized Traffic Control (CTC); Main Line Double Track Force Account construction; and the rehabilitation of 14 LIRR stations. Note that the LIRR Expansion Project and East Side Access fall under MTA Construction & Development. See page 32 of this report.

In addition to annual capital projects, both LIRR and Metro-North are implementing Positive Train Control (PTC) programs to meet the requirements of the Rail Safety Improvement Act of 2008 (the PTC Act). The railroad's existing train-control systems cover a substantial portion of those requirements. The LIRR and Metro-North are overlaying the Advanced Civil Speed Enforcement System II (ACSES II) onto their current train control systems to provide those required safeguards not already covered. LIRR continued "extended revenue service demonstration" on sections of the Montauk, Port Washington, Hempstead, Oyster Bay, Far Rockaway, West Hempstead, Port Jefferson, Central, and Long Beach Branches, and is on schedule to meet the December 2020 deadline.

MTA GOAL: Perform Services in an Efficient Manner

PERFORMANCE INDICATORS: Farebox Operating Ratio, Operating Cost per Passenger

The LIRR's farebox operating ratio remained relatively flat from 49.1 percent in 2018 to 49.4 percent in 2019, as estimated in the "MTA 2020 Final Proposed Budget, November Financial Plan." An increase in farebox revenue due to the 2019 fare increase and higher anticipated ridership growth was offset by higher passenger expenses. The LIRR's operating cost per passenger increased from \$16.82 in 2018 to \$17.11 in 2019. This increase stemmed largely from higher operating expenses, with labor costs being the primary driver.

MTA GOAL: Maximize System Usage

PERFORMANCE INDICATORS: Ridership

LIRR remains the busiest commuter railroad in North America, finishing the year with a new record in ridership, carrying 91.1 million customers, just shy of the railroad's postwar high of 91.8 million customers in 1949. This represents a total ridership increase of 1.5 percent in 2019. Significantly, non-commutation ridership grew 4.1 percent over the course of 2019 to 40.5 million customers, outpacing the commutation market, which declined slightly by 0.5 percent in 2019 to 50.6 million customers.

MTA GOAL: Ensure Our Employees' Safety

PERFORMANCE INDICATORS: Employee Lost Time Case Rate

The rate of FRA-reportable employee lost-time injuries increased 13 percent in 2019 compared to the previous year. The highest number of employee accidents continues to be in the "slips, trips, and falls" category. Most injuries are soft tissue injuries. To maximize employee safety, LIRR continues its efforts to raise awareness among employees and encourage collaborative problem solving. These efforts have involved many labor-management initiatives, including: a Confidential Close Call Reporting System (C3RS); monthly transportation safety meetings; and on-track safety labor-management partnership meetings.

LIRR also conducts quarterly Safety FOCUS Day meetings. On FOCUS Days, employees across the property stop work and take time to discuss specific safety topics provided by the LIRR Corporate Safety Department and the individual LIRR departments. The aim is to engage employees in conversations about safety in the field and improve safety performance based on their feedback and ideas. As part of the Safety Management Systems approach to safety, LIRR also conducted a risk-based assessment of all LIRR yards to identify hazards. The results are being used to ensure that investments in infrastructure maintenance and repair will enhance safety in each of these locations.

MTA GOAL: Maintain a Workforce that Reflects Regional Availability of All Races, Nationalities, and Genders

PERFORMANCE INDICATORS: Female and Minority Representation in the Workforce

The percentage of women in LIRR's workforce decreased slightly in 2019 to 14.8 percent from 14.9 percent the previous year. This falls below the estimated percentage of women available for work in LIRR's recruitment area. Many of the positions available in 2019 are considered nontraditional jobs for women, and, as a result, attract a low percentage of women applicants. The percentage of minority representation increased from 36.3 percent in 2018 to 37.1 percent in 2019. This is above the estimated percentage of minorities available in LIRR's recruitment area. LIRR continues to focus on efforts to improve the representation of women and minorities in its workforce.

MTA Metro-North Railroad (“Metro-North”)

| Performance Indicators | 2018 Actual | 2019 Actual |
|---|----------------|-----------------|
| Service Indicators | | |
| On-Time Performance (East of Hudson) | 90.1% | 94.4% |
| On-Time Performance (West of Hudson) | 90.7% | 89.8% |
| Elevator Availability | 98.7% | 99.4% |
| Escalator Availability | 94.7% | 91.5% |
| Total Rail Ridership (East & West of Hudson) | 86,522,164 | 86,594,370 |
| Total Ridership on Connecting Services by MNR Contractors | 580,232 | 598,416 |
| Mean Distance Between Failures (miles) | 144,017 | 238,464 |
| Safety Indicators | | |
| FRA-Reportable Customer Injury Rate (per million customers) | 1.09 | 0.95 |
| FRA-Reportable Employee Lost Time Rate (per 200,000 worker hours) | 2.46 | 1.95 |
| Workforce Indicators | | |
| Female Representatives in MNR Workforce | 13% | 13% |
| Minority Representatives in MNR Workforce | 38% | 39% |
| Financial Indicators | | |
| Farebox Operating Ratio | 54.7% | 55.8% |
| Operating Cost per Passenger | \$15.64 | \$15.65 |
| Capital Program Indicators | | |
| Commitments in \$ Millions (% of annual goal) | \$785.5 (100%) | \$424.6 (49.6%) |
| Completions in \$ Millions (% of annual goal) | \$146.3 (32%) | \$792.3 (185%) |

Notes: The 2019 Farebox Operating Ratios are based on preliminary estimates from the “MTA 2019 Adopted Budget, February Financial Plan” and will be updated by the MTA Division of Management & Budget in April 2020. Capital Program Commitments/Completions include any “slipped” projects from prior years achieved in 2019.

MTA GOAL: Ensure Customer Safety

PERFORMANCE INDICATORS: Customer Injury Rate

The FRA-reportable customer injury rate at Metro-North decreased in 2019 by 12.8 percent to 0.95 injuries per million customers. To support customer safety, Metro-North expanded its TRACKS (Together Railroads and Communities Keeping Safe) public program on grade-crossing and rail safety, which has now reached more than 340,000 people. Also in 2019, the agency trained 2,048 first responders for rail emergencies through classes and simulations. Other safety efforts included public outreach, events, and messaging through a range of media; employee training in mental health issues and suicide prevention; and a partnership with Waze to alert drivers of Metro-North grade crossings through the Waze GPS navigation app.

MTA GOAL: Provide On-Time and Reliable Services

PERFORMANCE INDICATORS: On-Time Performance, Mean Distance Between Failures

Metro-North's system-wide OTP for 2019 was above goal at 94.4 percent. The railroad modified its operating schedule to accommodate planned work on the Hudson and New Haven lines. The Hudson Line performed at 95.0 percent OTP, the Harlem Line at 95.3 percent, and the New Haven Line at 93.4 percent.

The railroad's MDBF improved to 238,464 miles in 2019, about 45 percent above goal. This was largely due to the warranty correction of new PTC equipment, which had caused equipment failures in 2018. Completion of PTC installations also improved car availability in 2019, resulting in a 99.4 percent "consist compliance rate," which is the percentage of cars required for daily service and customer seating. West-of-Hudson OTP for 2019 was 89.8 percent, below the goal of 93 percent, due mainly to implementation of new PTC equipment on the Port Jervis Line.

MTA GOAL: Provide Services to People with Disabilities

PERFORMANCE INDICATORS: Elevator Availability, Escalator Availability

Elevator availability in 2019 was 99.4 percent, up slightly from 2018. Escalator availability was 91.5 percent, down by 3.3 percent. The decline was caused by two escalators taken out of service for several months for repair work. Both escalators were returned to service during the first quarter of 2019. The agency's escalator replacement project continues in 2020, with four escalators currently out of service during the replacements.

MTA GOAL: Repair, Replace, and Expand Transportation Infrastructure

PERFORMANCE INDICATORS: Capital Program Commitments and Completions

Metro-North's Capital Program commitments and completions for 2019 came in at 49 percent and 185 percent of the year's goals, respectively. The missed commitments in 2019 were due primarily to projects being redefined for design-build contracts.

Major commitments in 2019 included: Purchase of M8 spare parts; replacement, rehabilitation, or design-build construction of bridges at five locations; DC switchgear systems for nine substations; Improvements of the Ossining Station; rehabilitation of traction power transformers at six locations; priority repairs in the GCT Trainshed; and various station and parking lot projects.

Completions in 2019 included: Engineering services for systemwide flood control design; Harlem – 125th Station improvements; replacement of turnouts across the railroad's New York State territory; Phase 1 of Sandy restoration; the East-of-Hudson overhead bridge program; design-build of the 14th Ave. Bridge on the New Haven Line; GCT turnout and switch renewal; Harlem River Lift Bridge security improvements; purchase of two vacuum trucks; Harmon Shop improvements; and the GCT utilities project.

Metro-North, cont.

In addition to annual capital projects, Metro-North advanced its Positive Train Control (PTC) implementation in 2019, as required by the Rail Safety Improvement Act (PTC Act) of 2008. While the railroad's existing train control systems cover a substantial portion of those requirements, it is overlaying the Advanced Civil Speed Enforcement System II (ACSES II) to provide safeguards not already covered. By the end of 2019, Metro-North met the statutory requirements for the PTC compliance date of Dec. 31, 2018, and qualified for the Alternative Schedule, allowing an extension for full PTC implementation to Dec. 31, 2020. The railroad completed the "revenue service demonstration" (RDD) on its pilot territory and began the "extended revenue service demonstration" (RSDE) on sections of its Hudson Line, Danbury Branch, and Harlem Line. Metro-North is on schedule to meet its December 2020 deadline.

MTA GOAL: Perform Services in an Efficient Manner

PERFORMANCE INDICATORS: Farebox Operating Ratio, Operating Cost per Passenger

Metro-North's preliminary 2019 farebox operating ratio was 55.8 percent, representing a 1.1 percentage increase over the previous year. Revenues increased by 2.7 percent, while total expenses decreased by 7.1 percent. The higher revenue was primarily driven by an April 2019 fare increase. Lower expenses were mainly due to a \$124 million decrease in non-operating expenses. The 2019 operating cost per passenger was \$15.65, up slightly from the previous year. This was due to higher labor and non-labor costs, offset by a 0.1 percent increase in ridership.

MTA GOAL: Maximize System Usage

PERFORMANCE INDICATORS: Ridership

Systemwide Metro-North ridership in 2019 was approximately 86.6 million, about 60,000 rides higher than 2018. East-of-Hudson ridership was up 0.1 percent to about 85.0 million. Ridership was down 0.3 percent on the Harlem Line to 27.37 million; up on the Hudson Line by 1.3 percent to 17.4 million; and down slightly on the New Haven Line to 40.23 million rides. West-of-Hudson ridership was about 1.61 million, 1.7 percent below the previous year. Combined ridership on Metro-North's three connecting services was about 598,416, up by 3.1 percent. Ridership increased by 1.7 percent on the Hudson Rail Link, by 5.5 percent on the Haverstraw-Ossining Ferry, and by 8.2 percent on the Newburgh-Beacon Ferry.

MTA GOAL: Ensure Our Employees' Safety

PERFORMANCE INDICATORS: Employee Lost Time and Restricted-Duty Rate

The FRA-reportable employee lost-time case rate declined by 21 percent, from 2.46 per 200,000 worker hours to 1.95. The railroad continued its Confidential Close Call Reporting System (C3RS), which has logged more than 5,200 calls since 2015. The agency continues to monitor locomotive engineers and conductors for Obstructive Sleep Apnea. Additionally, the railroad implemented an enterprise software system for tracking, analyzing, and reporting safety data, as well as a Safety Management System that supplements safety metrics with a focus on the “human element.” Ongoing safety programs include regular safety meetings, a safety focus week, safety cleanup days, updating safety rules, and an employee awards programs for safety excellence.

MTA GOAL: Maintain a Workforce that Reflects Regional Availability of All Races, Nationalities, and Genders

PERFORMANCE INDICATORS: Female and Minority Representation in the Workforce

The percentage of minority employees in Metro-North’s workforce increased by 1 percent in 2019, to 39 percent. The percentage of female representation remained constant at 13 percent. The railroad maintains a program aimed at achieving workforce representation based on the availability of women and minorities within the relevant labor markets serviced by the MTA. Through targeted outreach recruitment and developmental programs, Metro-North will continue to focus on improving minority and female representation in our workforce.

MTA Bridges and Tunnels (“Bridges and Tunnels”)

| Performance Indicators | 2018 Actual | 2019 Actual |
|---|-----------------|--------------------------------|
| Service Indicators | | |
| Paid Traffic | 322,289,250 | 329,396,593* |
| Safety Indicators | | |
| Collisions with Injury Rate (per million vehicles) | 1.01 | 0.87 |
| Employee Lost Time Injury Rate (per 200,000 work hours) | 8.2 | 6.0 |
| Workforce Indicators | | |
| Female Representation in B&T Workforce | 21% | 21% |
| Minority Representation in B&T Workforce | 55% | 56% |
| Financial Indicators | | |
| E-ZPass Market Share | 94.6% | 95.2%** |
| Total Support to Transit (\$ millions) | \$1,089 | \$1.138 |
| Capital Program Indicators | | |
| Commitments in \$ Millions (% of annual goal) | \$699.6 (89.3%) | \$802.8 (91.5%) [†] |
| Completions in \$ Millions (% of annual goal) | \$1,365.7 (96%) | \$243.7 (123.3%) ^{††} |

Notes: MTA B&T performance data are subject to final audit. Some 2018 data may have been updated subsequent to last year’s report. *Traffic numbers are preliminary, with actuals available. **Year-end unaudited. [†] Capital Commitments in 2019 include a \$76.9 million project originally forecast for 2018 award. ^{††} Capital completions in 2019 include a \$57.4 million project originally forecast for 2018 completion.

MTA GOAL: Ensure Customer Safety

PERFORMANCE INDICATOR: Customer Collision Injury Rate

Bridges and Tunnels reported 316 customer collisions with injuries in 2019, a decrease from 329 collisions with injuries in 2018. Adjusting for annual traffic, the rate of collisions with injuries per million vehicles decreased from to 0.87 in 2019 from 1.01 for the previous year. The agency's strategy for improving customer safety is primarily focused on maintaining the facilities in a state of good repair. Beyond that, the agency regularly assesses locations with collisions to implement mitigation measures tailored to that location and/or specific driver behaviors. The agency also uses targeted enforcement to address unsafe driving behaviors. To further bolster our efforts, customers are notified of real-time traffic conditions, which aids customers in making informed decisions to prevent secondary collisions.

MTA GOAL: Repair, Replace, and Expand Transportation Infrastructure

PERFORMANCE INDICATORS: Capital Program Commitments and Completions

In 2019, Bridges and Tunnels made 152 task commitments to Capital Program projects, well above its goal of 71 commitments. The total value of the awards was \$802.8 million, representing 91.5 percent of the 2019 goal. In comparison, \$699.6 million commitments were made in 2018, representing 89.3 percent of the goal. Also in 2019, two commitments with a total value of \$76.9 million were made against the 2018 plan. In aggregate, 154 commitments were made in 2019 totaling \$802.8 million, against an approved plan totaling \$877.5 million. Commitments were \$72.1 million under the approved plan, primarily due to favorable bids. Major project commitments in 2019 included:

- Seismic retrofit/structural rehabilitation of the approach viaduct at Throgs Neck Bridge;
- Reconstruction of the Verrazano Narrows approach ramps – phase I;
- Structural rehabilitation at the RFK Bridge;
- Design-build construction of the new Harlem River Drive Ramp at the RFK Bridge;
- Structural rehabilitation at the Henry Hudson Bridge and replacement of the overcoat system;

- Design-build construction of power resiliency at the RFK Bridge; and
- Design-build construction of tower and pier fender protection and Installation of fire standpipe connections at the Bronx Whitestone Bridge.

In addition, the Design, Build, Operate, and Maintain (DBOM) contract to implement the Central Business District Tolling Program (CBDTP) in New York City was awarded in 2019. The capital commitment for the DBOM contract is \$272.1 million, funded from the 2020-2024 program. Because this project was committed in advance of its 2020 budget year, it is not included in the 2019 actual commitment data.

The value of Capital Program projects completed in 2019 totaled \$243.7 million, which represents 123.3 percent of the 2019 goal. Comparatively, in 2018, a total of \$1,365.7 million in projects were completed, representing 96 percent of the goal for that year. In addition, one completion for \$57.4 million conducted in 2019 was made against the 2018 plan. Major projects completed in 2019 included:

- Main cable and suspension rope investigation at the Verrazano Narrows Bridge, completed one month ahead of schedule;
- Ventilation building electrical upgrades and equipment relocation at the Queens Midtown Tunnel; and
- Electrical/mechanical rehabilitation of the Harlem River Lift Span at the RFK Bridge, completed five months ahead of schedule.

MTA GOAL: Perform Services in an Efficient Manner

PERFORMANCE INDICATORS: Total Support to Transit

Bridges and Tunnels provided \$1.138 billion in total support for MTA transit services in 2019. This was a 5.7 percent increase over the \$1.089 billion provided in 2018, primarily due to the toll increase implemented on March 31, 2019.

MTA GOAL: Maximize System Usage

PERFORMANCE INDICATORS: Traffic Volume

Bridges and Tunnels had a record of approximately 329 million paid crossings in 2019, an increase of 2.2 percent or 7 million more crossings than in 2018. E-ZPass usage at year-end 2019 was 95.2% compared to 94.6% at year-end 2018.

MTA GOAL: Ensure Our Employees' Safety

PERFORMANCE INDICATORS: Employee Lost Time and Restricted-Duty Rate

Bridges and Tunnels experienced 75 lost-time injuries in 2019, compared to 104 in 2018. As a result, the 'employee lost-time' injury rate decreased to 6.0 per 200,000 work hours in 2019, from 8.2 in 2018. Among the agency's ongoing safety efforts are:

- Continuing safety training for all field employees, including traffic management safety training for all Bridge and Tunnel Officers (BTOs) and supervisors;
- Identifying ergonomic issues that are major contributors to lost-time injuries and mitigating them using a range of initiatives, including a new wellness program;
- Assisting NYCT's initial 'awareness' training of the Toll Evasion Taskforce;
- Utilizing joint labor/management safety task forces to address safety risks in the new operating environment;
- Intensifying effective case management of 'injuries on duty' to minimize lost work time;
- Renewing focus on incident investigations and condition audits to determine and address the root causes of safety issues; and
- Revising and updating agency "Policies and Procedures" as part of a safety management system for all Bridges and Tunnels facilities.

MTA GOAL: Maintain a Workforce that Reflects Regional Availability of All Races, Nationalities, and Genders

PERFORMANCE INDICATORS: Female and Minority Representation in the Workforce

Minority employees represented 56 percent of the Bridges and Tunnels workforce in 2019, an increase of 1 percent from the previous year. Women represented 21 percent of agency employees in 2019, which is unchanged from the previous year. Bridges and Tunnels maintains a program aimed at achieving workforce representation, based on the availability of women and minorities within the labor markets serviced by the MTA. The program includes: targeted outreach/recruitment efforts to attract qualified women and minority candidates; a monitoring program to identify and address under-representation of women and minorities; and retention and mobility programs providing the skills and opportunities women and minority employees require for successful career paths within the agency.

MTA Bus Company (“MTA Bus”)

| Performance Indicators | 2018 Actual | 2019 Actual |
|---|--------------------|--------------------|
| Service Indicators | | |
| Percent of Completed Trips | 99.1% | 98.9% |
| Bus Passenger Wheelchair Lift Usage | 86,501 | 97,207 |
| Total Ridership | 121,448,277 | 120,426,633 |
| Mean Distance Between Failures (miles) | 7,506 | 7,117 |
| Safety Indicators | | |
| Customer Accident Injury Rate (per million customers) | 1.14 | 1.21 |
| Collisions with Injury Rate (per million vehicle miles) | 4.25 | 5.56 |
| Employee Lost Time Rate (per 100 employees) | 6.20 | 6.05 |
| Workforce Indicators | | |
| Female Representation in MTA Bus Workforce | 13% | 13% |
| Minority Representation in MTA Bus Workforce | 78% | 80% |
| Financial Indicators | | |
| Farebox Operating Ratio | 30.3% | 28.4% |
| Operating Cost per Passenger | \$6.33 | \$6.86 |
| Capital Program Indicators* | | |
| Commitments in \$ Millions (% of annual goal) | \$77.5 (74.9%) | \$176.2 (76.6%) |
| Completions in \$ Millions (% of annual goal) | \$23.7 (79.9%) | \$86.1 (595.5%) |

Note: The 2019 Farebox Operating Ratios are based on preliminary estimates and will be updated in April 2019. For the purposes of this report, NYCT Bus and MTA Bus are treated separately, though certain operations and performance indicators are combined, as noted in the NYCT data on page 4 of this report. The Performance Dashboard at www.mta.info combines data for both bus operations. *Capital Program Commitments/Completions include “slipped” projects from prior year goals achieved in 2019. Completions exceed 100%, due to projects completed earlier than forecast.

MTA GOAL: Ensure Customer Safety

PERFORMANCE INDICATOR: Customer Injury Rate

MTA Bus saw an increase of about 6.1 percent in its customer accident injury rate in 2019, as compared to 2018 due to trips, slips, or stumbles while boarding or onboard a bus. The agency is using these recent trends to improve its customer accident reduction programs and its goals for the divisions and depots.

The collisions with injury rate increased from 4.25 per million vehicle miles in 2018 to 5.56 per million vehicle miles in 2019, up about 30.8 percent from the previous year. This increase was driven largely by several MTA Bus collisions with multiple injuries. MTA Bus continued to incorporate relevant accident findings into its safety and training initiatives. These initiatives focus on basic operating procedures in bus stop areas, including scanning mirrors, observing all sides of the bus, pulling in and out of bus stops properly, and positioning the bus correctly in the bus stop.

In 2019, MTA Bus—in conjunction with NYCT Bus—continued the Vision Zero III program, an eight-hour training session that focuses on current challenges in relation to pedestrians and cyclists. In addition, the two agencies are leveraging indicators such as speed-camera violations, red-light violations, cellphone infractions, and customer complaints as part of an enhanced bus operator monitoring program. In spring 2019, the two bus agencies implemented Vision Zero IV, which deals with new bus safety technologies, recent accident trends, and more. All MTA and NYCT bus operators will be cycled through this new curriculum over a two-year period.

In a joint agreement with all labor unions, the MTA's bus operations continue a "zero-tolerance" policy on use of cellphones and electronic devices while operating a bus. Additionally, the two bus agencies worked with labor partners to establish a process whereby operators who receive speed-camera violations are disciplined and must pay the fine. The agencies continued to use the Accident Review System (ARS) as a corrective safety intervention tool for collision reduction.

MTA GOAL: Provide On-Time and Reliable Services

PERFORMANCE INDICATORS: Mean Distance Between Failures, Bus Trips Completed

In 2019, the MTA advanced the public outreach and planning for its comprehensive Bus Plan, an initiative launched in 2018 that is reimagining New York’s entire public bus system, including both MTA Bus and NYCT Bus. As part of that plan, the MTA launched a new Bus Performance Dashboard at www.mta.info which combines performance data for the two bus agencies. The dashboard also provides new performance metrics to better reflect the customer experience. For combined NYCT and MTA Bus metrics, see page 4 of this report.

MTA Bus had a Mean Distance Between Failures (MDBF) of 7,117 miles in 2019, a decrease of 5.2 percent from the previous year. MTA Bus started delivery of new articulated diesel buses in fourth quarter of 2019 and continues to replace its remaining over-age bus fleet under the 2015-2019 Capital Program. The percentage of bus trips completed decreased slightly to 98.9 percent in 2019.

MTA GOAL: Provide Services to People with Disabilities

PERFORMANCE INDICATORS: Bus Customer Wheelchair Lift Usage

The “Bus Passenger Wheelchair Lift Usage” for MTA Bus in 2019 was 97,207 customers, an increase of 12.4 percent from 86,501 customers the previous year. The agency’s low-floor buses provide easier boarding and more reliable service for customers who use wheelchairs, contributing to the increase in customers who require the use of a lift.

MTA GOAL: Repair, Replace, and Expand Transportation Infrastructure

PERFORMANCE INDICATORS: Capital Program Commitments and Completions

MTA Bus committed \$176.2 million in capital project funds in 2019, representing about 77 percent of goal. Notable 2019 commitments included the purchase of 257 express buses and the HVAC upgrade at the College Point Depot. The latter was a prior year commitment.

MTA Bus, cont.

MTA Bus completed \$86.1 million in capital projects in 2019, which represents about 596 percent of the annual goal, due to a major 2018 project completion and the completion of a number of projects that were forecast to be completed in early 2020. Notable completions for the year included the Bus Command Center (\$17.8 million) from the prior year, the security upgrade at the JFK and Spring Creek depots (\$8.5 million), and the purchase of 53 articulated buses (\$50.2 million) that was originally forecast to be completed in 2020.

MTA GOAL: Perform Services in an Efficient Manner

PERFORMANCE INDICATORS: Farebox Operating Ratio, Operating Cost per Customer

The farebox operating ratio (which includes farebox revenue, student fares, and senior citizen fares) was 28.4 percent in 2019, down from 30.3 percent in 2018 due to higher average cost per passenger partially offset by higher average fares collected in 2019. The operating cost per customer was \$6.86 in 2019, as compared to \$6.33 in 2018.

MTA GOAL: Maximize System Usage

PERFORMANCE INDICATORS: Ridership

Total MTA Bus ridership decreased slightly by 0.9 percent in 2019 to 120.4 million riders, as compared to 121.5 million riders in 2018.

MTA GOAL: Ensure Our Employees' Safety

PERFORMANCE INDICATORS: Employee Lost Time and Restricted-Duty Rate

MTA Bus saw a 2.4 percent decrease in the employee lost-time accident rate in 2019. The agency continued employee reviews and discussions, along with campaigns to promote safe work practices and reduce injuries from over-exertion, such as lifting and pulling. MTA Bus also continued its Vision Zero III training aimed at improving safety, as well as Vision Zero IV training, which focuses on new bus technologies and accident trends. MTA Bus will increase Vision Zero and other collision-reduction campaigns to disseminate safe driving reminders, defensive driving techniques, and methods to correct unsafe driving habits. MTA Bus will continue to analyze employee injury data to identify root causes and trends in the effort to reduce lost-time accidents.

MTA GOAL: Maintain a Workforce that Reflects Regional Availability of All Races, Nationalities, and Genders

PERFORMANCE INDICATORS: Female and Minority Representation in the Workforce

Female representation agency-wide continues to be below the estimated percentage of women available to work within MTA Bus's recruiting area. The percentage of women in the agency's workforce remained unchanged at 13 percent during this reporting period. MTA Bus will continue to increase its outreach and recruitment efforts to improve female representation within its workforce. The percentage of minority representation increased slightly in 2019 from 78 percent to 80 percent, exceeding the estimated percentage of minorities available to work within MTA Bus's recruiting area.

MTA Construction & Development (“MTA C&D”)

| Performance Indicators | 2018 Actual | 2019 Actual |
|---|--------------|---------------|
| Workforce Indicators | | |
| Female Representatives in MTA C&D Workforce | 35% | 38% |
| Minority Representatives in MTA C&D Workforce | 57% | 55% |
| Capital Program Indicators* | | |
| Commitments in \$ Millions (% of planned value) | \$582 (57%) | \$646 (102%) |
| Completions in \$ Millions (% of planned value) | \$204 (142%) | \$29.6 (100%) |

Note: MTA performance data are subject to periodic adjustment. Some prior year data may have been updated subsequent to the 2018 PAL §1269-f report. *Capital Program Commitments/Completions include projects that “slipped” from prior year goals, but were that were achieved in 2019.

MTA GOAL: Repair, Replace, and Expand Transportation Infrastructure

PERFORMANCE INDICATORS: Capital Program Commitments and Completions

MTA C&D had a total commitment goal of \$632.1 million in capital projects for 2019 and committed approximately \$646.1 million, or 102 percent of goal. Significant 2019 commitments included:

- Exercising a \$60.1 million option for the extension of design and engineering services for the Second Ave Subway (SAS), Phase 2 project;
- Contract modifications totaling \$168 million for the Grand Central Concourse and Facilities Fit-Out and the “Systems Package 1–Facilities” contract, both part of East Side Access (ESA);
- Exercising two options totaling \$38.0 million for extension of design-build construction services, along with \$30.5 million in real estate acquisitions, both for the LIRR Expansion project; and

MTA C&D, cont.

- A \$34.1 million contract for the base General Engineering Consultant Design for the Penn Station Access project, originally scheduled for late 2017 and awarded in January 2019.

MTA C&D achieved 100 percent of its 2019 capital project completions goal of \$29.6 with the completion of the ESA “Harold Interlocking Track—Part 3” project. In addition, two projects, originally forecast for completion in prior years, were completed during 2019. These were the \$250-million ESA “Plaza Substation and Structures” rehabilitation along the 63rd Street Tunnel, and the \$361-million ESA “Manhattan Northern Structures” project. The latter project included the installation of the permanent lining, duct bench, and utilities in all tunnels and structures north of the station caverns; construction of the 50th Street air plenum cavern and the 55th Street ventilation facility; and rehabilitation work at the existing 63rd Street Tunnel.

MTA GOAL: Maintain a Workforce that Reflects Regional Availability of All Races, Nationalities, and Genders

PERFORMANCE INDICATORS: Female and Minority Representation in the Workforce

The MTA Construction and Development workforce statistics emulate the value we place on diversity and inclusion. Our current workforce consists of 38 percent female and 55 percent minority employees. We are equally proud to report that females represented 29 percent and minorities represented 71 percent of new hires during fiscal year 2019.

Staff Summary

| |
|--|
| Subject Public Authorities Law Required Policies |
| Department Corporate Compliance |
| Department Head Name Lamond W. Kearse |
| Department Head Signature |
| Project Manager Name Darrel Byer |

| |
|---------------------------------------|
| Date July 22, 2020 |
| Vendor Name N/A |
| Contract Number N/A |
| Contract Manager Name N/A |
| Table of Contents Ref # N/A |

| Board Action | | | | | |
|--------------|------------|----------|----------|------|-------|
| Order | To | Date | Approval | Info | Other |
| 1 | Governance | 07/22/20 | X | | |
| 2 | Board | 07/22/20 | X | | |
| | | | | | |
| | | | | | |

| Internal Approvals | | | |
|--------------------|----------------------|-------|----------|
| Order | Approval | Order | Approval |
| 1 | Corporate Compliance | | |
| 2 | Legal | | |
| | | | |
| | | | |

Purpose:

To obtain Board approval for revisions to certain existing policies of the MTA and its Agencies, in order to comply with Public Authorities Law Section 2824 (“PAL 2824”).

Discussion:

PAL 2824 requires formal Board adoption of certain policies. Corporate Compliance has provided an exhibit book that includes the relevant policies for your review. The policies in the exhibit book are new or revisions to existing policies which have been approved by their respective Agencies.

Recommendation:

It is recommended that the Board approve the policies contained in the exhibit book.