



Metropolitan Transportation Authority

Capital Program Committee Meeting

October 2022

Committee Members

J. Lieber, Chair
S. Soliman, Vice Chair
A. Albert
J. Barbas
G. Bringmann
N. Brown
S. Chu
M. Fleischer
R. Glucksman
D. Jones
B. Lopez
D. Mack
H. Mihaltses
J. Samuelson
V. Tessitore
N. Zuckerman

Capital Program Committee Meeting

2 Broadway, 20th Floor Board Room

New York, NY 10004

Monday, 10/24/2022

2:15 - 3:30 PM ET

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**CONSTRUCTION & DEVELOPMENT
COMMITTEE ACTIONS
SUMMARY for OCTOBER 2022**

Responsible Department	Vendor Name	Total Amount	Summary of Action
Contracts	To Be Determined	To Be Determined	MTA Construction and Development requests that the Board declare competitive bidding impractical or inappropriate for all Design/Build contracts solicited through the end of 2025 and determine that it is in the public interest to issue competitive Requests for Proposals for such contracts pursuant to New York State Public Authorities Law Section 1265-a(4)(f) and Section 1209(9)(f) and the All Agency General Contract Procurement Guidelines.
Contracts	El Sol Contracting/ES II Enterprises JV	\$33,665,000	MTA Construction & Development requests Board approval to award a publicly advertised and competitively solicited contract (CB-30) for design-build services for the rehabilitation of the main spans of the Cross Bay Veterans Memorial Bridge and repairs at the Marine Parkway-Gil Hodges Memorial Bridge.
Contracts	TC Electric/J-Track JV	\$1,997,500	MTA Construction & Development requests Board approval to award a modification to Contract P36444 for the installation of switchgear equipment at Sutton Place.

MINUTES OF MEETING
MTA CAPITAL PROGRAM COMMITTEE
September 19, 2022
New York, New York
12:45 P.M.

CPC members present:

Hon. Janno Lieber
Hon. Andrew Albert
Hon. Gerard Bringmann
Hon. Samuel Chu
Hon. Randolph Glucksman
Hon. Blanca Lopez
Hon. Haeda Mihaltses
Hon. Sherif Soliman
Hon. Vincent Tessitore, Jr.
Hon. Neal Zuckerman

CPC members not present:

Hon. Jamey Barbas
Hon. Norman Brown
Hon. Michael Fleischer
Hon. David Jones
Hon. David Mack
Hon. John Samuelsen

MTA staff present:

Evan Eisland
Michael Jew-Geralds
John McCarthy
Tim Mulligan
Steve Plochochi
Mark Roche
Ziona Ruben
Jamie Torres-Springer
Andrew Wilson
Michele Woods

Independent Engineering Consultant staff present:

Joe Devito
Elizabeth King

* * *

Chairman Lieber called the September 19, 2022 meeting of the Capital Program Committee to order at 2:05 P.M.

Public Comments Period

There were five public speakers in the public comments portion of the meeting: Christopher Greif and Debra Greif, NYC Transit Riders Council; Charlton D'Souza, Passengers United; Jason Anthony, Amazon Labor Union; and Lisa Daglian, PCAC.

Meeting Minutes

The minutes of the meeting held on July 25, 2022 were approved.

CPC Work Plan

There was one change to the CPC Work Plan: while originally scheduled for today, the discussion on OMNY will instead take place at the October CPC.

Details of the following presentations, and Committee Members' comments and questions with respect thereto, are included in the video recording of the meeting, produced by the MTA and maintained in MTA's records.

President's Report

President Torres-Springer provided brief comments on the following topics, several of which were then discussed in more detail later in the meeting: Station Refresh Program with NYCT; a new MWDBE Architectural and Design Services Program; and project updates on the second portion of LIRR Third Track, Penn Station LIRR Concourse, Harlem River Lift Bridge, and Lower Archer Direct Track Fixation Project. He then provided a detailed assessment of a series of transformative LIRR Capital Projects – including the Double Track and Third Track projects, the Jamaica Capacity Improvements program and improvements to the Harold Interlocking, the Grand Central Madison Project, and the various projects at Penn Station – which cumulatively have enabled the largest increase in service in LIRR history.

C&D Capital Program Updates

LIRR Program Business Unit

Mr. Wilson provided an update on the LIRR Business Unit, which oversees 120 active projects with a total budget of \$4.1B. He then noted that as of September 1, LIRR has achieved commitments of \$279M against the total 2022 commitment goal of \$243M; in addition, to date 11 projects, valued at \$56M, have achieved Substantial Completion (SC), and LIRR is working to meet the 2022 Completions goal of \$218M. He then provided status updates on the following major Capital Program projects: Jamaica Capacity Improvements (JCI) Phase 1, with a \$322M budget, slated for SC in the fourth quarter of 2022; JCI Phase 2, which is in the final stage of design; Queens Interlocking, budgeted at \$155M, with SC forecast in January 2025; and the 9-Station ADA Design-Build bundle, with a \$132M budget and SC in September 2025. Mr. Wilson concluded his remarks by highlighting the \$5.4M Huntington East Pedestrian Overpass Project, which was successfully completed through the Small Business Mentor Program (SBMP). In its Project Review of the Jamaica Capacity Improvements Phase 1, the IEC reported that overall, the project is well along at 92% complete, and remains forecast for Beneficial Use in 4th Quarter 2022, noting that project completion continues to depend upon availability of Track and Signal Force Account resources and required track outages. The project Estimate at Completion (EAC) has increased \$20M to \$322M, which the IEC finds is due to higher-than-expected force account labor cost for track and signal work. The IEC then noted that most major risks have been mitigated; however, risks around Force Account availability and acquiring real estate easements remain, and the IEC finds the mitigation measures for these risks to be effective. In its Project Review of the Queens Interlocking, the IEC noted that overall, project management is reporting the project to be 16% complete, with a budget and EAC of \$155M. The IEC performed an analysis of completed work and all cost categories, and finds the project budget and Estimate at Completion of \$155M to be sufficient to complete the project's current scope of work. In addition, while the project team is holding to its SC forecast of January 2025, the IEC review of the project schedule and remaining critical activities finds there is a risk of delay of 2 months to March 2025, due to the late design, delivery, and installation of a section of the signal

system. However, given that this work will start more than a year from now there is time for the project to identify opportunities for schedule recovery. According to the IEC, the top risks identified by the project team are typical of a rail systems improvement project, and it is the IEC's opinion that the risks continue to be well managed, and the mitigation measures being undertaken have proved effective to date. The IEC then concluded its remarks on the Queens Interlocking by noting that the project not only addresses critical State of Good Repair work, but that it also goes a long way to fulfilling operational flexibility needs and customer usability for Elmont Station, UBS Arena, Third Track, and once it opens - ESA, providing great benefit to the riding public.

MNR Program Business Unit

Ms. Rubin gave an overview of the MNR Business Unit, which currently comprises 55 active projects valued at \$3.9B. MNR's 2022 commitment goal is \$668M (including \$451 in rolling stock procurement), and to date MNR has committed 45% of the non-rolling stock goal. Ms. Rubin then gave brief status updates on the following projects: Harmon Shop, Phase V, Stage II, currently forecast for a June 2023 SC, and on budget at \$440M; Park Avenue Viaduct Replacement, which is planned for award in late 2022 and with construction completion anticipated in 2028; and the Harlem River Lift Bridge Protection and Pier Rehabilitation, which was completed within its \$22.M budget and which reached SC on schedule in August of this year. In its Project Review of the Harmon Shop project, the IEC confirmed that overall, the project is 75% complete, and remains on budget at \$440M. The IEC's budget review of expenditures to date, cost of remaining Force Account and third-party work including change orders and unallocated contingency indicates the project EAC will remain within budget. The IEC then noted that the project has recently experienced a 2-month schedule slip from its contractual completion date, which had remained unchanged since October 2018. The IEC's forecast of a 4-month delay to SC, from April to July 2023, has not changed since its last report. Concern over critical supply chain challenges arising since the last report have been mitigated, eliminating the possibility of any further delay from those issues. Also, according to the IEC, credit goes to the project team and MNR for successfully collaborating to avoid a lengthy delay by rolling back the April-to-December, North Yard moratorium, allowing critical project work to be completed in July of this year. The IEC then added that the project team has also been successful in mitigating major risks to date, including typical risks such as testing and commissioning of facilities and equipment, and procurement and delivery delays due to supply-chain disruption.

Request for Information by CPC Member

Following the LIRR and MNR Business Units presentations, Board Member Tessitore requested that (off-line) he be provided examples of "challenges concerning Force Account work", as cited in both presentations. President Torres-Springer then confirmed that C&D will indeed provide this information, and then he underscored that -- while there are occasional coordination challenges owing to the large amount of work underway -- without the strong relationship that has been established and maintained with Force Account Labor, both at NYCT and the Railroads, MTA would not be able to accomplish this level of Capital Program work.

Procurement Actions

Steve Plochochi, Senior Vice President ("SVP"), Contracts, MTA Construction & Development Company ("C&D") reported there were seventeen procurement actions being brought to the Capital Program Committee this month, fifteen of which are in the competitive section and two in the ratification section. SVP Plochochi then presented the items.

Upon a motion duly made and seconded, the Capital Program Committee voted the following procurement actions be brought before the full MTA Board and recommended their approval:

- Approved the award of 13 publicly advertised and competitively solicited contracts All Agency Discretionary Contracts utilizing New York State Certified Minority-Owned Business Enterprises, Women-Owned Business Enterprises and Service-Disabled Veteran-Owned Businesses to perform architectural and engineering design, project management, and inspection services on an as-needed basis for the aggregate not-to-exceed amount of \$30,000,000 and a duration of three years.

<u>Consultants</u>	<u>Contract Nos.</u>
1. AI Engineers, Inc.	D81691
2. Arora Engineers, Inc.	D81692
3. CSA Group NY Architects and Engineers, P.C.	D81693
4. Enovate Engineering and Land Surveying, PLLC	D81694
5. EnTech Engineering, PC	D81695
6. Garg Consulting Services, Inc.	D81696
7. Gedeon Engineering, PC dba Gedeon GRC Consulting	D81697
8. Infrastructure Engineering, Inc. P.C.	D81698
9. Kheops Architecture, Engineering & Survey, DPC	D81699
10. KS Engineers, P.C.	D81700
11. Naik Consulting Group, P.C.	D81701
12. PACO Group, Inc.	D81702
13. Ronnette Riley Architect	D81703

- Approved the award of a publicly advertised and competitively solicited contract (VS250) for the interim maintenance of East Side Access facility assets to George S. Hall, Inc. in the amount of \$59,138,760 and a duration of nine months. The contract also includes two options, allowing for extensions of the Contract duration by six months each, for a total of up to 12 months, to be exercised at the C&D's sole discretion, at a cost of \$7,263,864 for each option.
- Approved the award of a modification to the Mainline Track Rehabilitation and Clifton Yard Track & Switch Reconfiguration in the Borough of Staten Island contract (T-80280) with Tracks Unlimited, LLC for the installation of a new drainage system at the Princes Bay station for the cost of \$2,350,000.
- Ratified a modification to the Systems Facilities Package No. 1 for the East Side Access Project contract (CS179) to compensate the contractor for working extended shifts and to include an incentive for completing work along the Project's Right of Way no later than September 11, 2022 for the cost of \$4,367,204.
- Ratified a modification to the Communications-Based Train Control for Queens Boulevard West Phase I contract (S-48004-1) with Siemens Industry to develop a customizable animated track map displaying real-time train location information from NYCT's B-Division on the large screen display in the NYCT Rail Control Center for the cost of \$1,690,000.

Refer to the staff summaries and documentation filed with the records of this meeting for the details on these items and refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for Board members' comments.

Adjournment

Upon motion duly made and seconded, Chairman Lieber adjourned the September 19, 2022 meeting of the MTA Capital Program Committee at 3:03PM.

Respectfully submitted,
Michael Jew-Geralds
Office of Construction Oversight



2022-2023 CPC Committee Work Plan

I. Recurring Agenda Items

Approval of the Minutes
Committee Work Plan
Commitments/Completions and Funding Report

II. Specific Agenda Items

November

Overall Capital Program

- Signals and Train Control
- Systems

Minority, Women and Disadvantaged Business Participation
Small Business Development Program

December

Overall Capital Program

- B&T

Security Projects
Quarterly Traffic Light Report

January

Overall Capital Program

- Integrated Megaprojects

February

Overall Capital Program

- Stations

March

Overall Capital Program

- Railroads

OMNY
Quarterly Traffic Light Report

April

Overall Capital Program

- Infrastructure

Minority, Women and Disadvantaged Business Participation

May

Overall Capital Program

- Signals & Train Control
- Systems
- Rolling Stock

June

Overall Capital Program

- Integrated Megaprojects

Security Projects

Quarterly Traffic Light Report

July

Overall Capital Program

- Stations

September

Overall Capital Program

- Railroads

OMNY

Quarterly Traffic Light Report

October

Overall Capital Program

- Infrastructure

MTA Capital Program Committee Update Infrastructure Projects

October 2022

MTA Construction & Development's last report to the Capital Program Committee on Infrastructure projects was in March 2022. Infrastructure projects include Superstorm Sandy Recovery & Resiliency efforts; line and electrical equipment; bus depots, shops and yards; line structures and facilities; power; and systems and security. A summary of our performance on these projects for 2022 is as follows:

- C&D Infrastructure has successfully awarded 9 contracts worth approximately \$340 million.
- C&D Infrastructure has reached substantial completion on 17 construction projects worth approximately \$230 million.
- C&D Infrastructure currently has 18 projects in procurement valued at approximately \$2 billion.
- C&D Infrastructure is working on over 230 existing construction and design projects valued at approximately \$8 billion, of which 120 are State of Good Repair.

This document summarizes the progress made on two significant projects as these are relevant to the IEC report: (1) Coney Island Yard Complex - Long-Term Flood Mitigation for NYCT and (2) 207 St Yard Flood Mitigation & Long-Term Resiliency Project.

We continue to progress on many critical State of Good repair and resiliency projects. One notable example is the recent completion of the work at the Harrison Place substation which enhances traction power capacity thereby improving reliability and increasing service on the Canarsie “L” Line in Brooklyn.

Coney Island Yard Superstorm Sandy created havoc on this yard. Millions of gallons of water flooded the yard, damaging the tracks, signals and corroded the electrical system which greatly impacted the subway service. This project provides flood mitigation and drainage improvements to be able to withstand future major storm events.

This yard is the largest in MTA’s transit system covering approximately 100 acres and can house 800 subway cars. The yard serves 8 lines for revenue and maintenance functions. The site also contains an historic Traction Motor House and Guard house.

PROJECT STATUS	Current	Forecast
Substantial Completion	<i>Dec 2022</i>	<i>March 2023</i>
Budget	<i>\$514 M</i>	<i>\$520 M</i>
<i>The project is approximately 90% complete.</i>		

The project is near completion with flood protection fully in place the end of this year.

Flood Protection

Over two miles of perimeter flood protection will ultimately be installed to protect Coney Island Yard Complex. This entails installation of steel sheeting or a pile, jet grout and concrete wall system. 2,200 linear feet of wall was installed last period for a total to date of approximately 95% of the approximately 12,000 linear feet of perimeter protection completed. Four of the nine flood doors have been installed to date. This activity will be completed in 4th quarter of 2022.

Drainage Work

Providing perimeter walls to protect from direct flooding is not sufficient protection to ensure that the yard remains functional in a storm event. Because of the proximity to the ocean, the permeability of the ground and the potential for a major rain event, the project has also included upgrade of the overall drainage system and the introduction of a pumping/outfall system to remove water. 1,750 linear feet of drainage piping was installed this last period bringing the project to 95% complete with 19,000 of 20,000 linear feet drainage pipe and structures installed to date. Both the new east outfall and rehabilitated west outfalls are in service. Drainage work and pump testing will continue into the 4th quarter of this year.

Power Work

The power network cables were buried underground and were damaged during sandy and required extensive replacement. To maximize protection against future storms and to enable rapid recovery, if necessary, the new power network has been raised onto a network of power cable bridges above the trains. These new bridges will not only support the traction power network but will also support the communications networks and provide ready access for future maintenance without disruption to yard operations.

18,000 linear feet of power cable and 14,000 linear feet of communication cables (including fiber optic) were installed since our last report. Over 384,000 linear feet (approximately 90%) of power and communication cables have been pulled to date and the process of cutting over from the existing to new cable feeds has begun. Cable pulls, testing, cutovers, and contact rail gap jumper cable installation will continue through the end of the 4th quarter.

Circuit Breaker Houses

Rehabilitation of four Circuit Breaker Houses (CBHs) were added as a Change Order to the original Sandy project to avoid follow on yard disruption after the Sandy project and to enable a more optimum use of outages and staging. This work is currently at 70% completion and will be complete in the 4th quarter of 2022. The addition of this scope saved time and money by eliminating procurement and mobilization costs and resulted in completion of all capital works in the yard substantially ahead of the initial plans.

All of the above work has been progressed while maintaining the yard in full operation at most times.

Contractual Substantial Completion has not changed since the last report, however the project schedule is under review and the forecast has been updated to the 1st quarter in 2023. The project budget is consistent with past reporting.

207th Street Yard

NYCT's 207 St Yard is the main storage for the rolling stock on the A and C Subway Lines, operates as a repair yard for the ABCD lines, and is the overhaul facility for the 1-7 lines. Like the Coney Island Yard, in 2012, Superstorm Sandy storm surge flooded the 43-acre 207 St Yard, and the site needed critical repairs to its rail operation and additional flood protection.

Also similar to the Coney Island Yard, most of the project is the construction of a new flood wall on the river side of the yard with upgrades to facilities, including building two new signal relay buildings and cabling within the yard, but because of the back-up flooding that

occurred via the existing sewer line underneath the yard a separate construction contract has been executed for its complete replacement outside of the footprint of the yard.

At the end of 2022 a further construction contract was awarded to modernize and rehabilitate interlockings, tracks, switches, and signals on the A Line from north of the Dyckman St Station to the 207 St Yard.

While there are now three contractors at the yard, MTA C&D has “bundled” the management of all three of these projects to ensure that all outages, access, and work are integrated and that the overall disruption to the operations of this constrained yard are kept to a minimum. This bundled project is managed by a single unified team and a single project leader.

Project Status: Substantial Completion and Budget			
Scope	Current	Forecast	Percentage Complete
Yard	Nov 2023 - \$633M	Jan 2024 - \$637M	81%
Sewer	Feb 2024 - \$152M	April 2024 - \$163M	45%
Interlockings	Aug 2023 - \$150M	Aug 2023 - \$150M	20%
Total	\$935M	\$950M	

Overall, all parts of the project are on schedule and the primary protection, the flood walls, will be completed for the 2023 storm season. More critically, the work to relocate the sewer system, which had been substantially delayed due to the presence of sidewalk dining seating for adjoining local restaurants during COVID-19 have largely been overcome, and with the close cooperation of the NYC Department of Sanitation (DSNY) on access embargoes, the project is almost back to its originally scheduled completion date of February 2024.

Flood Protection

Construction work continues on the perimeter protection structures. The project team has constructed more than 95% of the flood wall and installation of the flood gates for the portal and yard entrances is progressing. The filter blanket that will assist in reducing water infiltration is installed.

Signal/Track/ Power Work

Two new signal relay buildings (34,000 square feet combined) located in the yard are the largest new buildings in the MTA system. The structure of the two signal buildings has been erected and architectural, utilities, painting, and systems work continues. Track, switch, and traction power work in the yard is nearing completion (95% complete). Remaining work includes the signal infrastructure and systems. The majority of the signal equipment has been delivered and is in the process of being installed. Currently, the breakdown testing for Building A is 30% complete and 80% complete for Building B.

Sewer & Utility Relocation

The sewer portion of the project includes relocation of existing NYC Department of Environmental Protection interceptors from inside the yard onto NYC streets by micro-tunneling operations. Work progress has been slowed by the presence of post COVID-19 sidewalk dining seating, coordination with the NYC Department of Transportation, supply chain issues including jet grout equipment unable to reach the US, concrete shortages, labor shortages, and utility relocations.

As reported last time there were risks of delay due to COVID-19 but they have been mitigated. This part of the project is currently 43 days behind schedule due to third party utility companies delay and a cement shortage affecting jet grouting work, along with the challenges as noted previously. The outreach to community and government officials have been positive to minimize delay in project schedule. Most significantly, the project team worked with DSNY to extend the access embargo and was able to reduce the delay for the micro-tunneling portion of the work. The delay was reduced from approximately one year as reported at the last CPC meeting.

Mainline Track and Interlockings

The project was awarded on December 30, 2021 and work is in progress. Although this contract addresses system track and interlockings, the Contractor is taking full advantage of piggyback opportunities with the other projects within the 207 St Yard. The schedule for this project is extremely aggressive and will require the full commitment of the MTA to provide the necessary GOs, flaggers, and work trains on the critical path. This aggressive schedule is a result of the innovative A+B bidding being utilized to encourage a focus on schedule along with the cost of the project.

October 2022 CPC Independent Engineering Consultant Project Review

Coney Island Yard Long Term Flood Mitigation

MTA C&D Infrastructure



MTA Independent Engineering Consultant

Coney Island Yard Long Term Flood Mitigation

Scope of Work

- Super Storm Sandy flooded and damaged the Coney Island Yard with saltwater. The original scope of this project is to provide long-term resiliency against future flooding, and major project elements include:
 - Construction of a 4,000 linear foot bridge which elevates power and communication cable above trains.
 - Construction of a 12,000 linear foot perimeter protection wall approximately 12 to 15 feet above and 30 feet below grade.
 - Construction of approximately 20,000 linear foot of new pipe to provide drainage.
 - Construction of two new pump stations to manage peak flow of a 100-year storm.
 - The contract was revised in September 2021 to include replacement of DC Circuit Breaker House (CBH), which was in poor condition.



MTA Independent Engineering Consultant

Coney Island Yard Long Term Flood Mitigation

Schedule

- NTP was issued March 2018 to Tully Construction with a Substantial Completion (SC) date of September 2022, which is a 54-month project duration. The contract was revised to December 2022 SC, due to DC CBH change order.
- Since last report, the project has been delayed 3 month due to discovery of unforeseen conditions during flood mitigation wall installation, which required additional rehabilitation work, resulting in a project substantial completion of March 2023.
- The flood protection and resiliency work (protection wall, cable bridge, flood gates and stop logs) is on track for an on-time completion by December 2022. Until this time and ahead of this storm season, C&D directed the contractor to take all necessary steps to ensure measures are in place to protect the Coney Island Yard from storm damage, as per contract requirements.
- Further delay is expected due to the replacement of cables that were damaged during installation of flood mitigation wall sheeting.
 - The existence of the cable was not shown in the contract documents nor discovered during exploratory testing.
 - The contractor will furnish and install fiber optic, signal control cable and associated equipment. C&D has requested a time impact analysis and cost proposal from the Contractor.
 - Yard operations will be fully functional while permanent repairs are being made to the signal cables.
- Based on the amount of damage to the signal system, the IEC analysis results in a forecast of a March 2023 SC, which is in agreement with C&D.

Coney Island Yard Long Term Flood Mitigation

Budget

	Program Budget \$	C&D Estimate at Completion	IEC Estimate at Completion
At Award	\$514.3M	\$514.3M	\$514.3M
Current Status	\$520.6M	\$520.6M	\$520.6M

- The IEC performed a review of the project's costs, contingency, work in place, pending change orders and risks. The IEC's analysis of the budget and Estimate at Completion of \$520.6M is in line with C&D's budget, this has not changed from last report.
 - Sufficient risk contingency exists to cover the cost of the damaged signal cable and equipment.

Coney Island Yard Long Term Flood Mitigation

Risks and mitigations

- ▣ Though only a limited amount of excavation remains, the contractor may encounter unknown underground utilities and obstructions where new cables are planned.
 - ▣ The contractor has increased the number and depth of test pits.
- ▣ Track outages may not occur when needed or take longer than anticipated.
 - ▣ C&D and the contractor are working with the yardmaster and operations planning to revise the outage plan and allow for installation of the permanent signal cable work and other remaining work.
- ▣ The IEC believes the additional surveys conducted in the yard and coordination with operations planning adequately address the risks.

October 2022 CPC Independent Engineering Consultant Project Review

207th Street Yard and Shop Flood Mitigation

MTA C&D Infrastructure



MTA Independent Engineering Consultant

207th Street Yard and Shop Flood Mitigation

Scope of Work

- 207th Street Yard sustained extensive brackish water damage during Super Storm Sandy. This water from the Harlem River flooded the yard and consequently the 200th Street and 207th Street interlockings located on the 8th Avenue 'A' line.
- Major project elements include:
 - Construction of two new Relay Room Buildings, five new Central Instrumentation Houses and one enclosure to house new equipment for signals, equipment racks and auxiliary systems.
 - Design, furnish, install, test and place in-service new signal system and auxiliary support systems throughout the 207th Street Yard, and modify tie-ins (interfaces) with the main line.
 - Installation of a perimeter protection wall and deployable gates to protect the yard and portal from future tidal surges.
 - Repair or replace track and interlocking system damaged by Super Storm Sandy.
 - Provide temporary crew quarters for yard personnel to accommodate services and personnel affected by the work under this contract.
 - Replace yard traction power components.

207th Street Yard and Shop Flood Mitigation

Schedule

- NTP was issued in September 2018 to Walsh Construction. The original contract Substantial Completion (SC) was November 2023, which was a 62-month project duration.
- All flood protection and resiliency work are expected to be completed by June 2023. Until such time and ahead of this storm season, C&D directed the contractor to take all necessary steps to ensure measures are in place to protect the 207th St Yard from storm damage, as per contract requirements.
- The project team is forecasting an on-time SC of January 2024. The contractor has improved the schedule by 4 months (from May 2024 to January 2024) since last report, by advancing the signal system breakdown testing work before all racks and wiring have been delivered.
 - The latest schedule shows all signal equipment having been delivered ahead of schedule, allowing field testing and installation to begin sooner than planned.
 - This resequencing has allowed the project to concentrate their resources on critical Building A work.
- The IEC forecast of January 2024 SC agrees with C&D.

207th Street Yard and Shop Flood Mitigation

Budget

	Program Budget	C&D Estimate at Completion	IEC Estimate at Completion
At Award	\$633.5M	\$633M	\$633M
Current Status	\$633.5M	\$633M	\$633M

- The IEC performed a review of the project contingency, work in place, soft costs, change orders and risks for remaining work. The IEC's Estimate at Completion is \$633M, the IEC concurs with the project team.

207th Street Yard and Shop Flood Mitigation

Risks and mitigations

- ▣ Planned track outages may not occur when needed or take longer than anticipated.
 - ▣ Contractor issues a weekly 6-week construction look ahead to coordinate track work. CM/CCM and contractor have worked with the yardmaster and Operations Planning to develop an outage schedule.
 - ▣ The IEC agrees with this mitigation.
- ▣ Further solid-state interlocking equipment schedule delays.
 - ▣ This risk, as cited from the last report, has been mitigated as the equipment has been delivered and installed.

207th Street Yard and Shop Flood Mitigation

Observations

- The cooperative spirit is evident between C&D, NYCT Yard Operations and the Contractor in overcoming challenges faced by this project and mitigating the issues that caused the forecast delay.
- C&D and the contractor have worked cooperatively to get change orders processed. In addition, priority measures were taken to expedite the 12 outstanding change orders that could affect the project critical path. The IEC views this as an effective measure to complete the outstanding work.



MTA Independent Engineering Consultant

October 2022 CPC Independent Engineering Consultant Project Review

207th Street Sewer Replacement

MTA C&D Infrastructure



MTA Independent Engineering Consultant

207th Street Sewer Replacement

Scope of Work

- 207th Street Yard sustained extensive water damage during Super Storm Sandy from the brackish water of the Harlem River. This project will relocate NYC-owned sewers, which backed up into 207th Street Yard as well as outside the property.
- Major project elements include:
 - Removing and relocating the existing New York City Department of Environmental Protection (NYCDEP) regulator, diversion chamber, tide gates, and internal sanitary service connections in the yard.
 - Construct new project elements (manholes for the relocated sewer).
 - Installation of reinforced sewer lines and backflow prevention valves.



MTA Independent Engineering Consultant

207th Street Sewer Replacement

Schedule

- NTP was issued in December 2019 to C.A.C. Industries. The contract Substantial Completion (SC) date is February 2024, a 50-month project duration.
- As a result of adding a second jet grouting rig, greater productivity of the grouting operation, project initiatives and working with NY Department of Sanitation, the project completion date improved by nine months from January 2025 to April 2024.
 - Project Team is working with the contractor to return SC to original February 2024 completion.
- The IEC reviewed the latest schedule, which reflects the April 2024 SC, and determines the project can still meet the original February 2024 SC. This forecast is based on the following facts:
 - 215th St micro tunneling is completed ahead of plan. 10th Ave micro tunneling is expected to be complete by the end of the year, also ahead of plan.
 - All utility relocations have now been completed, eliminating a substantial risk to the jet grouting activity.



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207th Street Sewer Replacement

Budget

	Program Budget	C&D Estimate at Completion	IEC Estimate at Completion
At Award	\$152.4M	\$152.4M	\$152.4M
Current Status	\$152.4M	\$ 163M	\$163M

- ▣ The Project Team, which reported an EAC of \$170M, has reduced costs from the last report, by improving the schedule nine months.
- ▣ The IEC performed a review of the project expenditures including force account labor, contingency, work in place, change orders, risk to remaining work, other soft costs, and forecasts the Estimate at Completion is \$163M.

207th Street Sewer Replacement

Risk and mitigation

- While significant progress has been made, there remains a risk of encountering differing site conditions, which could impact construction operations like excavation and micro-tunneling.
 - Contractor is excavating additional test pits and borings along the sewer project alignment.
- The IEC finds the Project Team has taken appropriate measures to mitigate the above risk; other remaining risks are of low impact and probability on this project.

**MTA Board & Capital Program Committee Update
 New Fare Payment System (NFPS) / OMNY**

This is MTA Fare Payment Programs' report to the Capital Program Committee on the New Fare Payment System (NFPS). This document provides a brief introduction of the project and summarizes the progress to date on some of the significant elements of the project. The NFPS provides for the replacement of the MetroCard fare collection system used by New York City Transit (NYCT) and other non-MTA agencies, as well as the legacy fare collection systems of Metro-North Railroad (MNR) and the Long Island Rail Road (LIRR), with a state-of-the-art contactless fare collection system. This new system has its own brand announced publicly in April 2019: "One Metro New York" or "OMNY".

The NFPS is a multi-year design/build project, and is being designed with open architecture (non-proprietary, where feasible); and is an account-based system that accepts open payments made with contactless credit and debit bank cards and digital wallets in smartphones and watches (known as open loop media) at transit point-of-entry gates. The system will also accept certain MTA-issued cards (known as closed loop media) for fare payment and non-revenue access to MTA services.

The project will ultimately replace all front-end and back-end legacy fare collection equipment and software, and the multiple independent back offices and data centers of NYCT, LIRR and MNR will be replaced with a single scalable back office comprised of a transaction processing platform supported by two fully redundant load-balanced data centers. NYCT's point-of-entry gates (i.e., turnstiles, HEETS, AutoGates) will be retained with new electronics layered in by the NFPS System Integrator.

The OMNY project is on budget. The current schedule projection from the vendor forecasts Substantial Completion being achieved approximately 29 months after the original date, as described in the below summary:

PROJECT STATUS	Original	Current Vendor Projection	
Substantial Completion*	July 2023	NYCT Completion	2Q2024**
		RR Completion	2Q2025**
		Substantial Completion	4Q2025**
Budget***	\$645M	\$772M	
*Substantial Completion includes period for legacy equipment removal.			
**Vendor dates are under discussion with vendor; have not been agreed to; and are subject to change.			
***Change in Budget figure reflects (i) the addition of planned funding reserves that had been excluded at contract award and (ii) the addition of OMNY equipment procurements for LIRR and MNR.			
The project is approximately 49% complete in terms of expended budget.			

Through a strategic rollout, which involves overlapping sequences of software design/development/testing, the entire program is being progressed. Key elements being built out for NYCT are outlined below:

Contactless Open Loop Payments at NYCT

- Launched May 31, 2019, with the activation of acceptance of American Express, Discover, Mastercard and Visa credit, debit and prepaid cards at select subway stations and on all Staten Island buses for full fare pay-per-ride (also known as Pay as You Go). Acceptance of JCB and UnionPay cards was added in October 2021.
- Completed in December 2020 with the completion of all OMNY validator installations on all buses at all doors and at all subway stations.
- AutoGate validators were completed and activated subsequently in November 2021 to support a change in policy that eliminated restrictions on customers permitted to use the AutoGates.
- The OMNY Call Center was readied and launched with open payments in May 2019 and provides both Agent and IVR services, as well as supports response to email contacts.
- The OMNY Website (omny.info) was readied and launched with open payments in May 2019 and provides both OMNY Account registration and management, and general information and support for customers who do not use an OMNY Account.

Contactless Closed Loop Payments at NYCT

OMNY Card

Full Fare and Retail Network

MTA Board & Capital Program Committee Update

New Fare Payment System (NFPS) / OMNY

October 2022

- The OMNY Card first became available for full fare use in October 2021 through the OMNY Retail Network, which supports the sale and reload of the OMNY Card.
- The OMNY Retail Network, also launched in October 2021, supports customers who use cash and may otherwise not have a contactless bankcard, to have access to the OMNY Card.
- A Retail Locator was introduced on the OMNY website in November 2021 to facilitate customers finding a convenient retail location to purchase and/or reload their OMNY Card.
- There are almost 1400 retailers who have so far sold and/or reloaded an OMNY card for customers, about 34% of the entire retail network.
- The OMNY Call Center, both Agent and IVR services, was upgraded to handle OMNY Card related queries in October 2021.
- The OMNY Card also can be reloaded online through an OMNY Account.

Reduced-Fare

- The OMNY Card for Reduced-Fare was distributed to a small group of customers in October 2021 for field testing and will be made available to any Reduced-Fare customer who prefers a dedicated card in 2023.
- The equipment and software for the NYCT Reduced-Fare operations was delivered in May 2022, however, the software has since required several patches to de-bug and re-testing. The corrections to the software were completed this month.
- The Retail Network, Website and Call Center all support the reload of Reduced-Fare OMNY Cards.

Paratransit

- Through their OMNY Accounts, the new AAR ID OMNY card will provide Paratransit customers with the benefit of a new payment method, in addition to current cash on board, for their AAR trips.
- The equipment and software for the Paratransit operations was delivered in May 2022, however, has since required several patches to de-bug and re-testing. The corrections to the software are expected to be completed during November.
- The Retail Network, Website, and Call Center all support the reload of the AAR ID card.

Other OMNY Card programs / B2B

- The OMNY business-to-business (“B2B”) service (which will be known as “OMNY Programs”) will support programs that require bulk orders and electronic fulfillment.
- Such programs include revenue and non-revenue programs. Examples include Fair Fares (NYC Department of Social Services), NYC public school students (NYC Department of Education), CUNY students (CUNY), as well as MTA employee passes, and first responders. (NYPD, NYFD).
- Full functionality for the B2B services will be phased in and fully enabled 3Q2023.

Configurable Vending Machines

- Hardware design completed March 15, 2021.
- Drawings and component hierarchy completed November 15, 2021.
- First Article Inspection Testing completed January 26, 2022.
- Environmental Testing is complete.
- User Interface/User Experience design completed April 22, 2022.
- Software integration testing and other required testing scheduled to run for approximately three and a half months (January through mid-April) to support the introduction of the software and the device.
- Deployment of the CVM is expected to begin in the 1H2023.

OMNY Mobile App / Virtual OMNY Card

- OMNY mobile app slated for soft launch in 4Q2023, with a beta test for the virtual OMNY Card (OMNY Card in Apple Pay and in Google Pay).
- Virtual OMNY Card requirements in the NFPS technical specification were revised to take advantage of latest digital wallet technology that provides for in-wallet issuance and customer card management; notice of proposed change order issued May 17, 2022.
- Virtual OMNY card and mobile app wireframes are under review.
- OMNY mobile app and virtual card software development ongoing.

Accomplishments since the last reporting period include baseline as well as new added scope:

Software

- New payment choices for Reduced Fare customers to include open loop media.
- New payment choices for Paratransit customers in addition to cash onboard.
- Introduction of the OMNY Chatbot, a digital assistant on the OMNY website, to further supplement self-service by customers.

MTA Board & Capital Program Committee Update

New Fare Payment System (NFPS) / OMNY

October 2022

- Retail Network, Call Center/IVR, and Website for reloading full fare, Reduced-Fare and Paratransit OMNY Cards.
- Addition of ACH as an online payment method.
- Best Fare / weekly fare capping enabled.

Equipment

- Equipped 3 Stone Street for Reduced-Fare operations.
- Equipped 11th floor NYCT offices for Reduced Fare and Paratransit operations.
- Equipped Mobile Sales Vans for Reduced-Fare customer service.

Current activities include:

- Preparing for Final Design Review for LIRR and MNR.
- Preparing for pilot for the OMNY B2B portal with two transit benefit providers.
- Preparing for rollout of OMNY vending machines for NYCT.
- Completing development of OMNY virtual card and mobile app.
- Re-baselining the NFPS project schedule.

Project risks include:

- Vendor quality control issues that can extend the testing needed
- Vendor resourcing issues that limit capacity for simultaneously supporting baseline work and other software needs as they arise
- Aggressive project schedule could preclude sufficient testing
- Deployment requires extensive coordination with multiples stakeholders that can add schedule risk.
- Expanded scope for new needs can create schedule risk for baseline scope.

The project team continues to mitigate project issues to ensure the accuracy, reliability, and resiliency of the OMNY system and maintain a uniform customer experience.

October 2022 CPC Independent Engineering Consultant Project Review

OMNY MTA's New Fare Payment System



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OMNY

Scope of Work

OMNY is a D/B project that is being deployed in phases, and replaces MTA's Subway, Bus and Commuter Railroad fare systems. Contract was awarded to Cubic Transportation Systems in November 2017, with an award amount of \$554M and a Substantial Completion (SC) date of July 2023.

OMNY is an open architecture account-based system that will accept contactless credit and debit cards, mobile payment, and MTA issued contactless cards.

- ▣ Major project elements include:
 - ▣ Integration of MTA fare systems, supporting flexible fare policy; i.e., flat fare for Subway and Bus, zone-based fare for Commuter Railroads, supporting a single customer account across agencies to provide a seamless customer experience.
 - ▣ One back-office for processing fares and managing fare system for Commuter Railroad, Subway and Bus.
 - ▣ A fully integrated OMNY Revenue System (ORS) needed to process cash and CVM restocking operations.
 - ▣ Configurable Vending Machines (CVMs) for NYCT, MNR and LIRR with streamlined operational and customer interface features and functionality.
 - ▣ Paratransit support using OMNY Account payment.
 - ▣ A full featured mobile app with a link to My MTA app for trip planning.

OMNY (New York City Transit)

Completed Milestones

- ▣ Subway and Bus validator installations, OMNY Backoffice applications, Open Payment rollout, Customer Website, OMNY Customer Service, and Retail Network for OMNY card sales.

Major Accomplishments since last CPC report in January 2022

- ▣ Fare Capping
 - ▣ Completed on schedule in February 2022.
- ▣ Paratransit and Reduced Fare Programs
 - ▣ Scheduled for April 2022, now planned for October 2022.

Ongoing Activities

- ▣ Configurable Vending Machine (CVM)
 - ▣ Machine installation to begin when production software is available and forecast for customer use starting 2Q 2023. A portion of MetroCard machines will remain until MetroCard is gradually phased out.
- ▣ OMNY Revenue System (ORS)
 - ▣ Scheduled for July 2022, now planned for 2Q 2023. ORS is required for CVM launch.
- ▣ OMNY Mobile App
 - ▣ Remains on plan for completion in 4Q 2023.

Completion

- ▣ IEC forecasts that NYCT work will be completed in 3Q 2024 based on delay to:
 - ▣ Production software availability, and
 - ▣ Approved CVM installation schedule.



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OMNY (Metro-North Railroad and Long Island Rail Road)

Planned Activities

- Configurable Vending Machine (CVM) / Ticket Office Machine (TOM)
 - Contractor's schedule shows simultaneous CVM/TOM installation with an April 2024 start date and September 2024 completion date.
- Railroad Mobile Ticketing
 - Pilot testing is planned to begin in 4Q 2023 and complete in April 2024, followed by launch for customer use.
- Contractor's schedule is under discussion and not approved by the Project Team.

Completion

- Completion of Railroad equipment hardware and software work could be impacted by the results of planned pilots and software testing which is dependent upon the approved re-baselined schedule.

OMNY

Schedule Concern

- ▣ The project team has not accepted the contractor's schedule which cannot be finalized until it incorporates pending change orders and has been approved.
- ▣ Commuter Railroad change order drives the critical path and has not been finalized.
- ▣ Contractor to submit a re-baselined schedule that includes potential impact of pending change orders:
 - ▣ Commuter Railroad change order to incorporate requirements not originally specified in the contract; it would also include a revised installation plan to deploy Onboard Sales and Validation Device (OSVD) before CVM.
 - ▣ ORS change order to incorporate new contract requirements.
 - ▣ CVM change order to incorporate changes to CVM hardware for streamlining NYCT and Commuter Railroad revenue operations.

DELIVERABLES/MILESTONES	Jan-22 CPC OMNY PMO Report	Contractor's Proposed Schedule*	IEC Forecast**
NYCT (CVM Installation & Testing Complete)	Oct-23	2Q-24	3Q-24
Commuter Railroad Installation and Testing Complete	Sep-24	2Q-25	2Q-25
Substantial Completion (SC)	NA	4Q-25	4Q-25

* Not accepted by the Project Team

** Dependent upon agreed re-baselined schedule

- ▣ IEC is forecasting an overall project SC of 4Q 2025, a 14-month delay compared to last IEC report, provided the Railroad requirements change order is executed by 1Q 2023.

OMNY

Budget

OMNY	Contract	Program Budget	Project Forecast EAC	IEC Forecast EAC
At Award (November 2017)	\$554M	\$645M	\$645M	
Last Report (January 2022)	\$591M	\$772M	\$772M	\$772M
Current Status	\$600M	\$772M	\$772M	\$772M

- Project has expended lower than expected Engineering Force Account/TA Labor (EFA/TAL) expenditures.
- Budget and EAC have increased since start of the program due to Commuter Railroad CVM option and addition of funding reserves.
- Based on our analysis, the IEC concurs with the project Budget and EAC.



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Risks and mitigations

- **Risk:** Lengthy process for execution of change order for Commuter Railroad requirements is a risk to project schedule.
 - **Mitigation:** Contractor continuing with preparatory design work at their own risk.
 - In the IEC's opinion, firm dates for finalization of the requirements and award of the change order are needed, so the contractor can submit a re-baselined schedule.
- **Risk:** Stakeholder-driven scope changes for additional hardware and software modifications are risks to project cost and schedule.
 - **Mitigation:** Project team addresses requested changes on a case-by-case basis and considers full schedule impact in the change order approval process.
 - In the IEC's opinion, project would benefit if only critical requirements are considered at this late stage.
- **Risk:** Risk to the project due to OMNY PMO staff vacancies which reduces ability to support project activities.
 - **Mitigation:** OMNY PMO is filling approved vacant positions, supplementing in-house staff through expanding the consulting contract, as well as getting personnel support from the Railroads.
 - In the IEC's opinion, these measures would partially mitigate the risk as institutional knowledge and experience cannot be quickly replaced.
- **Risk:** Risk to the project due to OMNY card and ticket chip shortage.
 - **Mitigation:** Risk was mitigated by fulfillment of the contractual Extended Use (EU) and Limited Use (LU) media quantities.
 - In the IEC's opinion, qualification of a second source for OMNY Extended Use (EU) chips and cards that is already in process should be expedited in order to mitigate risk when additional quantity (beyond contractual obligations) are ordered by operations.



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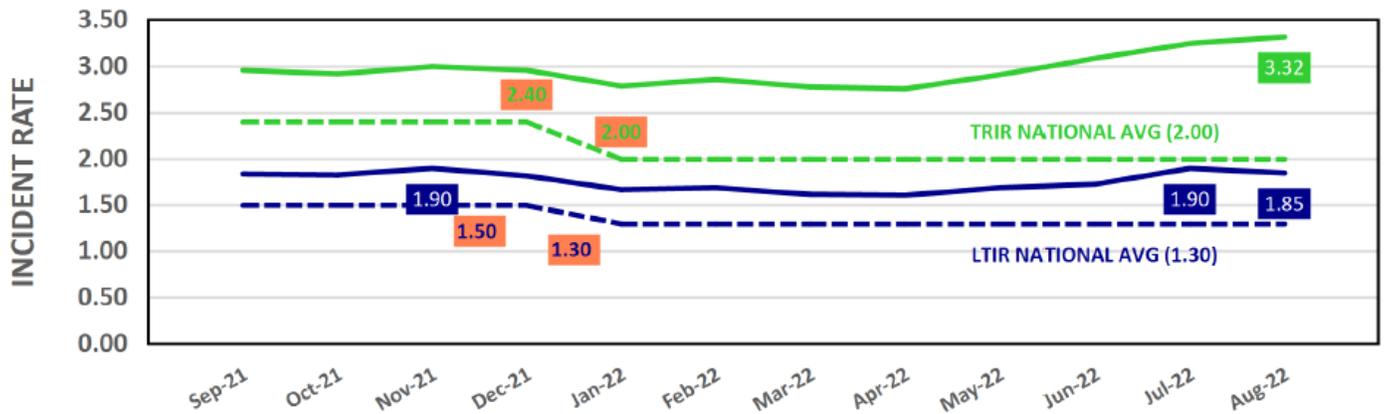
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OMNY

Observations

- Contractor's quality control process needs continuous improvement to meet timely project deliverables such as reliable functioning software to provide best customer experience. OMNY PMO is closely monitoring testing of hardware and software to ensure product is functioning as intended.
- Delay in Commuter Railroad milestone achievements would increase operational costs due to extended use of their existing system (i.e., e-Tix, TVMs, TOMs) but would not directly impact customer service.

TOTAL RECORDABLE INCIDENT RATE (TRIR) & LOST TIME INCIDENT RATE (LTIR)
 BLS TRIR reduced 2.40 (2021) to 2.00 (2022) BLS LTIR reduced 1.50 (2021) to 1.30 (2022)



SAFETY NARRATIVE

INCIDENTS (Month of AUGUST)

- Five (5) Lost Time Incidents
- Five (5) Recordable Incidents

INCIDENTS (Month of SEPTEMBER) Seven (7) Lost Time Six (6) Recordable

- **LOST TIME – Infrastructure – 3; B&T – 1; Stations – 1; 3rd Track - 2**
(Details can be found in the specific BU Safety Summaries)
- **RECORDABLE – Infrastructure – 2; B&T – 1; MNR – 1; 3rd Track – 1, ESA - 1**
(Details can be found in the specific BU Safety Summaries)

INSPECTIONS & AUDITS: INTERNAL – 190 EXTERNAL – 572 (116 Third-Party Safety Consultants; 456 OCIP Visits)

- Negative Observation(s):
 - **Stations Project A-37671 (138th St & Grand Concourse)** had 3 Assessments conducted during September, resulting in 58 safety findings. These 58 findings represented 74% of the total safety findings for the Station's BU in September.
 - Categories identified with Negative Findings through the various inspections include Fire Protection/Prevention, General Safety/Housekeeping, and Electrical.
 - For September, the leading incident types were comprised of; Struck By/Against (33%), Material Handling (25%), Slip/Trip/Fall (17%), Falls (17%), and Caught In/Between (9%).
- Positive Observation(s):
 - Positive Findings identified through the various inspections include Tools (Hand & Power), Fall Protection, Stairs/Ladders, and Supervision/Organization.
 - Safety continues meeting with the various Business Units and individual projects to reinforce that the PMT (PCEO/PMC) is responsible for Safety, and their cooperation is required to make contracts successful.

LONG-TERM TRENDS:

- Although the number of reported incidents is slightly lower than the previous month, the lower reported work hours continue to drive higher calculated incidence rates.
- The calculated LTIR has decreased by 2.6%, and the TRIR has increased by 2% from the previous month.
- The current YTD LTIR is 3.6% lower than last year's reporting period, and the YTD TRIR is 12.5% higher.
- The YTD reported Lost Time incidents are 20% lower, while the Recordable incidents are 9% higher than last year.
- Calculated work hours are 20% lower than last year's reporting period.

ACTIONS:

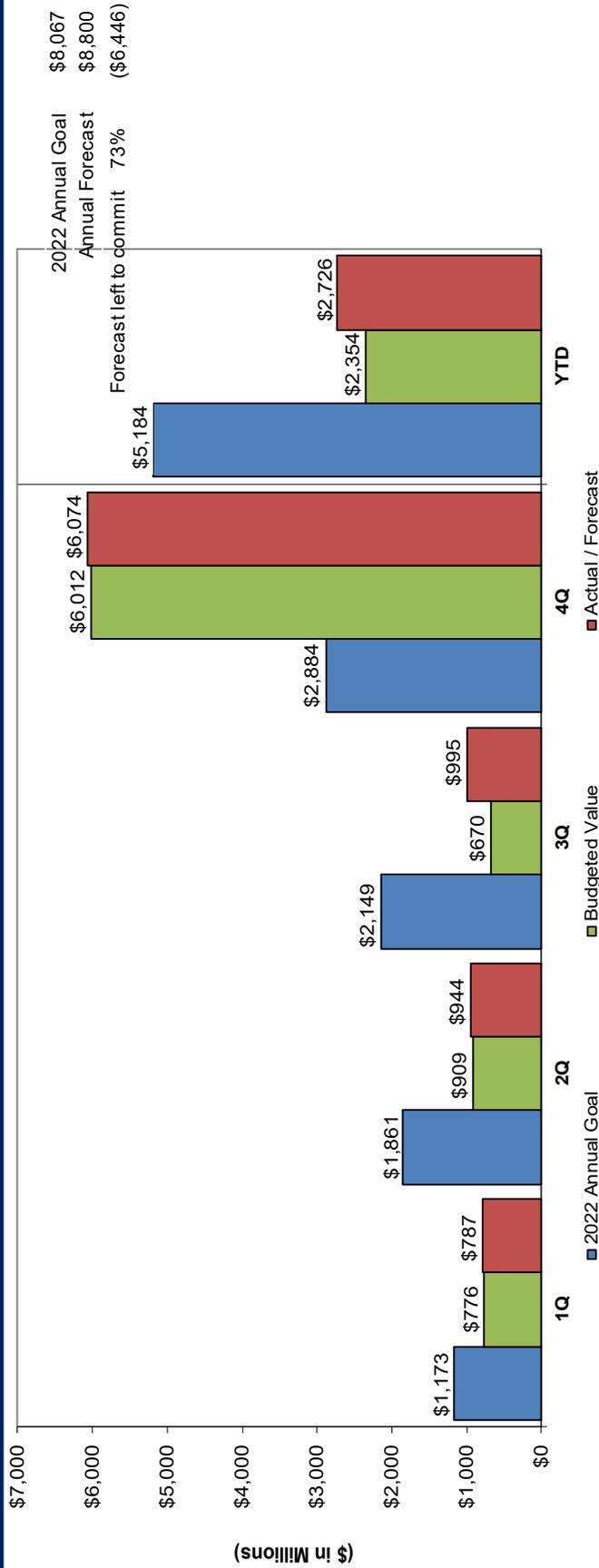
- Strategic Items
 - **Safety** - VP of Safety continues working with the DSO and meeting with PMC/CCM consultant companies as part of the performance assessment initiative. Additional meetings are being held with the respective PMC/CCM consultant companies' safety teams to understand better their approach to ensuring and overseeing Safety for C&D projects.
 - **Safety** – Staffing continues to be a high priority. Interviews continue for the selection of Safety candidates to fill critical roles in the organization.
 - **Safety** – Continues working with BU Leaderships to ensure that project teams consistently provide the required project labor hour reporting to ensure accurate calculation of the Lost Time and Recordable Incidence Rates.
 - **Safety** - Continues working with procurement on an RFP for independent 3rd party Safety Inspectors to augment the current staffing shortages and looking to provide additional services to the current B&T inspection program as a short-term measure to allow for increased oversight inspections.
 - **AECOM Safety Assessment Initiative** - The initiative continues to progress. The draft of the report is under Technical Review by the AECOM team. Additional inspections of the various levels of SBMP projects are being coordinated. The Digital Solution component of the initiative has been looped into a similar ESS initiative currently being developed for LIRR, MNR, and NYCT. All stakeholders are working with IT, Procurement, and Legal to identify commonality and develop a unified SOW.
 - **B&T** - 9/1 – VN-X4 – Two (2) workers were removed by their employer from the job site due to failure to comply with zero-tolerance fall protection requirements.
 - **B&T** - 9/8 – RK 19/70 Safety Stakeholder "**Powder Actuated Equipment**" meeting was conducted to verify safe operation and proper equipment storage with the project team.
 - **B&T** - 9/26 – The 2nd Annual Safety Executive meeting was held to strengthen safety culture and motivate top leadership safety engagement.
 - **Infrastructure** - Monthly Safety Meeting continues to be held to have open discussions with the PCEOs to share ideas on how to try and get contractors to understand that their cooperation is required to reduce incidents.
 - **MNR** – MNR BU Manager of Construction Safety continues to conduct weekly safety audits with PMCs, GC, and MNR OSS at the Harmon Shop Project.
 - **ESA** – Issued notifications to CM/PM for the October 12th deadline for the LIRR RWP training requirement.

MTA Capital Program Commitments & Completions

**through
September 30, 2022**

Capital Projects – Commitments – September 2022

MTA-wide 2022 Commitments



Annual Goals: Dollar and time-based programmatic milestones for the commitment of contracts established at the start of each year and which are achievable during the year.

Actuals: The value of the goals and any additional unplanned commitments as they are achieved during the year.

Forecasts: The updated estimates by quarter for remaining goals as well as any unplanned commitments that might occur during the year.

Budget: The budgeted value assumed in the capital program for the Actual and Forecasted commitments being tracked during the year.

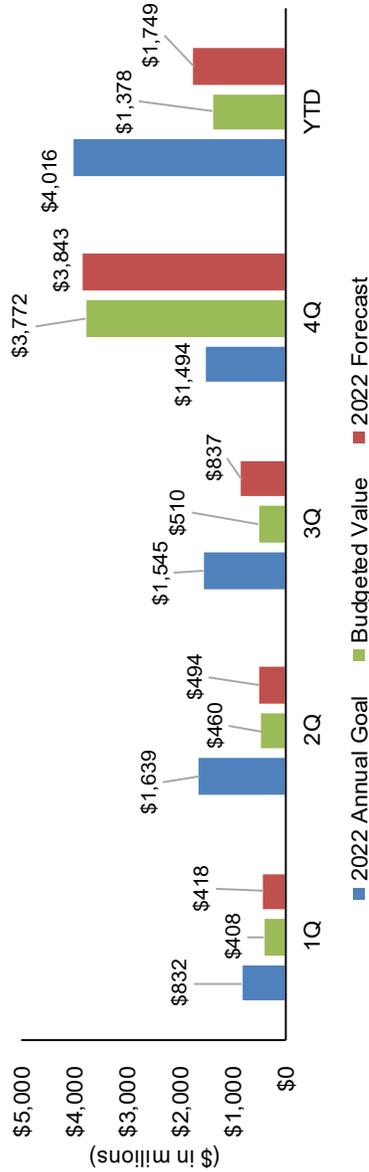
Commitments Summary

In 2022 the MTA plans to commit nearly \$8.1 billion worth of capital projects. Through September the MTA has committed \$2.7 billion versus a \$5.2 billion year-to-date goal. By year end the MTA projects committing \$8.8 billion (109%) of its annual goal, with \$6 billion projected for the 4th quarter including over \$2 billion of capital investments expecting approval at the October Board. Delayed major commitments for the first three quarters of the year are identified and explained on the following pages.

NYCT/MTA Bus Capital Projects – Commitments – September 2022 – Budget Analysis and Schedule Variances

NYCT and MTA Bus Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$832	\$1,639	\$1,545	\$1,494	\$4,016
2022 Forecast	\$418	\$494	\$837	\$3,843	\$1,749
Budgeted Value	\$408	\$460	\$510	\$3,772	\$1,378



Q3 Schedule Variances

Project	Commitment	Actual	Forecast	Project	Commitment	Goal	Forecast
---------	------------	--------	----------	---------	------------	------	----------

6 NYCT/MTA Bus Amber Commitments (1 new this quarter)

Amber delays are within 2 months of goal.

Line Structures

E. 180th St ROW Bundle / WPR, Dyre	Construction	Mar-22	May-22 (A)	Construction	Jun-22	Dec-22
		\$	175.0	\$	406.7	\$ 467.1

The award was delayed to address proposer concerns by removing negative rail work from the project scope as well as introducing B&T practices for structural painting into new specifications for use by NYCT.

Facilities

Tiffany Central Warehouse	Construction	Feb-22	Mar-22 (A)	Construction	Jun-22	Dec-22
		\$	58.4	\$	102.2	\$ 102.2

The award was rescheduled due to additional time needed to respond to questions and comments received from the proposers, which required technical changes to the contract documents.

8 NYCT/MTA Bus Red Commitments (4 new this quarter)

Red delays are beyond 2 months of goal.

Superstorm Sandy Restoration and Mitigation

Sandy Mitigation: Rockaway Line	Construction	Jun-22	Dec-22	Construction	Jun-22	Dec-22
		\$	406.7	\$	467.1	\$ 467.1

Rockaway Line Resiliency and Viaduct Rehabilitation packages and the South Channel Bridge repair package, originally planned as 3 separate contracts, are now being bundled into 1 contract package to ensure better coordination, minimize outages, and minimize risk to the projects and impacts to the public. The RFQ for the combined package was issued on 7/15 and the project is now scheduled for late 2022 award. The budget has changed to reflect the latest estimate.

Sandy Mitigation: Substation Hardening - 26 Locations	Construction	Jun-22	Dec-22	Construction	Jun-22	Dec-22
		\$	102.2	\$	102.2	\$ 102.2

Submission of proposals was delayed to allow time to respond to proposer questions and make associated technical changes to the contract documents.

NYCT/MTA Bus Capital Projects – Commitments – September 2022 – Budget Analysis and Schedule Variances

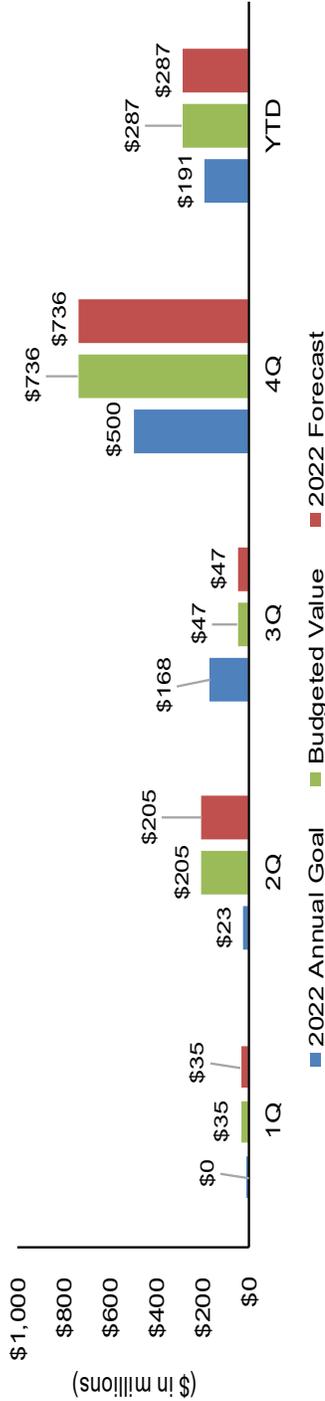
Schedule Variances

Project	Commitment	Goal	Forecast	Project	Commitment	Goal	Forecast
<p>6 NYCT/MTA Bus Amber Commitments (continued) Amber delays are within 2 months of goal.</p>							
<i>Line Structures</i>							
8th Ave Right of Way Improvements	Construction	Apr-22 \$ 143.2	May-22 (A) \$ 11.9	Upgrade SCADA System (BMT) & Backup PCC	Construction	Apr-22 \$ 58.7	Aug-22 (A) \$ 62.8
<p>Project w as awarded on 5/9/22. Budget change reflects the latest estimate at award.</p>							
Overcoating: Jamaica Line	Construction	Jun-22 \$ 257.4	Dec-22 \$ 253.4	<p>The award w as delayed due to additional time needed to respond to questions and comments received from proposers, w hich required technical changes to the contract documents and more recently to resolve issues relating to insurance requirements. The project w as awarded on 8/2/2022. The budget has been adjusted to reflect the latest estimate.</p>			
<p>Award is delayed due to the need to re-advertise the contract following cancellation of initial bids (low bidder and second low bidder w ere deemed unresponsive).</p>							
<i>Stations</i>							
Flushing Line Contract 1: Station Renewals & Escalators.	Construction	Jun-22 \$ 285.2	Sept-22 (A) \$ 309.1	Flushing Line: Contract 2 Station Renewals & Component Rehab	Construction	Jun-22 \$ 249.0	Dec-22 \$ 375.5
<p>The RFP w as issued in February and the contract w as approved by the Board in July. The initial delay w as in the development of the package. The award w as delayed due to additional time needed for contract review.</p>							
<i>MTA Bus</i>							
<p>Façade Repair: Baisley Park, JFK, LaGuardia (New Item)</p>	Construction	Sep-22 \$ 15.3	Nov-22 \$ 15.3	<p>Borough Hall ADA and Water Remediation (New Item)</p>	Construction	Sep-22 \$ 245.7	Dec-22 \$ 245.7
<p>The vendor qualification process taking longer than anticipated. Anticipate award in the next week or two.</p>							
<i>Jamaica Line Station Renewals (New Item)</i>							
<p>Delay w as incurred during the development and approvals of the design drawings.</p>							
<i>MTA Bus</i>							
<p>Portable Bus Lift/ Equipment Replacement (New Item)</p>	Construction	Sep-22 \$ 5.4	Mar-23 \$ 6.0	<p>Bus lifts delayed due to technical specifications for wireless technology w hich w ill require testing prior to introduction.</p>			

LIRR Capital Projects – Commitments – September 2022 – Budget Analysis and Schedule Variances

LIRR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$0	\$23	\$168	\$500	\$191
2022 Forecast	\$35	\$205	\$47	\$736	\$287
Budgeted Value	\$35	\$205	\$47	\$736	\$287



Q3 Schedule Variances

Project	Commitment	Goal	Forecast
---------	------------	------	----------

3 LIRR Red Commitments (3 new this quarter)

Red delays are beyond 2 months of goal.

Work Equipment

Work Locomotives (New Item)	Purchase	Sep-22	Dec-22
	\$	48.0	48.0

Additional time required for the LIRR Legal department's final review s upon completion of contract negotiations.

Stations

Penn Station Platforms (New Item)	Construction	Jul-22	Post 2022
	\$	26.2	26.2

Platforms 7 and 8 replacement is currently under review.

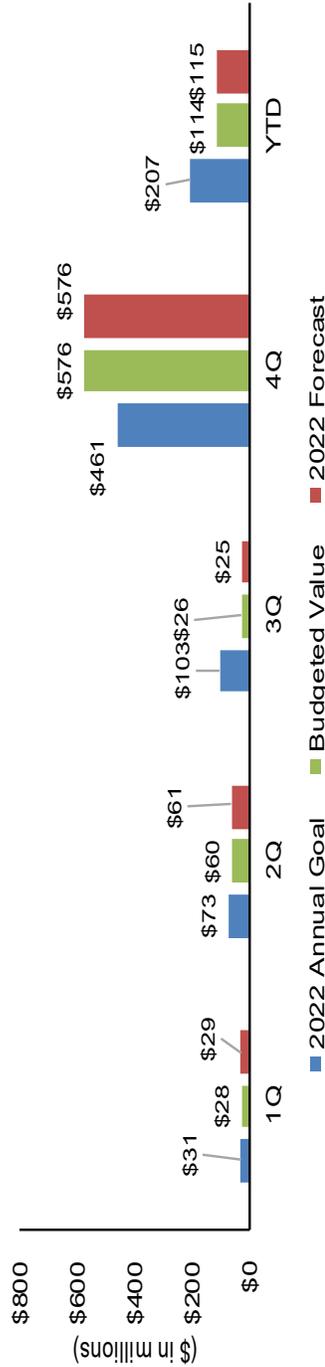
ADA Improvements - 7 Stations (New Item)	Construction	Sep-22	Dec-22
	\$	79.5	79.5

The delay was incurred during development of the design requirements and contract documents likely attributable to staffing issues. Proposals were received on 9/14 with an anticipated November Board Action.

MNR Capital Projects – Commitments – September 2022 – Budget Analysis and Schedule Variances

MNR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$31	\$73	\$103	\$461	\$207
2022 Forecast	\$29	\$61	\$25	\$576	\$115
Budgeted Value	\$28	\$60	\$26	\$576	\$114



Q3 Schedule Variances

Project	Commitment	Goal	Forecast
---------	------------	------	----------

2 Metro-North Red Commitments (2 new this quarter)

Red delays are beyond 2 months of goal.

Power

NHL Pelham Substation Replacement (New Item)	Construction	Sep-22	Dec-22
	\$	29.7	\$ 29.7

Issues with the project requirements and design documents have pushed this award to December.

Bridges

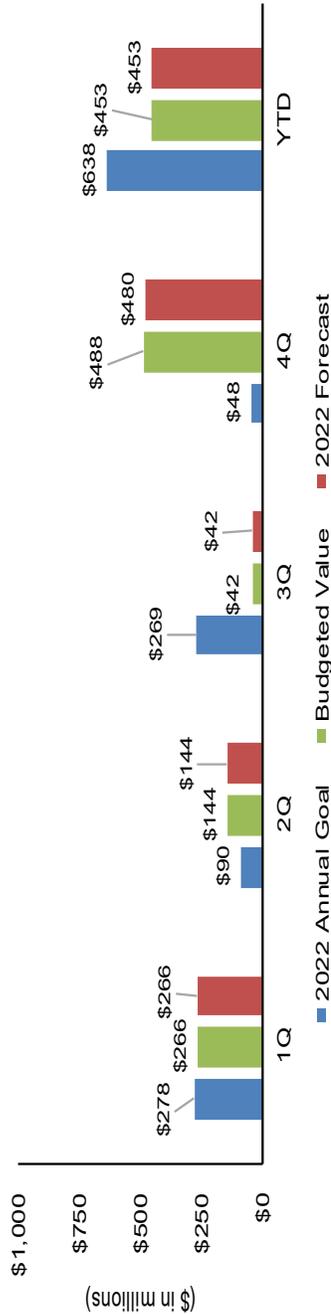
Fulton/South Street Bridges D-B (New Item)	Construction	Aug-22	Dec-22
	\$	47.1	\$ 47.1

The delay was incurred during development of the design requirements and contract documents attributable to staffing issues. Proposals are due 11/14.

MTA Network Expansion Projects – Commitments – September 2022 – Budget Analysis and Schedule Variances

MTA Network Expansion Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$278	\$90	\$269	\$48	\$638
2022 Forecast	\$266	\$144	\$42	\$480	\$453
Budgeted Value	\$266	\$144	\$42	\$488	\$453



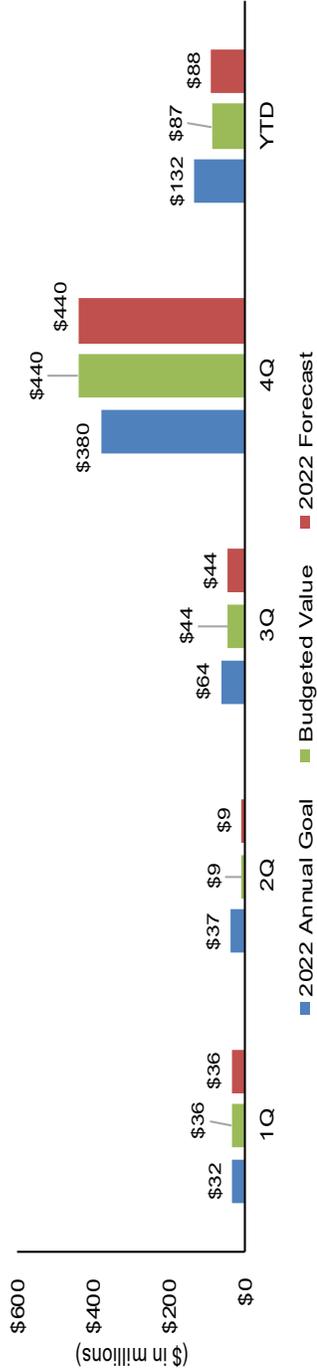
Q3 Schedule Variances

Project	Commitment	Goal	Actual	Project	Commitment	Goal	Forecast
1 Network Expansion Amber Commitments							
Amber delays are within 2 months of goal.							
<i>East Side Access</i>							
Interim Maintenance Contract	Construction	Mar-22	Apr-22 (A)	Program Management Consultant Services (New Item)	\$	187.6	187.6
		\$32.6	\$20.8		Aug-22	\$	187.6
The award was delayed due to additional time required for final contract negotiations. A reduction in scope resulted in a reduced award value.							
2 Network Expansion Red Commitments (2 new this quarter)							
Red delays are beyond 2 months of goal.							
<i>2nd Ave Subway Phase 2</i>							
Utilities (New Item)	Construction	Aug-22	Dec-22	Program Management Consultant Services (New Item)	\$	75.0	73.5
					Aug-22	\$	75.0
Revised award date reflects the Full Funding Grant Agreement (FFGA) deliverable schedule with FTA.							
Revised award date reflects the Full Funding Grant Agreement (FFGA) deliverable schedule with FTA.							

B&T Capital Projects – Commitments – September 2022 – Budget Analysis and Schedule Variances

B&T Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$32	\$37	\$64	\$380	\$132
2022 Forecast	\$36	\$9	\$44	\$440	\$88
Budgeted Value	\$36	\$9	\$44	\$440	\$87



Q3 Schedule Variances

Project	Commitment	Goal	Forecast
---------	------------	------	----------

2 B&T Amber Commitments (1 new this quarter)

Amber delays are within 2 months of goal.

Tunnels

Relocation of QMT Refueling Station and QSB Switchgear	Construction	Jun-22	Jul-22 (A)
	\$	28.9	\$ 28.9
Procurement schedule has been adjusted to allow sufficient time for bidder proposals.			

Bridges

Structure Rehab. - Cross Bay Bridge (New Item)	Construction	Sep-22	Oct-22
	\$	57.3	\$ 57.3

This is being presented to the October Board.

Capital Projects – Completions – September 2022

Actual	MTA-wide 2022 Major Completions												Post 2022
	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	
Goal	2	1	4	3	3	4	1	5	1	4	4	14	7
Total	53												
Jan-22	1												
Feb-22				1					1				
Mar-22			3		1								
Apr-22				2					1			1	1
May-22					2								
Jun-22						3		1				2	2
Jul-22													
Aug-22							1	3				1	1
Sep-22													
Oct-22									2			1	1
Nov-22										2		1	1
Dec-22												7	1

BLUE = Forecast/Actual earlier than Goal
GREEN = Forecast/actual matches Goal
AMBER = Forecast/actual within 2 months of Goal
RED = Forecast/actual beyond 2 months of Goal

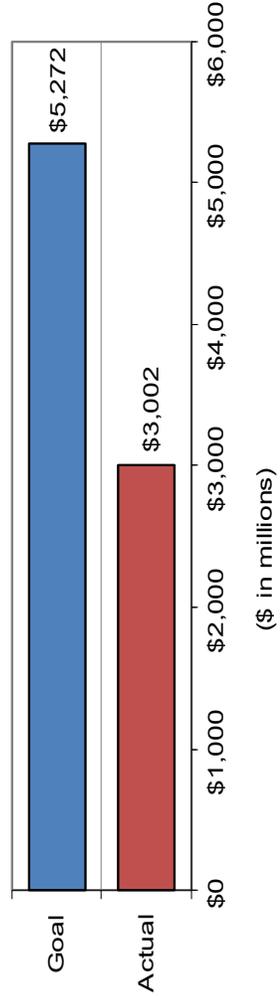
Completions Summary

In 2022 the MTA plans to complete \$9.2 billion of projects. Through September, the MTA has completed \$3.0 billion versus a \$5.3 billion year-to-date goal. The shortfall is mostly due to delays of several major completions, all are identified on the following pages. Most of these delayed completions are anticipated to be achieved later in the year. However, seven are projected for post-2022 completions in addition to several subprojects within NYC’s overall 2022 Track and Switch program with about \$250 million in value. In addition, Metro-North has \$224 million worth of Superstorm Sandy completion work now delayed to 2023.

The MTA forecasts achieving 74% its overall \$9.2 billion completions goal by year’s end.

Budget Analysis

2022 Annual Goal \$9,234
 Annual Forecast \$6,879
 Forecast left to complete 56% (\$3,878)

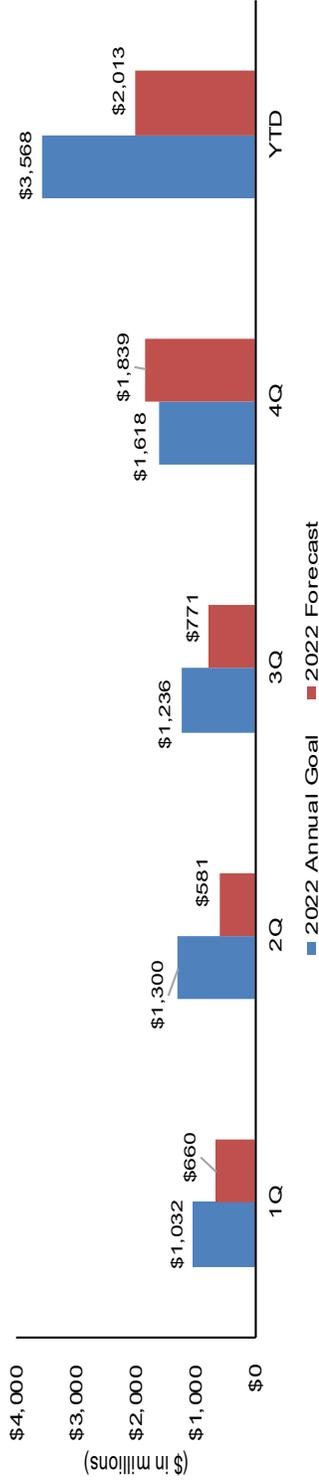


NYCT/MTA Bus Capital Projects – Completions – September 2022 – Budget Analysis and Schedule Variances

NYCT and MTA Bus Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$1,032	\$1,300	\$1,236	\$1,618	\$3,568
2022 Forecast	\$660	\$581	\$771	\$1,839	\$2,013

2022 Goal (Rolling Stock)	\$185	\$287	\$80	\$407	\$552
Forecast (Rolling Stock)	\$99	\$86	\$0	\$445	\$185



Schedule Variances

Project	Completion	Goal	Actual	Project	Completion	Goal	Forecast
---------	------------	------	--------	---------	------------	------	----------

4 NYCT/MTA Bus Amber Completions

Amber delays are within 2 months of goal.

Power

New Substation: Harrison Pl / Canarsie	Construction	Feb-22	Apr-22 (A)	Power Upgrade: Rail Control Center, Power Control Center -	Construction	Feb-22	Sept-22 (A)
		\$ 51.3	\$ 51.3			\$ 63.4	\$ 63.4
The schedule change reflected the delayed completion of equipment wiring and breaker energization.				The completion date reflects the additional time required to review and complete punch list work, including an additional work order for upgrades and a generator monitoring system.			
Stations				New Substations at New Dorp and Clifton	Construction	Apr-22	Dec-22
ADA: Livonia Avenue / Canarsie	Construction	Mar-22	May 22 (A)			\$ 50.4	\$ 50.3
		\$ 84.3	\$ 84.3	The substantial completion has been moved to December 2022 due to delays in scheduling extended track outage which require three-day weekends for final cable connections and track signal circuit testing by SIRTOA/TAP.			

Signals & Communications

CBTC QBL West Ph. 1 /Siemens	Construction	Jun-22	Dec-22			\$ 214.6	\$ 214.6
Substantial completion has been delayed due to carborne hardw are/firmw are testing.							

NYCT/MTA Bus Capital Projects – Completions – September 2022 – Budget Analysis and Schedule Variances

Schedule Variances

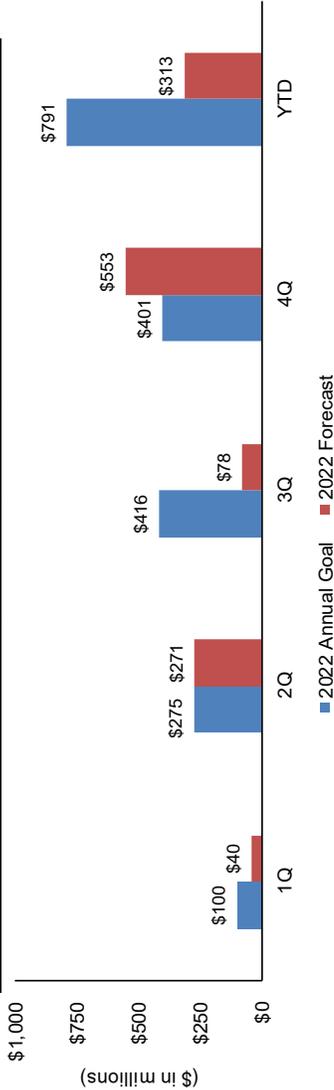
Project	Completion	Goal	Forecast	Project	Completion	Goal	Forecast
<p>10 NYCT/MTA Bus Red Completions (continued) Red delays are beyond 2 months of goal.</p>							
<p><i>Buses</i></p>							
Hybrid-Electric Standard Buses (Nova)	Bus Purchase	Apr-22	Apr-22	CBTC Queens Blvd West - 50th St. to Union Turnpike: Phase 1 - Thales	Construction	Jun-22	Aug-22 (A)
Bus delivery schedules have been delayed due to supply chain issues with the final bus delivery anticipated for April 2023.		\$ 253.9	\$ 253.9			\$ 52.1	\$ 52.1
<p><i>Shops & Yards</i></p>							
207th St. Maintenance & Overhaul	Construction	Jul-22	Dec-22	Substantial completion has been delayed due to zone control capacity issues.			
Shop Roof & Component Repair		\$ 57.6	\$ 57.6	MTA Bus			
Substantial completion has been delayed due to material and labor shortages.				257 Express Buses (Nova)			
<p><i>Superslow Sandy</i></p>							
Sandy Mitigation: Upgrade Emergency Booth Comm System	Construction	Aug-22	Jan-23	Thru September, 213 buses have been delivered. Delay due to supply chain issues which are impacting overall bus deliveries.			
Substantial completion has been delayed due to resolution of integration and stability issues.		\$ 74.1	\$ 74.1				
<p><i>Line Structures</i></p>							
Overcoating: Broadway - End of Line / Myrtle	Construction	Jun-22	Oct-22				
Substantial completion has been delayed due to additional time required to complete overcoat painting. The project's steel repair scope has been reported as 100% complete.		\$ 54.8	\$ 54.8				
<p><i>Track Program</i></p>							
Mainline Track and Switch - Various Lines	Construction	Dec-22	Dec-22				
Several individual track projects totaling \$250 million are now forecast for completion after 2022 due to various schedule changes to coordinate the track program with other work.		\$ 554.9	\$ 578.0				
<p><i>Stations</i></p>							
Replace 8 Traction Elevators (New Item)	Construction	Sep-22	Jan-23				
Completion has been delayed to complete punchlist work.		\$ 50.0	\$ 50.6				
<p><i>Superslow Sandy</i></p>							
Coney Island Yard (New Item)	Construction	Dec-22	Mar-23				
The forecast for remaining work, signals and final electrical ties is extended into the first quarter of 2023.		\$ 454.1	\$ 453.7				

MNR Capital Projects – Completions – September 2022 – Budget Analysis and Schedule Variances

MNR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$100	\$275	\$416	\$401	\$791
2022 Forecast	\$40	\$271	\$78	\$553	\$313

2022 Goal (Rolling Stock)	\$0	\$0	\$0	\$230	\$0
Forecast (Rolling Stock)	\$0	\$0	\$0	\$230	\$0



Schedule Variances

Project	Completion	Goal	Forecast
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1 Metro-North Amber Completion

Amber delays are delayed less than 2 months of goal.
Communications

New York Infrastructure Replacement	Construction	Apr-22 \$44.4	Jun-22 (A) \$44.4
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Before the Dense Wave Division Multiplexing (DWD) equipment could be put online, the deficiencies identified by Mitsubishi (HVAC unit manufacturer) needed to be rectified and completion consequently delayed.

2 Metro-North Red Completions

Red delays are beyond 2 months of goal.
Power

86th / 110th Substations	Construction	Mar-22 \$30.3	Aug-22 (A) \$30.3
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This project is delayed due to completion of an asset study, completion of the removable panel air filter system, and equipment testing which has extended the overall project completion date to September 2022.

Stations

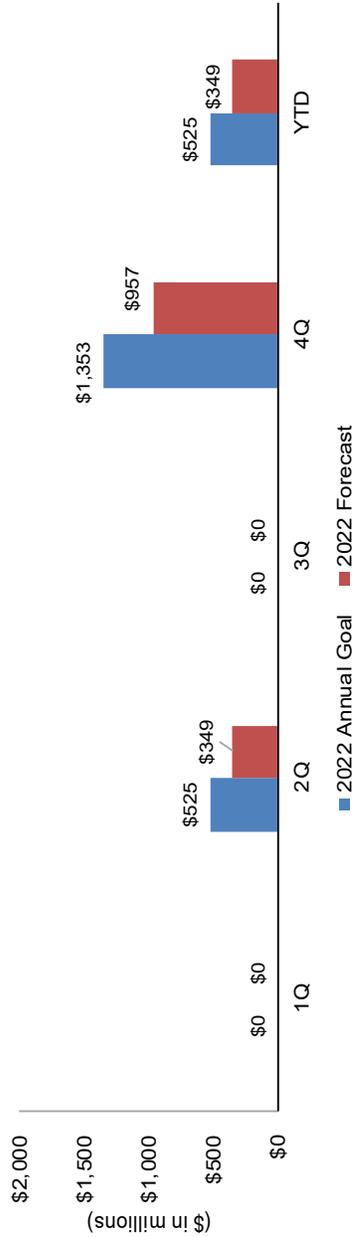
GCT/East Side Access Unified Trash Facility	Construction	Jun-22 \$33.3	Nov-22 \$33.3
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Additional scope was added [Painting of Facility and Epoxy Flooring] which extends the completion to November

MTA Network Expansion Projects – Completions – September 2022 – Budget Analysis and Schedule Variances

MTA Network Expansion Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$0	\$525	\$0	\$1,353	\$525
2022 Forecast	\$0	\$349	\$0	\$957	\$349



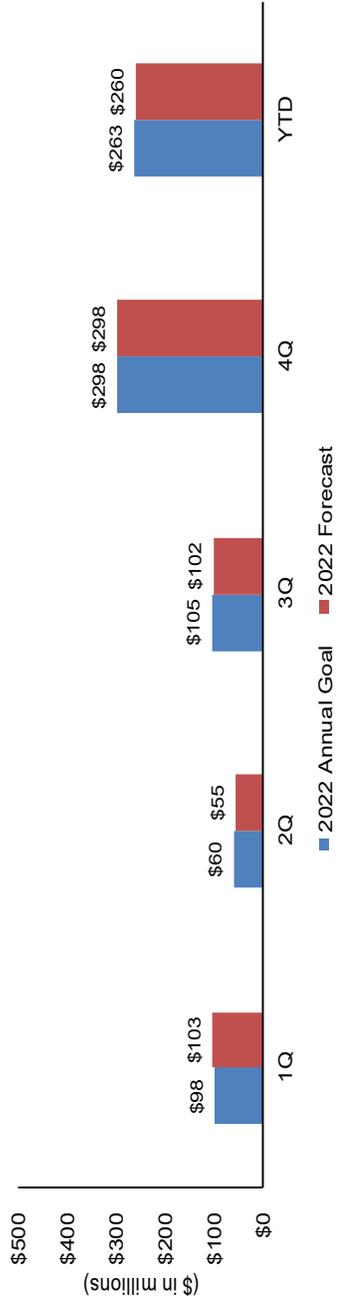
Schedule Variances

Project	Completion	Goal	Forecast	Project	Completion	Goal	Actual
3 Network Expansion Completion (1 new this month)							
Red delays are delayed more than 2 months of goal.							
East Side Access							
Systems Package 2 - Tunnel	Construction	Apr-22	Oct-22				
Systems - CS086		\$72.0	\$72.0				
Additional completion scope including wiring/cabling, testing, and PTC work was added to CS086 which extends substantial completion to October.							
System Package 4 – TrACTION	Construction	Jun-22	Nov-22				
Power CS084		\$104.1	\$104.1				
Delays continue due to ongoing acceptance testing. Completion was previously forecast for September, but has been adjusted to November.							
GCT Concourse & Facilities							
	Construction	Nov-22	Feb-23				
CM014B (New Item)		\$572.0	\$572.0				
CM014B is extended due to additional time required to complete all remaining work, including scope in the Biltmore room.							
1 Network Expansion Completion (1 new this month)							
Amber delays are delayed less than 2 months of goal.							
East Side Access							
Concourse, Cavern & Facility	Construction	Oct-22	Oct-22				
Detailing Services CM030 (New Item)		\$37.1	\$37.1				
Delays to the completion of systems to be turned over to CM030 and added work to CM030 have extended the substantial completion date.							

B&T Capital Projects – Completions – September 2022 – Budget Analysis and Schedule Variances

B&T Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2022 Annual Goal	\$98	\$60	\$105	\$298	\$263
2022 Forecast	\$103	\$55	\$102	\$298	\$260



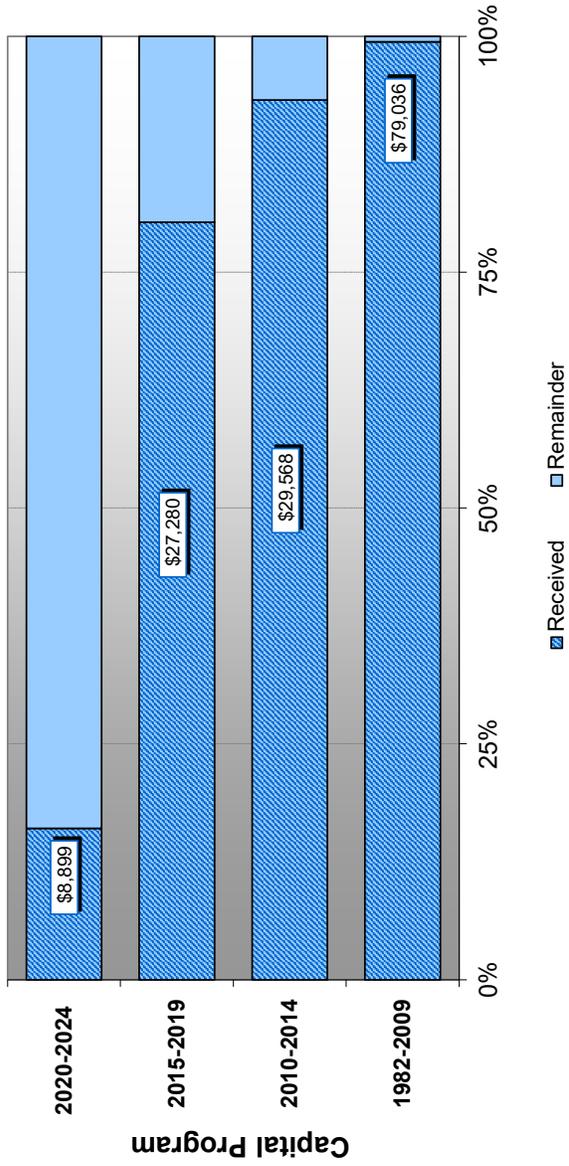
Schedule Variances

There are no major schedule slippages to report for MTA Bridges and Tunnels.

Status of MTA Capital Program Funding

Capital Funding (September 2022)

\$ in millions



Capital Funding Detail (September 2022)

\$ in millions

	Funding Plan		Receipts	
	Current	Thru August	Sept	Received to date
2010-2014 Program				
Federal Formula, Flexible, Misc	\$5,786	\$5,781	\$ -	\$5,781
Federal High Speed Rail	173	173	-	173
Federal New Start	1,278	1,278	-	1,278
Federal Security	89	89	-	89
Federal RRIF Loan	-	-	-	-
City Capital Funds	719	608	-	608
State Assistance	770	770	-	770
MTA Bus Federal and City Match	132	113	-	113
MTA Bonds (Payroll Mobility Tax)	11,701	10,647	-	10,647
Other (Including Operating to Capital)**	1,275	1,129	-	1,129
B&T Bonds	2,022	1,864	-	1,864
Hurricane Sandy Recovery				
<i>Insurance Proceeds/Federal Reimbursement</i>	6,697	6,697	-	6,697
PAYGO	171	171	-	171
<i>Sandy Recovery MTA Bonds</i>	659	225	-	225
<i>Sandy Recovery B&T Bonds</i>	230	23	-	23
Total	31,701	29,568	-	29,568

	Funding Plan		Receipts	
	Current	Thru August	Sept	Received to date
2015-2019 Program				
Federal Formula, Flexible, Misc	\$6,898	\$5,604	\$6	\$5,610
Federal High Speed Rail	\$122	\$122	-	\$122
Federal Core Capacity	100	-	-	-
Federal New Start	500	-	-	-
Federal Security	18	15	-	15
State Assistance	9,196	7,096	348	7,445
City Capital Funds	2,669	2,052	4	2,056
MTA Bonds	8,398	8,175	-	8,175
Asset Sales/Leases	804	315	-	315
Pay-as-you-go (PAYGO)**	2,156	1,572	-	1,572
Other	165	68	-	68
B&T Bonds & PAYGO/Asset Sale	2,942	1,902	-	1,902
Total	33,969	26,922	357	27,250

	Funding Plan		Receipts	
	Current	Thru August	Sept	Received to date
2020-2024 Program				
Capital from Central Business District Tolling	\$15,000	\$ -	\$ -	\$ -
Capital from New Revenue Sources	10,000	1,349	-	1,349
MTA Bonds and PAYGO	8,037	202	-	202
Other Contribution	542	-	-	-
Federal Formula	9,171	4,837	1,389	6,226
State of New York	3,100	-	101	101
City of New York	3,007	183	482	665
Federal New Start (SAS Ph2)	2,905	-	-	-
Federal Flexible	275	51	3	54
Federal Other	48	28	-	28
Federal Security	30	10	-	10
B&T Bonds	3,327	266	-	266
Total	55,442	6,923	1,975	8,899

Contracts Department

David Cannon, Vice President

PROCUREMENT PACKAGE

October 2022



This is a picture of the Cross Bay Veterans Memorial Bridge which connects the Rockaway Peninsula to the rest of Queens. This months Procurement Package includes an action for work at both the Cross Bay Veterans Memorial and the Marine Parkway-Gil Hodges Memorial Bridges.

PROCUREMENTS

The Procurement Agenda this month includes three actions for a proposed expenditure of \$35.7M.

Subject Request for Authorization/Declaration to Adopt a Resolution and to Award Various Procurement Actions					
Contract Department David K. Cannon, Vice President					
Board Action					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	10/24/22	X		
2	Board	10/26/22	X		

Date: October 21, 2022			
Internal Approvals			
	Approval		Approval
X	Deputy Chief Development Officer, Delivery	X	President
X	Deputy Chief Development Officer, Development	X	Executive Vice President & General Counsel

Purpose

To obtain the approval of the Board to adopt a resolution/declaration, award several procurement actions and to inform the Capital Program Committee of these procurement actions.

Discussion

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

<u>Schedules Requiring Two-Thirds Vote</u>	<u># of Actions</u>	<u>\$ Amount</u>
B. Competitive Request for Proposals (Solicitation of Purchase/Public Work Contracts)	1	\$ -TBD-
C. Competitive Requests for Proposals (Award of Purchase/Public Work Contracts)	1	\$ 33,665,000
SUBTOTAL	2	\$ 33,665,000
 <u>Schedules Requiring Majority Vote</u>	 <u># of Actions</u>	 <u>\$ Amount</u>
I. Modifications to Purchase and Public Work Contracts	1	\$ 1,997,500
SUBTOTAL	1	\$ 1,997,500
TOTAL	3	\$ 35,662,500

Budget Impact

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

Recommendation

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

MTA Construction & Development

BOARD RESOLUTION

WHEREAS, in accordance with Sections 559, 2879, 1209 and 1265-a of the Public Authorities Law and the All Agency General Contract Procurement Guidelines, the Board authorizes the award of certain non-competitive purchase and public works contracts, and the solicitation and award of request for proposals in regard to purchase and public work contracts; and

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

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

NOW, the Board resolves as follows:

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

October 2022

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Third Vote:

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

- | | | | |
|----|---|----------------------------|--------------------------------------|
| 1. | To Be Determined
Contract No. To Be Determined | \$ To Be Determined | <u>Staff Summary Attached</u> |
|----|---|----------------------------|--------------------------------------|

MTA Construction and Development requests that the Board declare competitive bidding impractical or inappropriate for all Design/Build contracts solicited through the end of 2025 and determine that it is in the public interest to issue competitive Requests for Proposals for such contracts pursuant to New York State Public Authorities Law Section 1265-a(4)(f) and Section 1209(9)(f) and the All Agency General Contract Procurement Guidelines.

**Schedule C. Competitive Requests for Proposals (Award of Purchase/Public Work Contracts)
(Staff Summaries required for all items greater than \$1M)**

- | | | | |
|----|--|----------------------|--------------------------------------|
| 2. | El Sol Contracting/ES II Enterprises JV
Contract No. CB-30
Twenty-Five Months | \$ 33,665,000 | <u>Staff Summary Attached</u> |
|----|--|----------------------|--------------------------------------|

MTA Construction & Development requests Board approval to award a publicly advertised and competitively solicited contract for design-build services for the rehabilitation of the main spans of the Cross Bay Veterans Memorial Bridge and repairs at the Marine Parkway-Gil Hodges Memorial Bridge.

Procurements Requiring Majority Vote:

**Schedule I. Modifications to Purchase and Public Work Contracts
(Staff Summaries required for all items greater than \$1M)**

- | | | | |
|----|--|---------------------|--------------------------------------|
| 3. | TC Electric/J-Track JV
Contract No. P36444.45 | \$ 1,997,500 | <u>Staff Summary Attached</u> |
|----|--|---------------------|--------------------------------------|

MTA Construction & Development requests Board approval to award a modification to the Contract for the installation of switchgear equipment at Sutton Place.

Dept & Dept Head Name: Legislative Services & Compliance, Contracts Samuel Schaffner, Senior Vice President					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Finance Committee	10/24/22	X		
2	Board	10/27/22	X		
Internal Approvals					
Order					
	Approval	Order	Approval		
X	Executive Vice President & General Counsel	X	President		

SUMMARY INFORMATION	
Vendor Name	Contract Number
RFP Authorizing Resolution	To Be Determined
Description All-Agency Omnibus Authorizing Resolution to solicit all Design/Build contracts by RFP through the end of 2025.	
Total Amount To Be Determined	
Contract Term To Be Determined	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other	

Purpose/Recommendation

MTA Construction and Development requests that the Board declare competitive bidding impractical or inappropriate for all MTA Design/Build contracts through the end of 2025 and determine that it is in the public interest to issue competitive Requests for Proposals (“RFPs”) for such contracts pursuant to New York State Public Authorities Law Section 1265-a(4)(f) and Section 1209(9)(f) and the All Agency General Contract Procurement Guidelines. Board approval of each proposed contract award will continue to be required.

Discussion

Design/Build contracting is a delivery method used extensively by the MTA and, in fact, Public Authorities Law Section 1264(1) requires that all MTA agencies use Design/Build contracting for projects over specified dollar amounts absent a specific waiver from the New York State Budget Director. It is a procurement best practice to solicit Design/Build contracts using a competitive RFP process rather than by sealed bids because the competitive RFP process allows MTA to consider, in addition to price, non-price factors such as delivery schedule, design and construction approaches, the experience of the proposer, and negotiated contract terms. Experience and creativity of the design and construction team are particularly important factors to consider when selecting a Design/Build contractor.

Sections 1265-a subdivision 4(f) and 1209 subdivision 9(f) of the Public Authorities Law, however, require MTA to obtain Board approval to solicit purchase and public work contracts by RFP rather than by sealed bids. Because MTA makes extensive use of Design/Build, is required by statute to use Design/Build for many projects and because competitive RFP is the procurement best practice for Design/Build projects, it would be inefficient to seek Board approval to solicit individual Design/Build projects by competitive RFP. Therefore, it is requested that the Board provide an omnibus authorization to solicit all Design/Build contracts by competitive RFP rather than by sealed bids through the end of 2025. By eliminating the need for the Board to approve individual authorizing resolutions for individual Design/Build projects, this omnibus resolution will expedite award of Design/Build contracts. All proposed contract awards resulting from these competitive RFPs will continue to be submitted to the Board for approval prior to award.

Schedule B: Competitive Request for Proposals Contracts

Item Number 1

The October 2019 Board approved a previous Omnibus Authorizing Resolution allowing MTA agencies to use the RFP method to solicit Design/Build contracts through the end of 2022. This request will allow MTA Construction & Development to use the RFP method to solicit Design/Build contracts through the end of 2025.

In accordance with MTA policy regarding the use of Design/Build, it is MTA's intent generally to pay stipends to proposers for Design/Build RFPs that are not selected yet provide proposals that are responsive to the RFP requirements. This will be done to enhance competition and defray proposal costs.

Alternatives

Request Board approval to use the competitive RFP process instead of sealed bids with individual authorizing resolutions for each Design/Build contract. Not recommended because the Design/Build method is used extensively, it is not a best practice to solicit Design/Build projects by sealed bids and it would be inefficient to obtain Board authorization to use a competitive RFP via individual authorizing resolutions for each Design/Build contract.

Impact on Funding

There is no impact on funding. This action only changes the method by which contracts for the required work are solicited.

Dept & Dept Head Name: B&T Business Unit, Delivery Joe Keane, PE, Sr. VP and Program Executive					
Contracts Department: Jason Lange, VP and Associate General Counsel, B&T Tower					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	10/24/22	X		
2	Board	10/26/22	X		
Internal Approvals					
Order	Approval	Order	Approval		
X	Deputy Chief, Development	X	President		
X	Deputy Chief, Delivery	X	Executive VP & General Counsel		

SUMMARY INFORMATION	
Vendor Name	Contract Number
El Sol Contracting/ES II Enterprises JV	CB-30
Description Design-Build Services for the Rehabilitation of the Main Spans of the Cross Bay Veterans Memorial Bridge and Repairs at the Marine Parkway-Gil Hodges Memorial Bridge	
Total Amount	
1. CB-30:	\$ 33,665,000
2. Stipend Payments:	\$ 150,000
Contract Term	
Twenty-Five Months	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other	

Purpose/Recommendation

MTA Construction & Development (“C&D”) requests Board approval to award a publicly advertised and competitively solicited contract to El Sol Contracting/ES II Enterprises JV for design-build services for the rehabilitation of the main spans of the Cross Bay Veterans Memorial Bridge and repairs at the Marine Parkway-Gil Hodges Memorial Bridge in the lump sum amount of \$33,665,000 and for a duration of twenty-five months. In accordance with MTA policy regarding the use of design-build contracts, and to enhance competition and defray proposal costs, this solicitation includes a stipend in the amount of \$50,000 to be paid to each unsuccessful proposer whose proposal met defined proposal standards. Accordingly, approval is also requested to pay stipends totaling \$150,000 to the three unsuccessful proposers.

Discussion

The work under Contact CB-30 (the “Contract”) generally consists of strengthening, reinforcing and installing a redundant structural support system at the Cross Bay Veterans Memorial Bridge (“CBB”) and the removal of the existing CBB south pedestrian ramp and replacement with a new American with Disabilities Act compliant pedestrian ramp. The work also includes the replacement of the expansion joints and the installation of aluminum deck panels at the Marine Parkway-Gil Hodges Memorial Bridge. In addition, the work includes the installation of bridge monitoring instrumentation and in-lane sensors to detect and record weight-based traffic data at both bridges.

A two-step procurement process was conducted for the Contract. In Step 1, a Request for Qualifications was advertised resulting in the submission of five statements of qualifications, which were evaluated against pre-established selection criteria addressing record of performance for the design-build team, technical and managerial capacity and general responsibility. The following four firms were selected to receive the Request for Proposal (“RFP”) in Step 2:

- American Structural Works and John Civetta & Sons, Inc. JV (“ASW/Civetta JV”)
- El Sol Contracting/ES II Enterprises JV (“El Sol/ES II JV”)
- Posillico Civil Inc. (“Posillico”)
- Restani Construction Corp. (“Restani”)

In response to the RFP, all four firms submitted technical and price proposals. The selection committee, consisting of representatives from C&D and Bridges and Tunnels, first reviewed the technical proposals and heard oral presentations from each of the respondents during which technical discussions were conducted. The selection committee evaluated the technical proposals utilizing pre-established selection criteria set forth in the RFP addressing the respondents’ technical approach, qualifications of the firm, team organization, schedule, and record of diversity practices. The selection committee determined that all four teams submitted technical proposals that were responsive. Following oral presentations, the selection committee next opened the price proposals, which were as follows: ASW/Civetta JV – \$33,774,500; El Sol/ES II JV - \$34,415,000; Restani - \$45,785,000; and Posillico - \$47,665,100.

Based upon its review of the technical and price proposals, and discussions during oral presentations, the selection committee determined that the proposals submitted by ASW/Civetta JV, El Sol/ES II JV and Restani were in a competitive range and should be requested to submit Best and Final Offers (“BAFO”). ASW/Civetta JV demonstrated good understanding of the technical requirements of the RFP and provided the lowest cost; El Sol/ES II JV demonstrated a strong understanding of all the components of the scope of work and provided a competitive cost and; Restani demonstrated a strong technical understanding of the RFP, and the associated risks, while proposing an enhancement that would further minimize operational impacts. Posillico’s proposal demonstrated a limited understanding of the project objectives and requirements and, failed to demonstrate the experience and expertise needed for this scope of work.

The BAFO’s submitted by ASW/Civetta JV, El Sol/ES II JV and Restani were as follows:

ASW/Civetta JV	\$33,372,500
El Sol/ES II JV	\$33,665,000
Restani	\$44,122,000

After review of the BAFOs, the selection committee unanimously recommended El Sol/ES II JV for award of the Contract. All three firms included a reduction from their original prices and ASW/Civetta JV was the lowest of the three. However, the selection committee determined that El Sol/ES II JV offered the best value to C&D based on the strength of their technical proposal and reduction of their schedule to 25 months, which was the shortest schedule duration, 5 months less than the schedule contained in the RFP and the schedule proposed by ASW/Civetta JV, and 1.5 months less than the schedule proposed by Restani. El Sol/ES II JV’s BAFO cost was the second lowest behind ASW/Civetta JV however with the savings obtained in the schedule and the strength of their technical proposal, their proposal was determined to provide the best value to the MTA.

El Sol/ES II JV is deemed to be a responsible contractor.

DBE/MBE/WBE/SDVOB Information

The MTA Department of Diversity and Civil Rights (“DDCR”) has established 15% MBE, 15% WBE and 6% SDVOB goals on this contract. El Sol Contracting/ES II Enterprises LLC JV’s Utilization Plan is currently under review by DDCR. Award of this Contract will not be made without DDCR’s approval. El Sol Contracting/ES II Enterprises LLC JV has achieved its goals on all recently completed contracts.

Impact on Funding

Funding for the Contract and stipends for the three unsuccessful respondents are funds derived from Bridges and Tunnels portion of the MTA’s 2020-24 Capital Program.

Alternatives

None are recommended. Currently, C&D lacks the in-house technical personnel to perform the scope of work associated with the Contract.

Schedule I Modifications to Purchase and Public Work Contracts

Item Number 3

Vendor Name (Location) TC Electric/J-Track JV (Whitestone, New York)	Contract Number P36444	Modification No. 45
Description Design-Build Services for the Rutgers Tube Rehabilitation	Original Amount:	\$ 90,500,000
Contract Term (including Options, if any) July 28, 2020 – December 31, 2021	Prior Modifications:	\$ 20,945,165
Option(s) included in Total Amt? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Prior Budgetary Increases:	\$ 0
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	Current Amount:	\$ 111,445,165
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	This Request:	\$ 1,997,500
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amt.:	1.8%
Requesting Dept./Div., Dept./Div. Head Name: Delivery/Mark Roche	% of Modifications (including This Request) to Original Amount:	25.4%

Discussion:

Contract P36444 (the “Contract”) is for the rehabilitation of the Rutgers Tube. MTA Construction and Development Company requests Board approval to award a modification to the Contract for the installation of switchgear equipment at Sutton Place.

In October 2020, the Board approved Contract Modification No. 1 to the Contract which added work for pump room controls upgrades for the 53rd Street Tube, which runs between the Lexington Avenue/53rd Street Station in Manhattan and the Court Square-23rd Street Station in Queens. The systems and components within the 53rd Street Tube were damaged during Superstorm Sandy by the storm surge inflow of saltwater. The 53rd Street work is essential to implement resiliency measures that will protect against future flooding of the Tube.

After award of Modification No. 1, TC Electric/J-Track JV identified significant deterioration and corrosion of the electrical systems feeding the fan plants, pump rooms and related equipment at Sutton Place which are being addressed through a number of modifications. At the July 2022 Board meeting, Modification No. 43 was approved for the purchase of long lead time switchgear equipment at Sutton Place. At that time, the Board was advised that installation of the switchgear would be addressed in a subsequent modification. This modification is for the installation of the switchgear and associated electrical distribution system from Con Edison. This modification also includes the purchase and installation of power cables, conduits, utility duct bank from the street property line manholes to the switchgear.

TC Electric/J-Track JV’s proposal for this modification was for \$2,573,658. Negotiations were held and the parties agreed to an amount of \$1,997,500 which is considered fair and reasonable.