



Metropolitan Transportation Authority

Capital Program Committee Meeting

July 2023

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, 7/17/2023
12:45 - 2:00 PM ET**

1. SUMMARY OF ACTIONS

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2. PUBLIC COMMENTS PERIOD

3. APPROVAL OF MINUTES – JUNE 26, 2023

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**CONSTRUCTION & DEVELOPMENT
COMMITTEE ACTIONS
SUMMARY for JULY 2023**

Responsible Department	Vendor Name	Total Amount	Summary of Action
Contracts	RFP Authorizing Resolution	TBD	Request for an authorizing resolution to issue competitive Requests for Proposals for the award of three sets of contracts for as-needed services at various Authority facilities as follows: (i) Miscellaneous Construction Services, (ii) Miscellaneous Electrical Construction Services and (iii) Miscellaneous Cleaning & Painting Services.
Contracts	FOS Development Corporation	\$2,660,000	Ratification of a modification to Contract C48703 to furnish and install 6,270 Square Feet of fiberglass plenum plates in 38 open ceiling bays above Tracks E1 and E4.

MINUTES OF MEETING
MTA CAPITAL PROGRAM COMMITTEE
June 26, 2023
New York, New York
12:45 P.M.

CPC Members present (**attended remotely*):

Hon. Janno Lieber
Hon. Andrew Albert
Hon. Jamey Barbas
Hon. Gerard Bringmann
Hon. Sammy Chu
Hon. Randolph Glucksman
Hon. David Jones
Hon. Blanca Lopez*
Hon. Sherif Soliman
Hon. Neal Zuckerman

CPC Members not present:

Hon. Norman Brown
Hon. Michael Fleischer
Hon. David Mack
Hon. Haeda Mihaltses
Hon. John Samuelsen
Hon. Vinnie Tessitore

MTA Board Member present:

Hon. Midori Valdivia

MTA staff present:

Dan Creighton
Lew Deara
Evan Eisland
John McCarthy
Tracy Mitchell
Tim Mulligan
Steve Plochochi
Mark Roche
Gregoire Sulmont
Jamie Torres-Springer
Kevin Willens
Michele Woods

Independent Engineering Consultant staff present:

Joe DeVito
Elizabeth King

* * *

Chairman Lieber called the June 26, 2023 Capital Program Committee Meeting to order at 1:55 P.M.

Public Comments Period

There were four Public Speakers during the Public Comments Period: Lisa Daglian; Jason Anthony; Aleta Dupree; and Charlton D'Souza.

Meeting Minutes

The minutes of the meeting held on May 22, 2023 were approved, with a noted correction.

CPC Work Plan

There were no changes to the CPC Work Plan.

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

Prior to introducing today's presentation on Signal & Train Control Business Unit (BU), President Torres-Springer cited the following recent Capital Program-related developments: opening of the elevators at the Court Street R Station; progress on the Broadway Junction ADA Project; an agreement – to be discussed in detail at the Finance Committee -- that has been put into place with Amtrak to allow Amtrak to build the third segment of a concrete casing under the LIRR West Rail Yard and an agreement regarding the flood wall to be built to protect the LIRR Yard; and an update on Penn Station reconstruction.

Update on C&D Signals & Train Control Business Unit

In his introduction to the presentation on the Signal & Train Control BU, President Torres-Springer harkened to last year's Strategic Review of how MTA is approaching signal modernization, which cited specific steps to accomplish the following: address challenges and complete existing projects; reform procurement and technical approach to new projects; and take program-wide initiatives to maximize CBTC's benefits. Mr. Creighton then provided a brief update on the ongoing CBTC projects, including QBL West, Culver, 8th Avenue, QBL East, and Crosstown, followed by Mr. Sulmont's review of specific technical and strategic approaches employed by C&D on the Crosstown project. In its Project Review, the IEC cited the following broad objectives of the CBTC Program: to provide train control systems with improved safety; to provide increased capacity; and to improve operational flexibility. The IEC then noted the following regarding each of the five projects reviewed: since November, C&D has completed validation of interoperability between Siemens and Thales on QBL West; planned for project completion on 8th Avenue in October 2025; stabilized the Culver Project schedule; maintained the QBL East project baseline schedule; and advanced preliminary design activities on Crosstown. In addition, the IEC noted that project details and IEC recommendations are spelled out in reports in the committee book.

Update on Capital Plan Amendment

Noting that the MTA Capital Program is regularly updated as projects develop and conditions change, Mr. Mulligan outlined 2020-2024 Capital Plan Amendment #3, the key aims of which are as follows: provide funding to advance expansion projects; accelerate key core infrastructure projects; and address housekeeping issues, including inflation and cost increases. Mr. Mulligan then added that the context of this Plan Amendment is the anticipation of additional federal grants for Penn Station Access. Mr. Mulligan then provided details of the projects included in the Plan Amendment, and movements of funding by agency. Mr. Willens then discussed the

details of the funding-related implications of the Plan Amendment, noting at the outset that net funding for the 2020-2024 Capital Program remains unchanged, whereby federal funding is increased by \$643M, MTA Bonds is reduced concomitantly; this is effectively the inverse of funding movements in the 2015-2019 Capital Program. Mr. Mulligan then cited next steps for the Plan Amendment, culminating in anticipated CPRB approval in late July of this year.

DDCR update on M/WBE, SDVOB, and DBE Participation on Capital Projects

Ms. Mitchell noted that with respect to New York State goals, which are based on payments, against 15% MBE and WBE goals, the MTA has achieved 15% and 15%, respectively, and with respect to the 6% Service Disabled Veteran-Owned Business (SDVOB) goal, payments currently stand at 2%. With respect to the Federal DBE awards goal of 20%, Ms. Mitchell noted that MTA's current awards of 13% is a misleading indicator of actual achievement due to an FTA requirement to identify DBE firms at the outset of a project, which is inherently incompatible with MTA's widely used Design-Build (DB) method of project delivery, in which such firms are frequently identified *only well into project execution*. Chairman Lieber then noted that there is a debate in progress with our federal funding partners regarding the current method of tracking DBE allocations in the DB context.

Procurement Actions

Stephen Plochochi, Senior Vice President, Contracts, of MTA Construction & Development Company ("C&D"), reported that C&D had thirteen procurement actions being brought to the Capital Program Committee this month. Senior Vice President Plochochi then presented the items.

Upon a motion duly made and seconded, the Capital Program Committee voted to bring the following procurement actions before the full MTA Board and recommended the following:

- 1-4. Approval of contracts to Stantec Consulting Services (Contract No. CS00011B), HNTB New York Engineering and Architecture, P.C. (Contracts Nos. CS00012B and CS00013B) and LOZIER Inc. (Contract No. CS00014B) for the performance of biennial bridge inspections.
5. Approval of a modification to the contract with L.K. Comstock & Company, Inc. (Contract S48006.16) to mitigate a design risk identified by the Independent Safety Assessor.
6. Ratification of a modification to the contract with Banton Construction Company (Contract No. 82133.75) for performance of open trench excavation work.
7. Ratification of a modification to the contract with Parsons Transportation Group of New York, Inc. (Contract No. 1236.02) for additional Construction Phase Services to support the CBTC/AWS Signal System for the Culver Line.
- 8-9. Ratification of two modifications to the contract with Parsons Transportation Group of New York, Inc. (Contract No. W32366.59 and 115) for the design and construction of a new radio base station equipment shelter at the East New York Train Yard and additional prototyping work associated with additional bus types identified after Contract award.
- 10-13. Ratification of four modifications to the contract with Walsh Construction Company II, L.L.C. (Contract No. C34848.105, 107, 132 and 142) that implement re-designed pile foundations and additional floodwall and reconfigure new wayside equipment to comply with the Limiting Line of Line Equipment train clearance envelope for tracks in the 207th Street Yard.

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

Adjournment

Upon motion duly made and seconded, Chairman Lieber adjourned the June 26, 2023 Capital Program Committee Meeting at 3:05 PM.

Respectfully submitted,
Michael Jew-Geralds
Office of Construction Oversight



2023-2024 Capital Program Committee Work Plan

I. Recurring Agenda Items

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

II. Specific Agenda Items

September

Overall Capital Program

- Stations

Quarterly Traffic Light Report

October

Overall Capital Program

- Railroads
- OMNY

November

Overall Capital Program

- Infrastructure
- Systems
- Security Projects

December

Overall Capital Program

- B&T
- Signals & Train Control
- Small Business Development Program & MWDB Participation

Quarterly Traffic Light Report

January

Overall Capital Program

- Integrated Megaprojects

February

Overall Capital Program

- Stations

March

Overall Capital Program

- Railroads

Quarterly Traffic Light Report

April

Overall Capital Program

- Infrastructure
- OMNY

May

Overall Capital Program

- Rolling Stock
- Systems
- Security Projects

June

Overall Capital Program

- Signals & Train Control
- Minority, Women and Disadvantaged Business Participation

Quarterly Traffic Light Report

July

Overall Capital Program

- Integrated Megaprojects

MTA Construction & Development’s (C&D) last report to the Capital Program Committee (CPC) on integrated projects was in January 2023. Since the last report, two C&D integrated projects have successfully achieved substantial completion: **LIRR Concourse**, which achieved substantial completion on March 2, 2023 and **LIRR Mainline Expansion (Third Track)**, which achieved substantial completion on April 9, 2023. Below are updates for three ongoing C&D integrated projects as of June 30, 2023:

**Metro-North
 Penn Station Access**
 CBX001

Metro-North Penn Station Access (MNPSA) will provide Metro-North Railroad New Haven Line customers with service into and out of Penn Station via Amtrak’s Hell Gate Line. The project includes four new ADA-accessible stations in the East Bronx, introducing rail service to communities underserved by public transit, drastically reducing travel times, and increasing reverse commute opportunities. The project also includes bridge rehabilitations, 19 miles of new and rehabilitated track work, new and reconfigured interlockings, modernization of signal, power and communication infrastructure, and the expansion of Metro-North’s New Rochelle Yard. By bringing the Hell Gate Line to a state of good repair, the project will also improve reliability and on-time performance for Amtrak customers and prepare the Northeast Corridor for high-speed rail in the future.

PROJECT STATUS	Original	Forecast
Substantial Completion	March 2027	Q4 2027
Budget	\$2.867B*	\$2.867B*
*Budget does not include Metro-North rolling stock procurement The project is approximately 20% complete		

Design units have been developed to advance the design and construction in a coordinated way. Most of these design units have been developed up to 60-90% design, with 21 early works design packages completed. This level of development has allowed procurement of some critical long lead items to expedite construction.

Leggett Interlocking is one of the key project elements and was identified as an early construction item during preliminary design. The signal design was advanced up to 90% and special track work up to 100%. Special track work has been stored on site since late 2022 and the track 1 portion of the interlocking is currently being installed. Commissioning of this interlocking is scheduled for mid-2024. Leggett Interlocking will provide the operational flexibility to allow Amtrak to support extended track outages where Amtrak will operate on one track (between Leggett and Manor Interlockings) and construction will be phased on the other track.

Other recent activities:

- Installation of tiebacks at the Bronxdale Avenue Bridge and Eastchester Road Bridge has been completed.
- Re-profiling of track 2 has been completed. This brings the existing system into compliance with vertical clearance for freight traffic.

- Installation of CSX-E switch has been completed. This allows freight traffic to enter Amtrak’s mainline 3 miles west of the previous location and allowed the project to remove 3 miles of track 5 (CSX track), opening a large field on the south side of the right-of-way (ROW) to begin installation of overhead catenary structures.

Since the start of construction, the project has been hampered by limited access onto the Amtrak ROW. This was mostly due to the limited availability of Amtrak Force Account support. Amtrak committed to provide a minimum of thirty 55-hour weekend single track outages per year, which were not provided in 2022. As a result, the project has experienced significant construction delays (approximately 6-9 months). In an attempt to mitigate these delays, Amtrak has given the project a 6-month long-term track outage. However, despite the track being out of service 24/7, Amtrak can only support 10-18 hours of work per day due to force account resource limitations. As a result, the project has been unable to make up lost time and remains approximately 6-9 months behind schedule.

The project is working with Amtrak to deploy a recovery plan to address their force account limitations. Amtrak has suggested providing incentives to their force account staff to entice them to work on this project. Additionally, the MTA is working with Amtrak to implement rule changes such as AMT-2 Training and less restrictive rules for working adjacent to live traffic while maintaining FRA standards for safety. Amtrak has also signaled a willingness to provide an additional long term track outage in 2024.

Coordination with third party agencies (NYCDOT, NYSDOT, Con Edison, NYCDEP, USCG, USACE, etc.) continues. The real estate acquisition process continues, and we are on schedule to acquire all the properties necessary to complete the project.

**Grand Central
 Madison
 (East Side Access)**

CM007
 CM014B
 CM030
 CH063

East Side Access (ESA), now known as Grand Central Madison (GCM), provides LIRR passengers with direct service to Grand Central Terminal (GCT). The project involved building an 11.5-mile underground tunnel with a new station and concourse below the existing GCT.

PROJECT STATUS	Original	Actual
Revenue Service	December 2022	January 2023
Budget	\$11.1B*	\$11.1B
<i>*Project was re-baselined to \$11.1B in April 2018 The project is approximately 96% complete</i>		

Following the start of revenue service on January 25, 2023, Grand Central Madison (GCM) has now entered the closeout phase.

The Biltmore Connection opened on May 8, 2023, with two escalators and one elevator connecting Grand Central Madison with Grand Central Terminal and a direct exit to 43rd Street.

An interim maintenance contract (IM2) is actively maintaining the facility assets. MTA C&D is working to finalize a long-term agreement (5-year w/options) from two operations and maintenance (O&M) contractors to work under the Grand Central Madison Concourse Operating Company (GCMCOC).

Major efforts are now focused on closeout, including test documentation, as-builts, warranties, and commercial resolution of claims. In addition, the required safety and security certification packages are also being advanced.

Harold Interlocking Project

CH058BCH063
 FHA03/04
 FHL03/04
 CH057A2
 CH059A1
 FQA65

This Project is part of the Northeast Corridor Congestion Relief Project to reconstruct Harold Interlocking to create two grade-separated routes (Eastbound Reroute and Westbound Bypass) for Amtrak and Metro-North trains traveling between Penn Station and the Hell Gate and New Haven Lines, along the Northeast Corridor, thus increasing speed, capacity, and operational flexibility. Some LIRR trains will also be able to use these new tracks, especially Port Washington Branch trains.

The Eastbound Reroute and Westbound Bypass structures include box structures that transverse below main line tracks in Harold Interlocking, approach structures and support facilities. The new routes add approximately 12,000 linear feet of additional trackwork, third rail, catenary and several track switches to facilitate movements to and from the East River tunnels and Sunnyside Yard through Harold Interlocking. The project also modifies and reconstructs Loop Track Interlocking to increase the speed and capacity to Sunnyside Yard through which Amtrak trains can pass and has demolished existing Amtrak buildings to make way for future construction of additional storage tracks.

Portions of funding come from a HSIPR (High Speed Intercity Passenger Rail) grant between FRA, MTA C&D and NYSDOT (\$294 million). A grant amendment is in progress to remove the Amtrak car washer scope from the grant based on agreements between MTA C&D and Amtrak. As a result, Amtrak will award a contract for their new car washer facility after MTA C&D completes construction of Loop Interlocking. This will result in adjustments to the cost and schedule forecasts once executed in Q3 2023.

PROJECT STATUS	Plan	Forecast
Program Completion	October 2028*	October 2028*
Budget	\$1.4 B*	\$1.4 B*

**HSIPR grant amendment is in progress to remove Amtrak scope from the program which will reduce the budget and schedule. The program is approximately 50% complete.*

Eastbound Reroute:

- A cut and cover tunnel operation is in progress as part of an extended duration track outage removing two main line tracks from service to construct the box structure. The box structure is complete, trackwork and third rail is in progress and will be followed with catenary restoration. The current projection to return service is September 2023
- When complete, this will provide conflict-free eastbound operations for LIRR trains to Jamaica, LIRR Port Washington Branch trains, Metro-North Penn Station Access service, and Amtrak
- East and West approach structure concrete operations are in progress
- Project is currently 74% complete

T Interlocking:

- Sections of several loop tracks have been replaced and upgraded to include third rail to facilitate LIRR moves to the East Side Access (ESA) Midday Storage Yard
- A revised third rail traction power feeder layout for the Penn Lead track is being developed to accommodate jurisdictional sectionalizing switches. The Penn Lead work will be completed after the revised third rail layout is developed and installed by LIRR.
- A new catenary sectionalizing switch will be installed in conjunction with Amtrak ET forces to provide track and power outages to complete the additional crossover (DS) between Amtrak's Loop tracks and the Midday Storage Yard.
- When complete, the Penn Lead and DS tracks will relieve the single point of operational failure in and out of the ESA Midday Storage Yard

Westbound Bypass:

- A construction contract is being developed with a planned award in Q4 2024
- When complete, this will provide conflict free westbound train operations for LIRR trains from Jamaica, LIRR Port Washington Branch trains, Metro-North Penn Station Access service, and Amtrak
- Portions of the Westbound Bypass were completed in an earlier contract (2017)
- An undertrack slab was installed in 2013 to allow the construction of the tunnel section (box structure) below the mainline tracks via tunneling methods to minimize operating impacts

Loop Interlocking:

- A contract is being developed with a planned award in Q2 2025
- Track outages are contingent on the completion of the East River Tunnel 2 rehabilitation project
- This project in conjunction with the Amtrak car washer provides LIRR

conflict free access into Midday Storage Yard

Amtrak Car Washer:

- This portion of the Harold Interlocking project is being transferred to 100% Amtrak funding and management responsibility
- Amtrak's project will only proceed once the MTA completes the above four projects

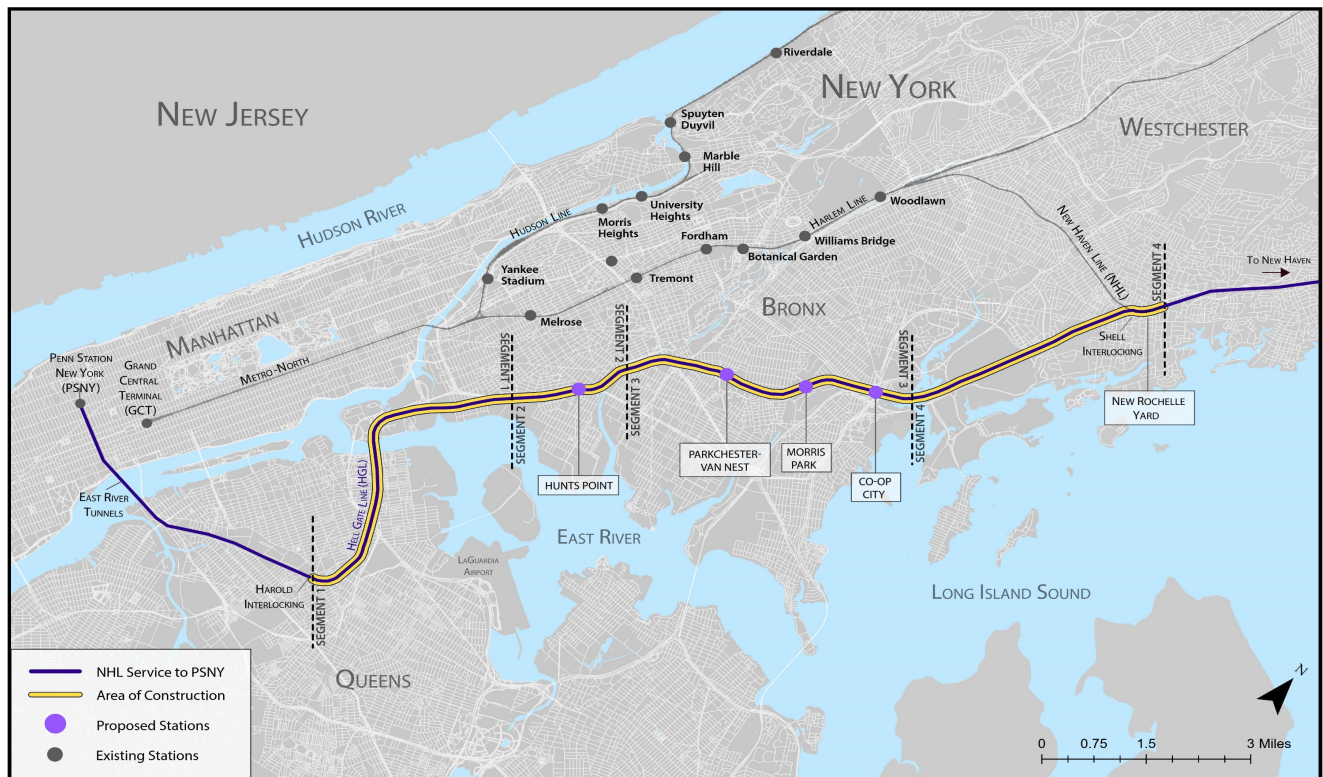
Project risks include:

- Supporting resources from Amtrak and LIRR
- Provisions for track outages
- Regional competing resource needs and outages due to ongoing and future work including Penn Station, East River Tunnels, Metro-North Penn Station Access, Gateway Tunnel, etc.

Due to limited availability of Amtrak resources, the project team continues to work closely with Amtrak and LIRR to ensure priorities and assignments are effectively managed.

July 2023 CPC Independent Engineering Consultant Project Review

Metro-North Penn Station Access



Metro-North Penn Station Access

Scope of Work

- Provide improved direct rail access to Penn Station from southern Connecticut, Westchester County, and the eastern Bronx. The Project is needed to:
 - Reduce travel times to and from Penn Station by providing direct service to Metro-North New Haven Line (NHL) customers.
 - Introduce convenient, direct rail service to the east Bronx, currently underserved by mass transit.
 - Provide infrastructure improvements that meet the transportation and infrastructure industry standard for sustainability.
- The Design Build (D-B) project scope elements include:
 - Realigning existing tracks and constructing two new passenger tracks, a total of 19 miles of track within the 6-mile project area of the HGL.
 - Upgrade Signals and Communications; 3rd Rail Traction Power and Overhead Contact Systems.
 - Five new interlockings and reconstruct two existing interlocking.
 - Construct four New Metro-North ADA Accessible stations.
 - Rehabilitate/reconstruct four rail bridges.
 - Eight AC and DC Sub-stations.
 - Public outreach keeping Project Stakeholders and Community informed.
 - Reconfiguration of Metro-North's New Rochelle Yard (NRY).

Metro-North Penn Station Access

Schedule

- MTA C&D awarded the Design-Build (DB) contract in December 2021, with a construction duration of 63 months to Halmar International, LLC/RailWorks, a Joint Venture Design-Builder (JV).
- Base Contract Notice To Proceed (NTP) - January 2022.
- Option Work New Rochelle Yard Improvements NTP - December 2022.

Contractual Substantial Completion (SC)	March 2027
MTA C & D - Forecast SC	November 2027
DB Update #10, 6/2023 - Forecast SC	November 2027
IEC Forecast SC	November 2027

- Since the last report, the project has an additional two (2) months delay primarily due to a lack of Amtrak force account support.
- The MTA Project Team/DB and Amtrak are developing a project work plan which includes:
 - Increase in work productivity and force account support.
 - Increasing continuous Amtrak long-term outages (LTO) which are yet to be agreed upon.
- The IEC concurs with the project team that it is unlikely they can recover the time lost to date. However, providing the revised project work plan is implemented swiftly and the Amtrak force account support meets planned availability requirements, we find the November 2027 is achievable.

Metro-North Penn Station Access

Budget Review

- ▣ The Project Budget and EAC remains at \$2.87B.

M-N PSA Budget Status	Program Budget	Project Forecast EAC	IEC Forecast EAC
Current Status as of May 2023	\$2.87B	\$2.87B	\$2.87B

- ▣ The IEC review of the total project cost, inclusive of work in place, soft costs, contingency, modifications issued and potential change orders to date and financial reserves, indicates that the Project EAC of \$2.87B equals the approved project budget, and is sufficient to complete the project.

Metro-North Penn Station Access

Risks and Mitigations

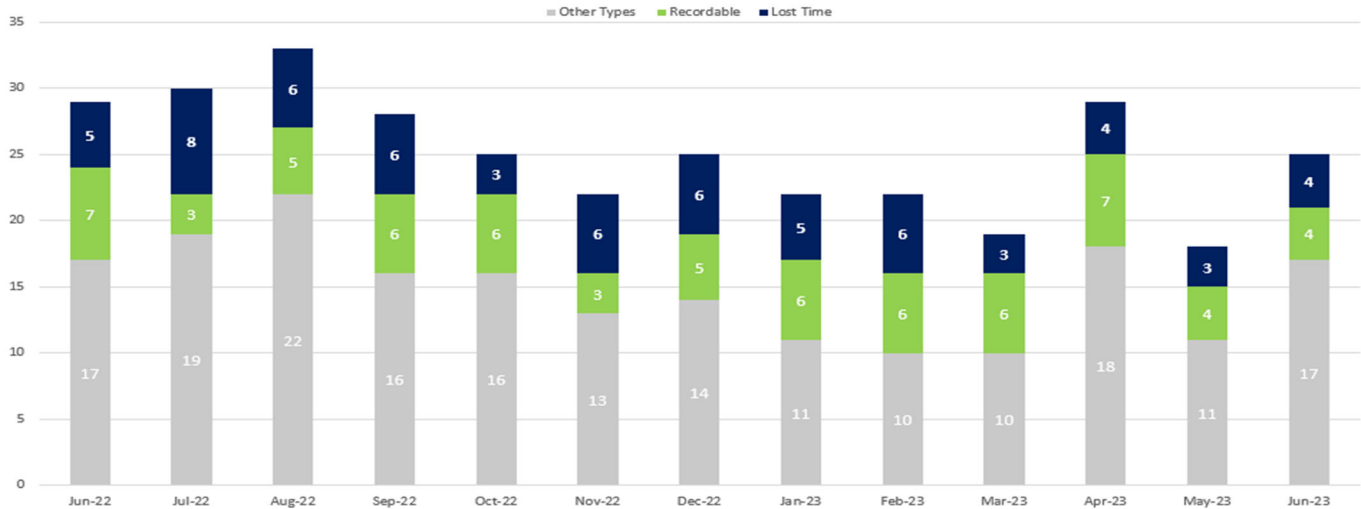
- The contractor has not been able to fully perform its early site work as planned and continues to be hampered by a lack of Amtrak and CSX Force Account support. There is schedule risk if the project work plan agreement is delayed or not fully implemented.
 - To mitigate the risk, Amtrak and MTA have begun to take the additional following steps:
 - Continue the single-track operation of the 2023 LTO into early 2024 and beyond.
 - Increasing the level of qualified personnel sufficiently to support the work as planned.
 - Continue contractor “Electrical Operating” training for personnel.
- Delay in obtaining wetlands permit approvals for the Pelham Lane Bridge from associated stakeholder agencies are ongoing.
 - Agreed upon public agency information requests incorporated into permit application documents to obtain requisite approvals. Permit issuance is imminent.
- IEC reports that while the project is in the design and early construction stages, mitigation measures which effectively address above risks are being actively pursued by the MTA PMT.

Metro-North Penn Station Access

Observations

- MTA/PMC/Amtrak/CSX/JV continue working together to gain additional track outages as the field investigation is nearing completion and design continues as well as commencement of construction in multiple work locations.
- JV has completed installation of a temporary switch which allows for single track outages commencing with Overhead Catenary System caisson installation.
- Procurement of long lead items is underway within the approved Baseline Schedule.
- Certain elements of the Harold Interlocking program are needed for the success of PSA which are forecast for completion ahead of the PSA service commencement date.

OSHA Classifications - June 2022 - June 2023



Lost Time – A work-related incident (injury or illness) to an employee that results in a loss of productive work time, and the employee is unable to perform regular job duties
Recordable - An injury or illness that results in restricted work or transfer to another job, medical treatment beyond first aid, loss of consciousness

SAFETY NARRATIVE

JUNE UPDATE:

- **25 safety incidents were reported in June 2023, including:**
 - Four (4) lost time incidents
 - Four (4) recordable incidents
- **Reported lost time incidents in June 2023 increased 33% (or one(1) incident) vs. May 2023**
- **Leading lost-time and recordable incident types for June 2023 were Caught in Between (37%), Slip/Trip/Fall (25%), Strain/Sprain (25%) and Struck by/Against (13%).**
- **No Serious incidents were reported.**

YEAR-TO-DATE TRENDS:

Hazards	Lost Time -Year to Date		Recordable - Year to Date		First Aid - Year to Date		Notification - Year to Date		Grand Total	% to Grand Total
	Count	YTD %	Count	YTD %	Count	YTD %	Count	YTD %		
2023										
Struck By/Against	3	12%	11	33%	17	49%	13	30%	44	32%
Slip, Trip, Fall	10	38%	7	21%	6	17%	10	23%	33	24%
Other	4	15%	5	15%	2	6%	10	23%	21	15%
Sprain/Strain	4	15%	3	9%	7	20%	7	16%	21	15%
Caught in Between	4	15%	7	21%	3	9%	3	7%	17	12%
Electrical	1	4%	0	0%	0	0%	0	0%	1	1%
Totals	26	100%	33	100%	35	100%	43	100%	137	100%

- **LOST TIME INCIDENT TRENDS:** 26 Lost Time incidents have been reported YTD (through June 30, 2023), a decrease of 10% (or three (3) incidents) vs. the same reporting period in 2022. This year's (through June 30, 2023) top injury type associated with lost time incidents is Slips/Trips/Falls, currently at (37%).
- **RECORDABLE INCIDENT TRENDS:** 33 Recordable incidents have been reported YTD (through June 30, 2023), an increase of 10% (or three (3) incidents) vs. the same reporting period in 2022. This year's (through June 30, 2023) top injury type associated with recordable incidents is Struck By/Against (33%).
- **SERIOUS INCIDENTS:** 2023 Total – 3
 - ELECTRICAL SHOCK - 1
 - ENVIRONMENTAL – 1
 - FALL – 1

INSPECTIONS & AUDITS:

- **JUNE INSPECTIONS:**
 - **INTERNAL – 220**
 - **EXTERNAL – 651** (131 Third-Party Safety Consultants; 520 OCIP Visits)
- **YTD TOTAL # OF INSPECTIONS:**
 - **INTERNAL – 1,391**
 - **EXTERNAL – 3,562** (617 Third-Party Safety Consultants; 2,945 OCIP Visits)
- **JUNE NEGATIVE OBSERVATION(S)** – Negative Findings identified through the various inspections include Housekeeping, Fall Protection, Site Security & Public Protection, Barricades and Enclosures, Supervision/Organization, and Stairs & Ladders.
- **JUNE POSITIVE OBSERVATION(S)** – Positive Findings identified through the various inspections include Supervision/Organization, General Safety/Housekeeping, Tools (Hand & Power), Fire Protection, and Electrical.

INVESTIGATIONS & LESSONS LEARNED:

- **NUMBER OF INVESTIGATIONS for JUNE – NONE**

MTA C&D SAFETY STRATEGIC INITIATIVES:

- C&D Safety Oversight continues to support the Business Units (BU) in processing project deliverables and approvals until qualified candidates are identified and onboarded. Safety Oversight assists the BUs in reviewing and selecting qualified candidates to fill these critical roles/positions. C&D Safety Oversight has also been approved to fill several open positions and is currently interviewing selected candidates. These additional staff will be used to support the group's project safety inspection and oversight responsibilities. The availability of suitable candidates continues to be challenging as Contractors and PMCs also need qualified personnel to staff their projects. Safety Oversight is analyzing the current contract requirements and the market availability to evaluate how safety personnel is prescribed within contracts and allow adjustments to changing trends or project and sub-project bundling.
- AECOM Safety Assessment Initiative – Advance a multiphase project to audit, evaluate, recommend, and implement a new Safety Management System (SMS) with MTA C&D. The primary focus is improving safety at construction sites and capital improvement projects around operating MTA rail transit, bridge, and tunnel facilities, including an IT platform selection and data management application.
 - AECOM continues working on the delivery of training material for the Phase 1 rollout. After C&D approves training materials, "Train the Trainer" sessions will be held with C&D Safety Oversight and BU Safety personnel. AECOM continues working with C&D Safety Oversight and other C&D groups to revise the Division 1 Specifications to align the responsibilities and deliverables of the Contractor/Design Builder with the MTA C&D Safety Management System. They are also developing a specification that the PMCs will use to ensure their project responsibilities align with the established MTA C&D Safety Management System.
 - The digital solution for the Safety Management System continues progressing with HQ and has been incorporated into an Agencywide ESS. The specific module for C&D will allow real-time inspections and submissions to be viewed and tracked, with input from all users (e.g., GC/PMC field safety coordinators and C&D Safety Oversight/BU Safety staff). The scope of work (SOW) is being finalized with all stakeholders.
- Independent Third-Party Safety Inspection Consultant – The Independent Safety consultant is tasked with auditing contractor compliance with applicable federal (such as OSHA, EPA), state, and local regulations, approved Construction Health and Safety Plan (CHASP), and the contract's specific requirements.
 - Under the current contract modification, the Consultant continues to perform inspections within the various CD Business Units. C&D Safety Oversight continues to work with the Consultant to resolve any issues or challenges that may arise while closely monitoring inspections.
- As a follow-up to the previously issued Stop Work Order, C&D Senior Leadership and OCIP met with the DB Senior Executive Leadership to discuss the safety issues and concerns on a particular project and others across the C&D portfolio. The DB Senior Leadership acknowledged the challenges the project team has been experiencing and presented their corrective action plan to C&D Leadership to move forward. Enhancements to their safety program for MTA projects included appointing a dedicated safety executive responsible for MTA projects, more presence by the contractor's Senior Executive Leaders, and additional resources and training for their teams.

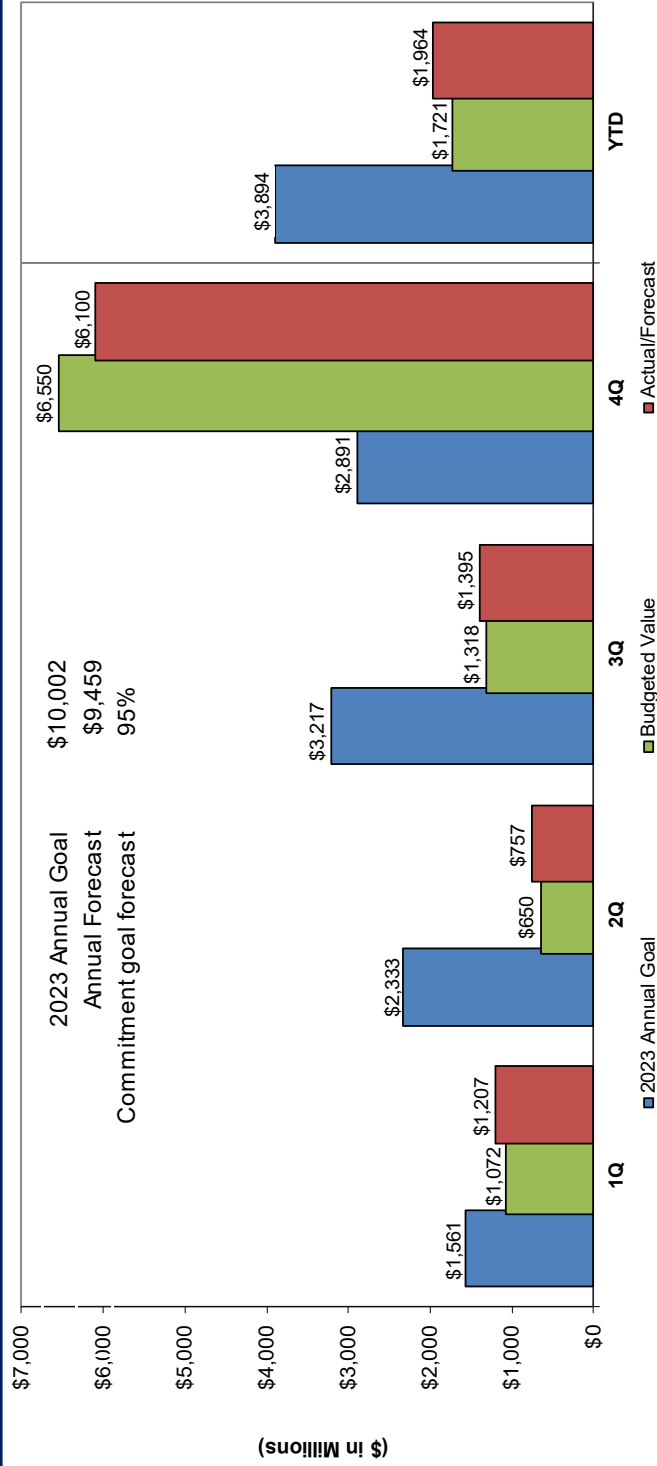
- VP Safety Oversight continues outreach initiatives with Contractors and Construction organizations to discuss C&D Safety trends and lessons learned from current projects. Additional outreach material for C&D staff and Contractors is being developed for use during project and staff safety meetings to align with the C&D Safety Management System. The Monthly & Quarterly Outreach meetings with the various PMC/CCM consultant companies are ongoing and include discussions on possible areas for additional collaboration and mitigations for ongoing and future projects.

MTA Capital Program Commitments & Completions

**through
June 30, 2023**

Capital Projects – Commitments – June 2023

MTA-wide 2023 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

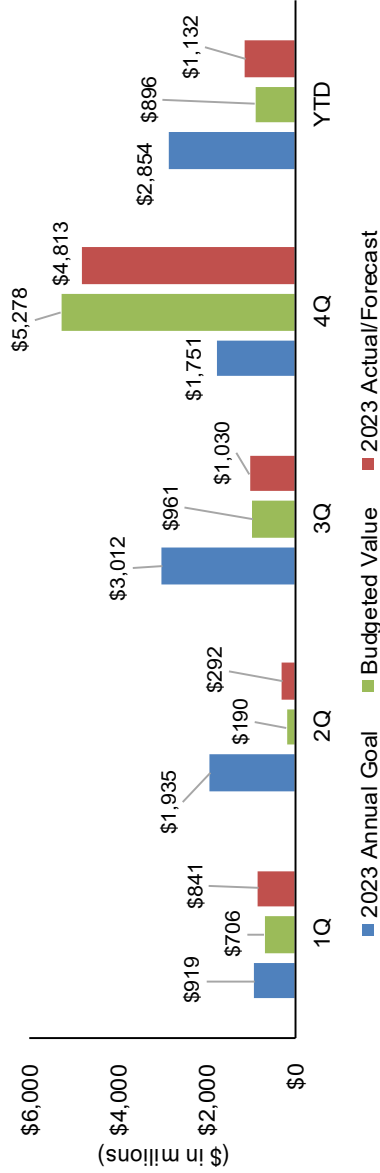
In 2023 the MTA planned to commit \$10 billion worth of capital projects. The MTA is tracking 38 "major" commitments across the agencies and business units. At the end of each quarter in 2023 any schedule variances will be reported on the following pages.

Through June, the MTA has committed \$1.964 billion versus a \$3.894 billion YTD goal and by year end the MTA now expects to make 95% of its \$10 billion goal. The year-end shortfall is primarily due to NYCT's ADA 168th/7Ave Bwy (\$246 million) slipping from Q4 to 2024. The ~\$1,930 million shortfall in actual commitment versus the YTD annual goal is a result of NYCT's CBTC Fulton project (\$1.660 billion) and several smaller project delays from NYCT. These are still expected to be committed within the year.

NYCT/MTA Bus Capital Projects – Commitments – June 2023 – Budget Analysis and Schedule Variances

NYCT and MTA Bus Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$919	\$1,935	\$3,012	\$1,751	\$2,854
2023 Actual/Forecast	\$841	\$292	\$1,030	\$4,813	\$1,132
Budgeted Value	\$706	\$190	\$961	\$5,278	\$896



Q1 and Q2 Schedule Variances

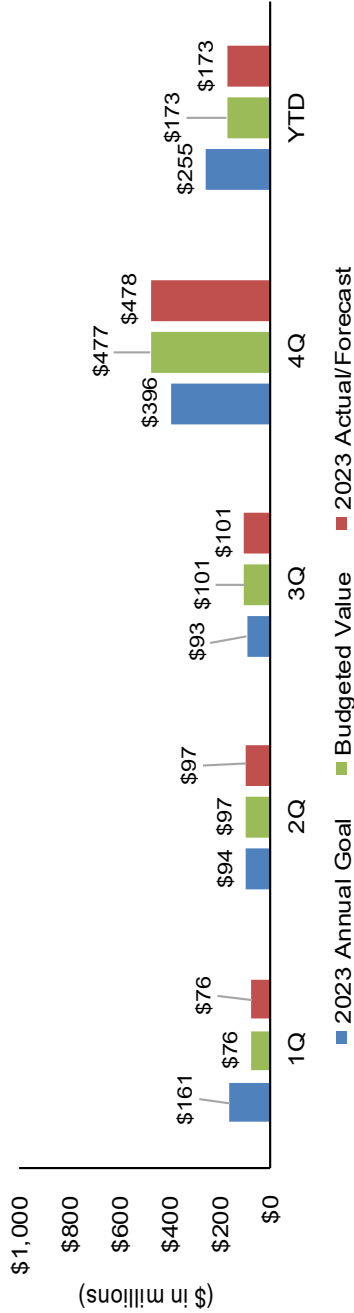
Project	Commitment	Goal	Act./Forec.
1 NYCT/MTA Bus Red Commitments (1 new this quarter)			
Red delays are beyond 2 months of goal.			
Signals			
CBTC Fulton (New Item)	Construction	Jun-23	Dec-23
		\$ 1,659.8	\$ 1,395.8

Change in award forecast (6/2023 to 12/2023) reflects latest procurement strategy. Change in project cost reflects Step 2 RTA estimate.

LIRR Capital Projects – Commitments – June 2023 – Budget Analysis and Schedule Variances

LIRR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$161	\$94	\$93	\$396	\$255
2023 Actual/Forecast	\$76	\$97	\$101	\$478	\$173
Budgeted Value	\$76	\$97	\$101	\$477	\$173



Q1 and Q2 Schedule Variances

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

1 LIRR Amber Commitment

Amber delays are within 2 months of goal.

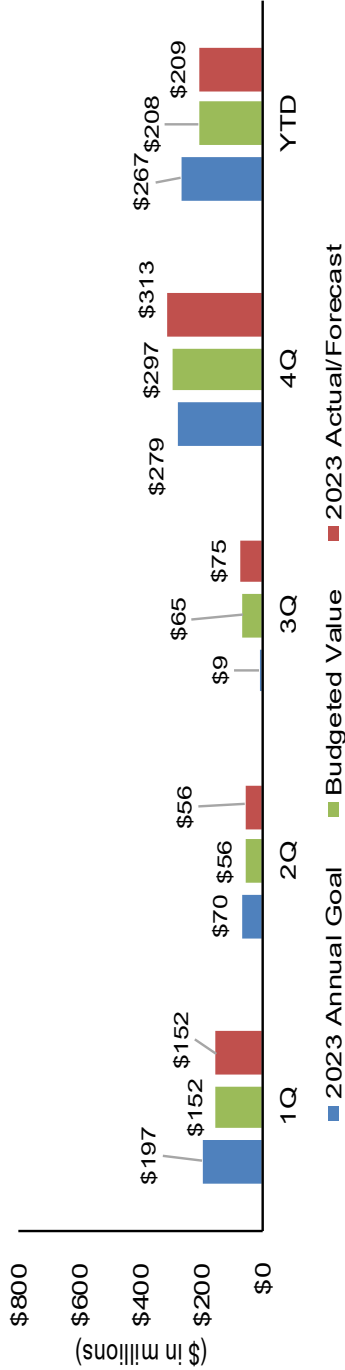
Track

2023 Annual Track Program	Construction	Mar-23	Apr-23 (A)
		\$ 62.0	\$ 50.0
Delay in commitment was due to additional funding and budget reviews prior to the award which was made in early April. The remaining amount to be committed is scheduled for award later this year for the 3rd party contracts associated with this project.			

MNR Capital Projects – Commitments – June 2023 – Budget Analysis and Schedule Variances

MNR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$197	\$70	\$9	\$279	\$267
2023 Actual/Forecast	\$152	\$56	\$75	\$313	\$209
Budgeted Value	\$152	\$56	\$65	\$297	\$208



Q1 and Q2 Schedule Variances

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

1 Metro-North Red Commitments (1 new this quarter)

Red delays are beyond 2 months of goal.

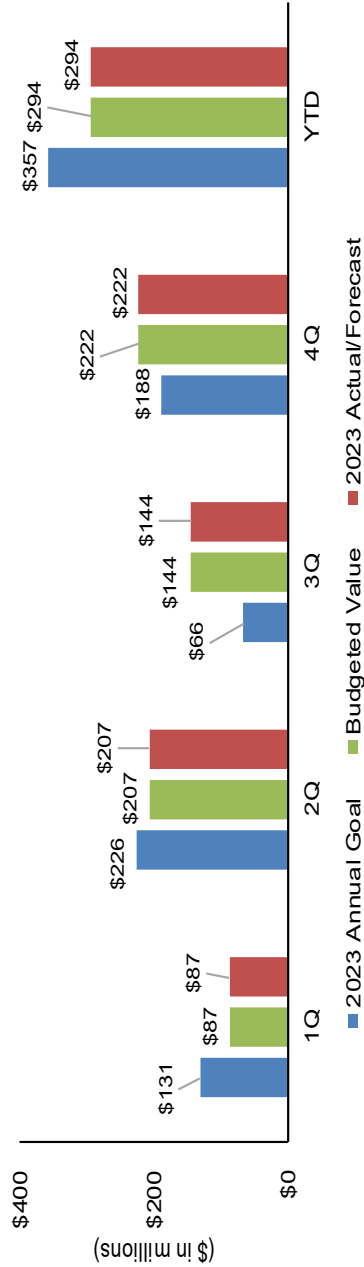
Power

NHL Pelham Substation	Construction	Apr-23	Jul-23
Replace ment (New Item)	\$	29.7	\$ 33.2
Due to a delay in obtaining Project Requirements and Design Criteria (PRDC) documents an updated procurement schedule pushed this out to July 2023.			

MTA Network Expansion Projects – Commitments – June 2023 – Budget Analysis and Schedule Variances

MTA Network Expansion Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$131	\$226	\$66	\$188	\$357
2023 Actual/Forecast	\$87	\$207	\$144	\$222	\$294
Budgeted Value	\$87	\$207	\$144	\$222	\$294



Q1 and Q2 Schedule Variances

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

1 Network Expansion Red Commitments (0 new this quarter)

Red delays are beyond 2 months of goal.

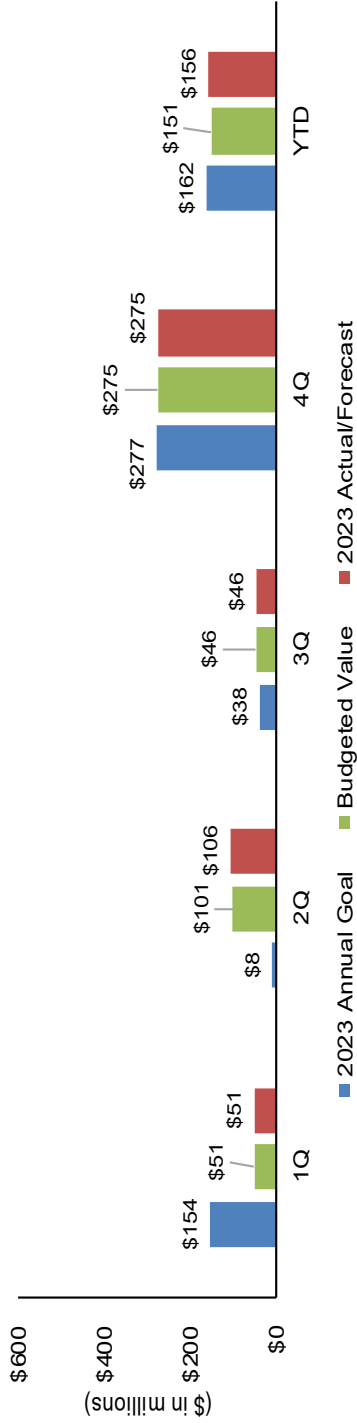
Penn Station Access

Penn Reconstruction:	Design	Mar-23	Jun-23 (A)
Architectural & Engineering	\$	60.8	\$ 60.8
Design Svcs - FXC WSP			
Delays were due to extended negotiations with project partners Amtrak and NJ Transit.			

B&T Capital Projects – Commitments – June 2023 – Budget Analysis and Schedule Variances

B&T Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$154	\$8	\$38	\$277	\$162
2023 Actual/Forecast	\$51	\$106	\$46	\$275	\$156
Budgeted Value	\$51	\$101	\$46	\$275	\$151



Q1 and Q2 Schedule Variances

Project	Commitment	Goal	Act./Forec.
---------	------------	------	-------------

1 B&T Amber Commitments (0 new this quarter)

Amber delays are within 2 months of goal.

Bridges

VN-81 Lower Level Main Span	Construction	Feb-23	Apr-23 (A)
Deck Rehab & Painting of Upper Level Steel		\$ 104.9	\$ 104.9

Schedule shifted because of pending approval of third party funding.

Capital Projects – Completions – June 2023

Forecast	MTA-wide 2023 Major Completions												Post 2023
	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	
Goal	4	1	3	4	0	2	2	3	3	5	2	12	1
Total	4	4	4	4	0	2	2	3	3	5	2	12	1
Jan-23	4												
Feb-23		1					1						
Mar-23			2					1			1	1	
Apr-23				2		1		1		1		1	
May-23				1									
Jun-23						1							
Jul-23							1						
Aug-23								1				1	
Sep-23									3				
Oct-23										3			
Nov-23											1		
Dec-23				1								9	1

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

Completions Summary

In 2023 the MTA plans to complete \$10.4 billion of projects. 42 Major completions are being tracked throughout the year.

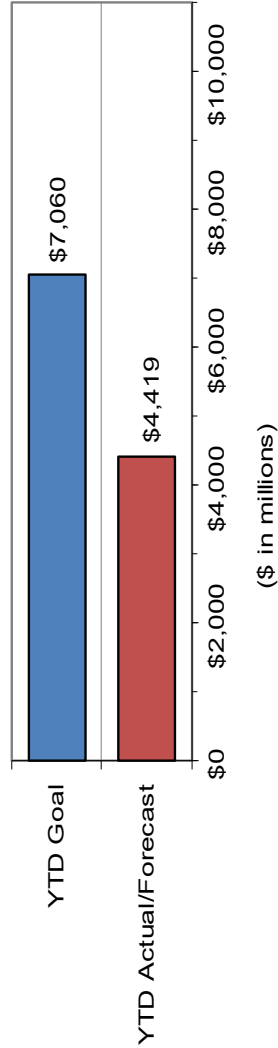
Through June, the MTA has completed \$4,419 million versus its year-to-date goal of \$7,060 million. The shortfall is mainly due to several delays at NYCT and the impact of delayed East Side Access completions which are expected to be achieved later this year.

Overall, there are eleven delayed major completions, all but one of which are expected to be achieved later in the year. Each is identified on the following pages.

By year end the MTA forecasts achieving 96% of its \$10.4 billion completions goal.

Budget Analysis

2023 Annual Goal \$10,405
 Annual Forecast \$9,966
 Completion goal forecast 96%

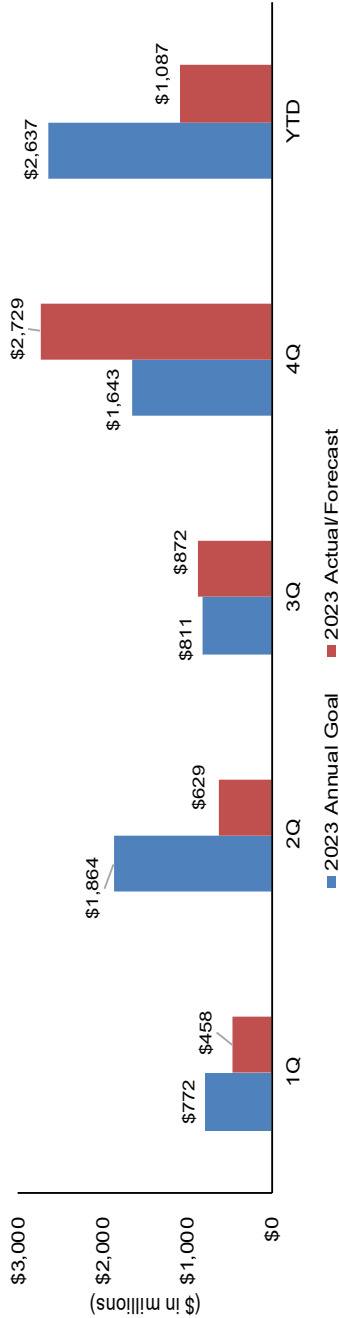


NYCT/MTA Bus Capital Projects – Completions – June 2023 – Budget Analysis and Schedule Variances

NYCT and MTA Bus Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$772	\$1,864	\$811	\$1,643	\$2,637
2023 Actual/Forecast	\$458	\$629	\$872	\$2,729	\$1,087

2023 Goal (Rolling Stock)	\$276	\$249	\$0	\$96	\$525
2023 Actual/Forecast (Rolling Stock)	\$276	\$108	\$141	\$96	\$384



Schedule Variances

7 NYCT/MTA Bus Red Completions (2 new this month)

Red delays are beyond 2 months of goal.

Superstorm Sandy	Construction	Mar-23	Dec-23
Upgrade Emergency Booth Comm System		\$74.1	\$74.1
Change in project schedule reflects ongoing migration/integration work of the communication system and in-service durability testing.			
Coney Island Yard: Sandy Repair/Mitigation and CBHs (New Item)	Construction	Apr-23	Oct-23
		\$609.0	\$609.0
Change in project schedule reflects delay to due to supply chain issues including the pending delivery of lighting panels and ongoing replacement of damaged signal cable. Change in cost reflects administrative adjustments due to accounting reconciliation.			
Signals & Communications	Construction	Apr-23	Dec-23
CBTC QBL West Ph.1 /Siemens		\$221.7	\$221.7
Change in project schedule due to the vendor's softw are-related reliability issues.			

NYCT/MTA Bus Red Completions (continued)

Line Equipment	Construction	Nov-23	Mar-24
Rehabilitate Forsyth St. Fan Plant		\$87.7	\$87.7
Change in project schedule reflects delay due to complexity of excavation work.			
MTA Bus	Construction	Mar-23	Aug-23
Storeroom Expansion - LaGuardia		\$7.4	\$7.4
Delay on the delivery of 400 A switch fused disconnect switch components, also due to materials not procured on time, and a delay in the Access Control Cable and Lighting Relay panel submittal submission.			
Buses	Construction	Apr-23	Aug-23
209 Standard Diesel Buses (Nova) (New Item)		\$141.2	\$141.2
Change in project schedule due to material availability and contractor production.			
Stations	Construction	Jul-23	Dec-23
ADA: 8 Stations - Package A		\$276.2	\$276.2
Change in project schedule reflects delays in establishing utility relocation agreements, property access and easement agreements.			

NYCT/MTA Bus Capital Projects – Completions – June 2023 – Budget Analysis and Schedule Variances

Schedule Variances (Continued)

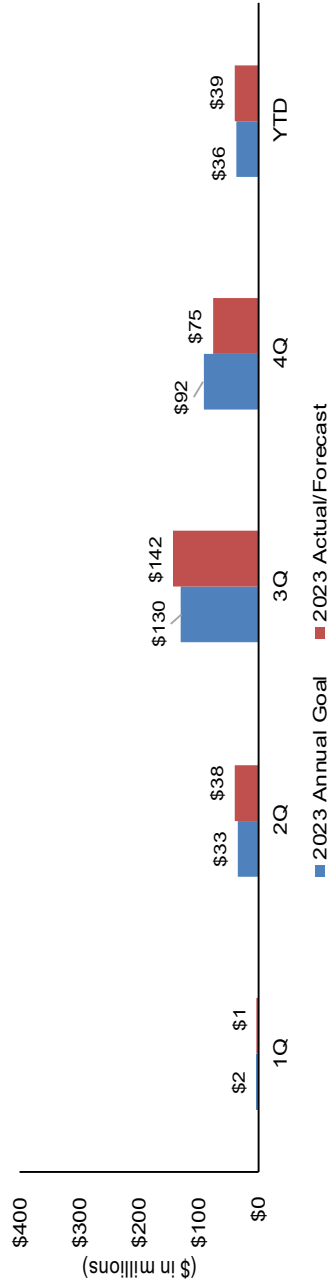
Project	Completion	Goal	Act./Forec.
1 NYCT/MTA Bus Amber Completions (0 new this month)			
Amber delays are within 2 months of goal.			
<i>Staten Island Railway</i>			
ML Track Rehab & Clifton Yard Switches	Construction	Apr-23 \$111.8	Jun-23 (A) \$111.8
Change in project schedule was due to the impact of track access and bus shuttles.			

LIRR Capital Projects – Completions – June 2023 – Budget Analysis and Schedule Variances

LIRR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$2	\$33	\$130	\$92	\$36
2023 Actual/Forecast	\$1	\$38	\$142	\$75	\$39

2023 Goal (Rolling Stock)	\$0	\$0	\$115	\$0	\$0
2023 Actual/Forecast (Rolling Stock)	\$0	\$0	\$115	\$0	\$0



Schedule Variances

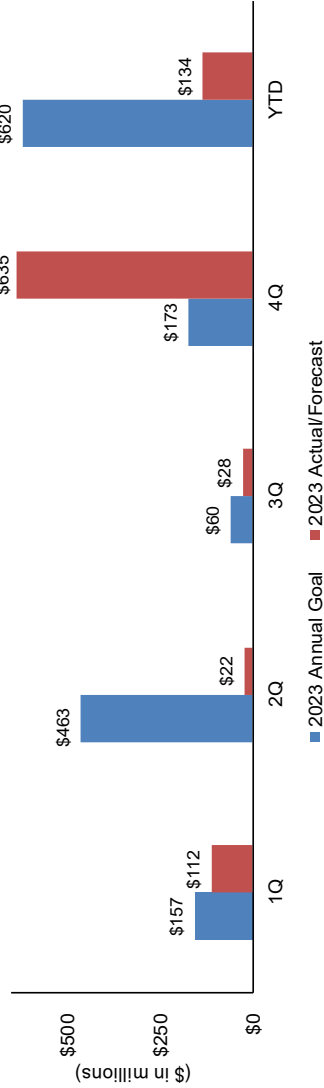
There are no major schedule slippages to report for the Long Island Rail Road.

MNR Capital Projects – Completions – June 2023 – Budget Analysis and Schedule Variances

MNR Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$157	\$463	\$60	\$173	\$620
2023 Actual/Forecast	\$112	\$22	\$28	\$635	\$134

2023 Goal (Rolling Stock)	\$0	\$0	\$0	\$115	\$0
2023 Actual/Forecast (Rolling Stock)	\$0	\$0	\$0	\$115	\$0



Schedule Variances

Project	Completion	Goal	Act./Forec.
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1 Metro-North Red Completions (0 new this month)

Red delays are beyond 2 months of goal.

Shops

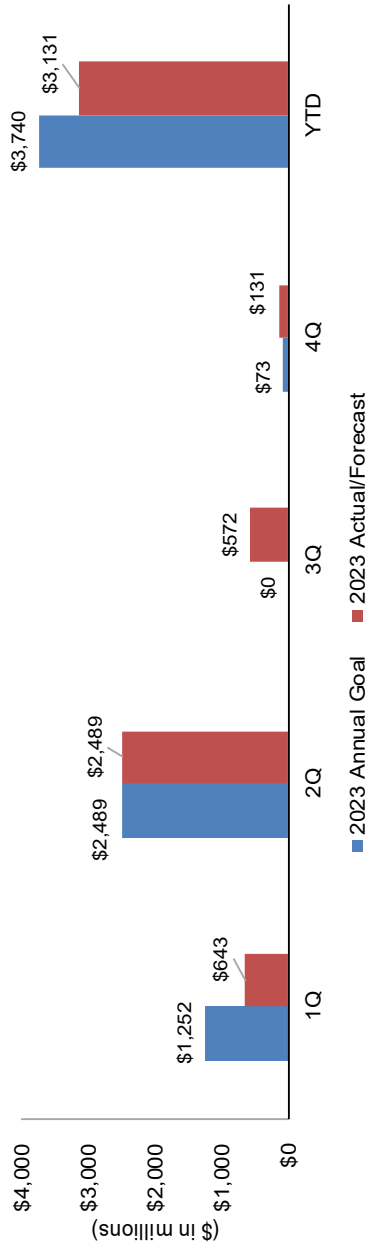
Harmon Shop Replacement - Phase V	Construction	Jun-23	Oct-23
		\$439.6	\$439.6

Change in project schedule reflects delays due to track outage delays as well as supply chain issues procuring some electrical components for equipment.

MTA Network Expansion Projects – Completions – June 2023 – Budget Analysis and Schedule Variances

MTA Network Expansion Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$1,252	\$2,489	\$0	\$73	\$3,740
2023 Actual/Forecast	\$643	\$2,489	\$572	\$131	\$3,131



Schedule Variances

Project	Completion	Goal	Act./Forec.
---------	------------	------	-------------

2 Network Expansion Completion (0 new this month)

Red delays are delayed more than 2 months of goal.

East Side Access

GCT Concourse & Facilities	Construction	Feb-23	Jul-23
		\$572.0	\$572.0

Prior delay to CM014B is driven by the completion and testing of a freight elevator followed by ceiling/flooring finishes. Further delay is driven by seismic bracing of mechanical installations, such as ducts and pipes.

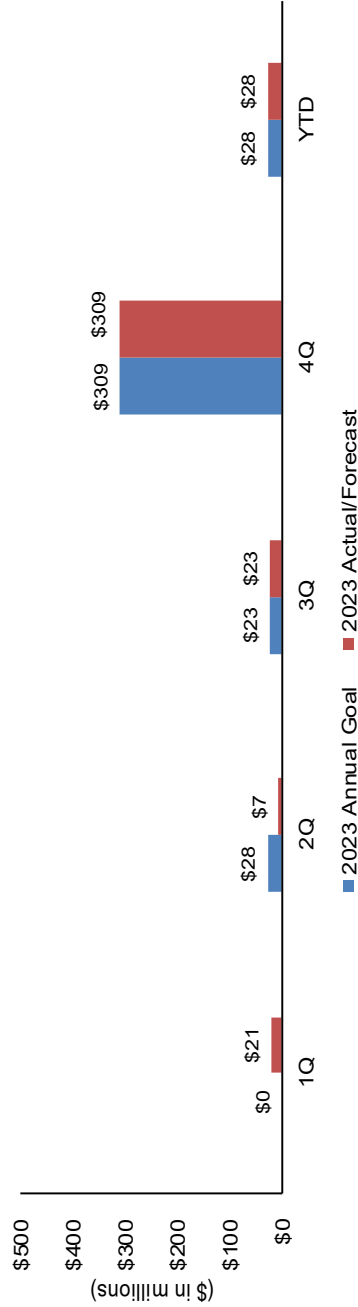
Concourse, Cavern & Facility Detailing Services CM030	Construction	Mar-23	Nov-23
		\$37.1	\$58.0

The CM030 contract which focuses on passenger facing and retail environment scope in the GCT Madison Ave concourse is delayed as additional contract change orders are being addressed, and were brought to MTA Board in May. Higher cost reflects additional work

B&T Capital Projects – Completions – June 2023 – Budget Analysis and Schedule Variances

B&T Budget Analysis

Summary Chart Data	1Q	2Q	3Q	4Q	YTD
2023 Annual Goal	\$0	\$28	\$23	\$309	\$28
2023 Actual/Forecast	\$21	\$7	\$23	\$309	\$28



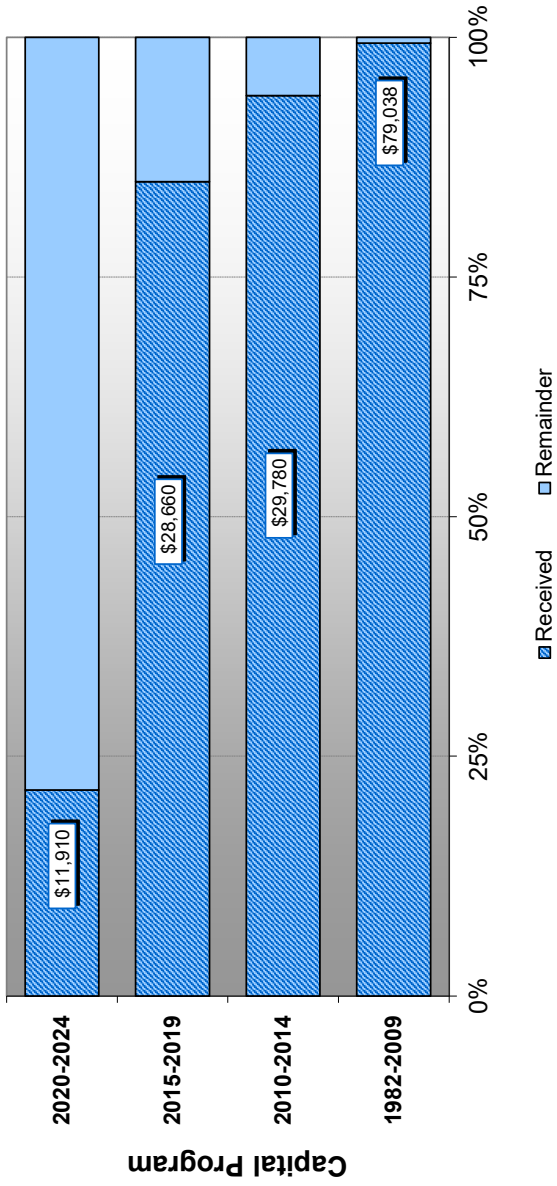
Schedule Variances

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

Status of MTA Capital Program Funding

Capital Funding (June 2023)

\$ in millions



Capital Funding Detail (June 2023)

\$ in millions

	Funding Plan		Receipts		Received to date
	Current	Thru May	June	June	
2010-2014 Program					
Federal Formula, Flexible, Misc	\$5,794	\$5,790	\$ -	-	\$5,790
Federal High Speed Rail	173	173	-	-	173
Federal New Start	1,271	1,271	-	-	1,271
Federal Security	89	89	-	-	89
Federal RRIF Loan					
City Capital Funds	628	608	-	-	608
State Assistance	770	770	-	-	770
MTA Bus Federal and City Match	132	113	-	-	113
MTA Bonds (Payroll Mobility Tax)	11,701	10,698	-	-	10,698
Other (Including Operating to Capital)**	1,361	1,288	-	-	1,288
B&T Bonds	2,025	1,864	-	-	1,864
Hurricane Sandy Recovery					
Insurance Proceeds/Federal Reimbursement	6,698	6,697	-	-	6,697
PAYGO	171	171	-	-	171
Sandy Recovery MTA Bonds	658	225	-	-	225
Sandy Recovery B&T Bonds	229	23	-	-	23
Total	31,701	29,780	-	-	29,780

	Funding Plan		Receipts		Received to date
	Current	Thru May	June	June	
2015-2019 Program					
Federal Formula, Flexible, Misc	\$6,898	\$5,724	\$ -	-	\$5,724
Federal High Speed Rail	122	122	-	-	\$122
Federal Core Capacity	100	-	-	-	\$ -
Federal New Start	500	-	-	-	\$ -
Federal Security	18	15	-	-	\$15
State Assistance	9,196	8,164	-	-	\$8,164
City Capital Funds	2,669	2,060	-	-	\$2,060
MTA Bonds	8,398	8,308	-	-	\$8,308
Asset Sales/Leases	806	315	-	-	\$315
Pay-as-you-go (PAYGO)**	2,156	1,961	-	-	\$1,961
Other	163	68	-	-	\$68
B&T Bonds & PAYGO/Asset Sale	2,717	1,925	-	-	\$1,925
Total	33,744	28,660	-	-	28,660

	Funding Plan		Receipts		Received to date
	Current	Thru May	June	June	
2020-2024 Program					
Capital from Central Business District Tolling	\$15,000	\$ -	\$ -	-	\$ -
Capital from New Revenue Sources	10,000	2,959	-	-	\$2,959
MTA Bonds and PAYGO	8,006	449	-	-	\$449
Other Contribution	542	-	-	-	\$ -
Federal Formula	8,865	6,226	-	-	\$6,226
State of New York	3,101	511	-	-	\$511
City of New York	3,007	1,323	-	-	\$1,323
Federal New Start (SAS Ph2)	2,905	-	-	-	\$ -
Federal Flexible	581	128	-	-	\$128
Federal Other	78	58	-	-	\$58
Federal Security	30	10	-	-	\$10
B&T Bonds	3,327	248	-	-	\$248
Total	55,442	11,910	-	-	11,910

Contracts Department

Evan Eisland, Executive Vice President and General Counsel

**PROCUREMENT PACKAGE
July 2023**

PROCUREMENTS

The Procurement Agenda this month includes 4 actions for a proposed expenditure of \$2.7 M.

Staff Summary

Subject Request Authorization for Several Procurement Actions					
Contracts Department					
Evan Eisland, Executive Vice President and General Counsel					
Board Action					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	7/17/23	X		
2	Board	7/19/23	X		

Date: July 13, 2023			
Internal Approvals			
	Approval		Approval
X	Deputy Chief Development Officer, Delivery	X	President
X	Deputy Chief Development Officer, Development	X	Executive Vice President & General Counsel

Purpose

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

Discussion

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

<u>Schedules Requiring Two-Thirds Vote</u>	<u># of Actions</u>	<u>\$ Amount</u>
B. Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)	3	\$ TBD
SUBTOTAL	3	\$ TBD

MTA Construction & Development proposes to award Ratifications in the following category:

<u>Schedules Requiring Majority Vote</u>	<u># of Actions</u>	<u>\$ Amount</u>
K. Ratification of Completed Procurement Actions	1	\$ 2,660,000
SUBTOTAL	1	\$ 2,660,000
TOTAL	4	\$ 2,660,000

Budget Impact

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

Recommendation

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

MTA Construction & Development

BOARD RESOLUTION

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

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

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.

July 2023

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

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

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

1-3.	Contractor(s) To Be Determined	\$ Cost To Be Determined	<u>Staff Summary Attached</u>
-------------	---------------------------------------	---------------------------------	--------------------------------------

Contracts Nos. GFM-549 – GFM-551

(estimated)

MTA Construction and Development (C&D) requests that the Board adopt a resolution declaring competitive bidding impractical or inappropriate, pursuant to the NY Public Authorities Law and the All Agency General Procurement Guidelines, and that it is in the public interest to authorize C&D to issue competitive Requests for Proposals in lieu of sealed bids for the award of three sets of contracts for as-needed services at various Authority facilities as follows: (i) Miscellaneous Construction Services, (ii) Miscellaneous Electrical Construction Services and (iii) Miscellaneous Cleaning & Painting Services.

Staff Summary

Schedule B: Request to Use RFP for Procurement of Purchase and Public Works in lieu of Sealed Bids

Item Number 1-3					
Department, Department Head Name: Bridges & Tunnels Business Unit, Joe Keane, P.E., SVP & Program Executive					
Board Reviews					
Order	To	Date	Approval	Info	Other
1	Capital Program Committee	7/17/23	X		
2	Board	7/19/23	X		
Internal Approvals					
Order	Approval	Order	Approval		
X	Deputy Chief, Development	X	Executive Vice President & General Counsel		
X	Deputy Chief, Delivery	X	President		

SUMMARY INFORMATION	
Vendor Name	Contract Number
RFP Authorizing Resolution	GFM-549, GFM-550, GFM-551
Description	
GFM-549 - Miscellaneous Construction on an As-Needed Basis at Various Facilities GFM-550 - Miscellaneous Electrical Construction on an As-Needed Basis at Various Facilities GFM-551 - Miscellaneous Cleaning & Painting on an As-Needed Basis at Various Facilities	
Total Amount	
To Be Determined	
Contract Term (including Options, if any)	
Four (4) Years	
Option(s) included in Total Amount?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Renewal?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Procurement Type	
<input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	
Solicitation Type	
<input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source	
<input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

PURPOSE

MTA Construction and Development (C&D) requests that the Board adopt a resolution declaring competitive bidding impractical or inappropriate, pursuant to the NY Public Authorities Law and the All Agency General Procurement Guidelines, and that it is in the public interest to authorize C&D to issue competitive Requests for Proposals in lieu of sealed bids for the award of three sets of contracts for as-needed services at various Bridges & Tunnels (“B&T”) facilities as follows:

- Contract GFM-549: for Miscellaneous Construction Services on an As-Needed Basis at Various Authority Facilities.
- Contract GFM-550: for Miscellaneous Electrical Construction Services on an As-Needed Basis at Various Authority Facilities.
- Contract GFM-551: for Miscellaneous Cleaning & Painting Services on an As-Needed Basis at Various Authority Facilities.

DISCUSSION

The GFM-549 contract series for As-Needed Miscellaneous Construction Services will have a budget of \$150M and a contract duration of 4 years. The services required under this contract will address a wide variety of work, from complex sub-tasks related to larger projects which have time-sensitive needs, smaller scale construction projects, and critical projects addressing safety issues. Categories of work to be undertaken under this contract include, but are not limited to, concrete deck, structural steel repairs, improvements and repairs to roadways, ramps and retaining structures, building repairs, and demolition.

The GFM-551 contract series for As-Needed Miscellaneous Cleaning & Painting Services will have a budget of \$50M and a contract duration of 4 years. B&T, in operating and maintaining its facilities, needs to conduct cleaning and painting, and incidental works on an as-needed basis at various facilities which include buildings of various types, tunnels, bridges, and their associated facilities. Categories of work to be undertaken under these contracts will include cleaning and painting of structural members, lead paint removal and disposal and miscellaneous repairs incidental to painting works.

The GFM-550 contract series for As-Needed Miscellaneous Electrical Construction Services will have a budget of \$40M for and a contract duration of 4 years. Projected requirements under these contracts include (i) removal, construction and maintenance of overhead and underground electrical power transmission and distribution lines; (ii) installation and removal of transformers, switchboards, panelboards, disconnect switches, and other electrical components and systems, including conduits and associated materials; (iii) maintenance, calibration and commissioning of electrical equipment; (iv) installation and maintenance of roadway lighting, traffic signals and intelligent transportation systems; (v) installation and maintenance of fiber optic networks; (vi) systems integration and troubleshooting; (vii) critical response and storm restoration services; (viii) and removal of lead paint, cleaning, painting and miscellaneous repairs incidental to electrical work.

For each of these contract series the MTA will award zero-dollar contracts with no minimum threshold through the RFP process to multiple contractors qualified to provide services on an as-needed basis. This approach is being used to provide as-needed services on an expedited basis. Unless circumstances exist that for reasons of time sensitivity or cost preclude a competitive solicitation, once the scope of a specific work order is determined, each of the contracted firms will be provided the scope of work for the prospective work order. After a site tour, bids will be requested and the work order will then be awarded to the contractor submitting the lowest responsive bid. Where appropriate, A + B bidding will be used to take into account factors other than the price for the work in determining the lowest responsive bid.

Utilizing this competitive RFP method of awarding the contracts is in the public interest. It will provide an available pool of responsible contractors ready to provide immediate response and resolution to potential emergency and other unforeseen situations that require rapid response. Competition will be preserved by engaging a number of qualified contractors under each contract who will bid against each other with respect to price and other terms with respect to each work order.

M/W/DBE INFORMATION

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

IMPACT ON FUNDING

Funding under Contract GFM-549 will be provided from the Operating and Capital Budgets up to an amount not to exceed \$150,000,000.

Funding under Contract GFM-550 will be provided from the Operating and Capital Budgets up to an amount not to exceed \$40,000,000.

Funding under Contract GFM-551 will be provided from the Operating and Capital Budgets up to an amount not to exceed \$50,000,000.

CAPITAL PROGRAM REPORTING

N/A

ALTERNATIVES

Utilize a standard competitive bidding process to award each as-needed project. This process is impractical due to potential delays in obtaining construction, painting and electrical services from responsible firms for immediate or unanticipated/emergency needs and would not be in the best interest of the MTA.

RECOMMENDATION

That the Board adopt a resolution declaring competitive bidding impractical or inappropriate and that it is in the public interest to authorize C&D to issue competitive Requests for Proposals in lieu of sealed bids for the award of the following three zero-dollar contracts:

- Contract GFM-549: for Miscellaneous Construction Services on an As-Needed Basis at Various Facilities.
- Contract GFM-550: for Miscellaneous Electrical Construction Services on an As-Needed Basis at Various Facilities.
- Contract GFM-551: for Miscellaneous Cleaning & Painting Services on an As-Needed Basis at Various Facilities.

JULY 2023

LIST OF RATIFICATIONS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

Schedule K. Ratification of Completed Procurement Actions (Involving Schedule E – J)
(Staff Summaries required for all items requiring Board approval)

- | | | | |
|----|---|--------------|-------------------------------|
| 4. | FOS Development Corporation
Contract No. C48703.08 | \$ 2,660,000 | <u>Staff Summary Attached</u> |
|----|---|--------------|-------------------------------|

MTA Construction and Development (“C&D”) requests that the Board ratify a modification to the Contract in the amount of \$2,660,000, to furnish and install 6,270 Square Feet of fiberglass plenum plates in 38 open ceiling bays above Tracks E1 and E4.

Staff Summary

Schedule K: Ratification of Completed Procurement Actions

Item Number: 4

Page 1 of 1

Vendor Name (Location) FOS Development Corporation	Contract Number C-48703	AWO/Modification # 08
Description Line Structure Component Repair Program, Eastern Parkway Line, IRT, in the Borough of Brooklyn	Original Amount:	\$ 33,205,427
Contract Term (including Options, if any) June 18, 2020 – October 18, 2023	Prior Modifications:	\$ 4,065,519
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:	\$ 37,270,946
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	This Request:	\$ 2,660,000
Funding Source <input type="checkbox"/> Operating <input type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amt.:	7.13%
Requesting Dept./Div., Dept./Div. Head Name: Delivery/Mark Roche	% of Modifications (including This Request) to Original Amount:	20.25%

Discussion:

This Contract provides for concrete and steel repairs in the tunnel along the Eastern Parkway IRT Line between the Borough Hall Station and the Franklin Avenue Station in Brooklyn. MTA Construction and Development (“C&D”) requests that the Board ratify a modification to the Contract in the amount of \$2,660,000, to furnish and install 6,270 Square Feet of fiberglass plenum plates in 38 open ceiling bays above Tracks E1 and E4.

The Contract required the removal of existing steel plenum plates to perform ceiling repairs. In order to allow for easier access for future inspection and repair work, the contract specified that the ceiling be left open and that the removed plenum plates not be replaced. After contract award and the removal and disposal of a number of the plates, a Computational Fluid Dynamics (CFD) analysis of the tunnel was performed to analyze the possible effects of smoke conditions. The study demonstrated that the plenum plates were necessary to maintain proper ventilation in the tunnel. The fiberglass plates that will be installed under this modification weigh less than the original steel plates, are corrosion resistant and will allow for easier access to the ceiling area during future maintenance. The issue as to whether the initial design which provided for removing the plenum plates permanently was a design error is being investigated and if it is determined that it is, MTA C&D will address it with the designer of record.

The Contractor submitted a proposal in the amount of \$3,913,706.98. Negotiations resulted in agreement of a lump sum price of \$2,660,000 which is considered fair and reasonable. In order to permit fabrication of the fiberglass plates, which are long-lead materials, to commence, approval to direct the Contractor to proceed up to a not-to-exceed amount of \$1 million was received from the President of MTA C&D on April 30, 2023.