



February 2025

MTA Board Action Items



MTA Board Meeting

Grand Central Madison
Lower Mezzanine
New York, NY 10017

Wednesday, 2/26/2025
11:00 AM - 1:00 PM ET

1. PUBLIC COMMENT PERIOD

2. PRESENTATION

3. APPROVAL OF MINUTES

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4. COMMITTEE ON SAFETY

MTA Board Staff Summary 2024 PTASP - Page 11

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

a. MNR Action Item

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b. MNR Procurement

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6. COMMITTEE ON NYCT & BUS

a. Procurement

Procurements - Page 21

7. COMMITTEE ON FINANCE

a. Action Items

Amendment to 2025 TBTA Multiple Credit Supplemental Resolution to Authorize the Use of Term Loan Agreements as Financing Mechanisms - Page 31

Board Authorization to File for and Accept Federal Grants (Supporting Documents Distributed In Exhibit) - Page 35
2024 TBTA Operating Surplus - Page 42

Review and Approval of the MTA Mission Statement and Measurement Report - Page 55

b. Procurements

MTAHQ Competitive Procurements - Page 60

c. Real Estate

Real Estate Action Items - Page 64

8. COMMITTEE ON CAPITAL PROGRAM

a. Procurements

C & D Procurements - Page 70

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

**Joint Minutes of the Metropolitan Transportation Authority,
the New York City Transit Authority, the Manhattan and Bronx Surface Transit
Operating Authority, the Staten Island Rapid Transit Operating Authority, the
Metropolitan Suburban Bus Authority, the Triborough Bridge and Tunnel Authority,
the Long Island Rail Road Company, Metro-North Commuter Railroad Company,
MTA Construction and Development Company, the MTA Bus Company and
the First Mutual Transportation Assurance Company**

Regular Board Meeting Minutes

January 29, 2025

9:00 a.m.

2 Broadway

New York, NY 10004

The following Board Members were present (Attended remotely*):**

Hon. Janno Lieber, Chair & CEO

Hon. Andrew Albert

Hon. Norman Brown*

Hon. Samuel Chu

Hon. Daniel Garodnick

Hon. Marc Herbst

Hon. David Jones

Hon. Meera Joshi

Hon. Blanca Lopez

Hon. David Mack

Hon. Haeda B. Mihaltses

Hon. Dr. John-Ross Rizzo

Hon. Lisa Sorin

Hon. Vincent Tessitore, Jr.*

Hon. Midori Valdivia

Hon. Neal Zuckerman*

The following alternate non-voting members were present:

Hon. Gerard Bringmann

Hon. Randolph Glucksman*

The following Board Members were not present:

Hon. Michael Fleischer

Hon. John Samuelsen

Paige Graves, General Counsel, Laura Wiles, Chief of Staff, John McCarthy, Chief External Relations & Policy, Lisette Camilo, Chief Administrative Officer, Kevin Willens, Chief Financial Officer, Carl Hamann, Acting Chief Safety Officer, Frank Annicaro, Sr. Vice President, NYCT DOB /MTA Bus Company, Catherine Rinaldi, President, Metro-North Railroad, Rob Free, President, LIRR, Jamie Torres-Springer, President, MTA C&D, Michael Kemper, Chief Security Officer, Anita L. Miller, Chief Labor Relations Officer, Jai Patel, Deputy Chief Financial Officer, Juliette Michaelson, Deputy Chief External Relations, Jon Kaufman, Chief Strategic Initiatives, and Shanifah Rieara, Senior Advisor for Communications and Policy/Chief Customer Officer attended the meeting.

The Board of the Metropolitan Transportation Authority also met as the Boards of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, the Metropolitan Suburban Bus Authority, the Triborough Bridge and Tunnel Authority, the Long Island Rail Road Company, Metro-North Commuter Railroad Company, the MTA Construction and Development Company, the MTA Bus Company, and the First Mutual Transportation Assurance Company.

Unless otherwise indicated, these minutes reflect items on the agenda of the Board of the Metropolitan Transportation Authority, the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority, the Staten Island Rapid Transit Operating Authority, the Metropolitan Suburban Bus Authority, the Triborough Bridge and Tunnel Authority, the Long Island Rail Road Company, Metro-North Commuter Railroad Company,

the MTA Construction and Development Company, and the First Mutual Transportation Assurance Company.

Chair Lieber called to order the January 2025 Board meeting.

A recorded audio public safety announcement was played.

PUBLIC SPEAKERS' SESSION.

The MTA Moderator announced that the following public speakers will speak either live virtually or in-person. The MTA Moderator reminded public speakers of the rules of conduct and the two-minute speaking limit. The Moderator reminded speakers of the warning beep when 30 seconds remain to conclude their remarks. The Moderator advised that the public comments will be recorded, published to the MTA website, and available for MTA Board Members' review.

The following public speakers commented (*live virtual comments):

Donovan Richards, Queens Borough President*
Gian Pedulla, Private citizen
Jean Ryan, Disabled in Action
Jason Anthony, Private Citizen
Debra Greif, BFSSAC
Christopher Greif, NYCTRC & ACTA LIRR ADA Taskforce
David Kupferberg, Private citizen*
Rachael Langston, Private citizen*
Tramell Thompson, TWU Local 100
Iris Kelly, DIA
Mike Howard, Disabled in Action/Passengers United
Valerie Mason, Chair of Community Board 8
Anna Humphrey, Center for Independence of the Disabled, NY
Miriam Fisher, Private citizen*
Patrick Condren, BUS4NYC Coalition Inc
Aleta Dupree, Team Folds*
Andrea Galliano, Columbia Journalism School
Brian Fritsch, MTA PCAC
Charlton D'Souza, President, Passengers United
Joel Chapman, Advocate
Jessica Murray, ACTA*
Cassie Raffucci, Passengers United*
Jack Nirenberg, Vice President, Passengers United
Bruce W. Hain, Private Citizen
Tommy Loeb, New Yorkers Against Congestion Pricing Tax*
Howard Birnbaum, Private Citizen

Carl Perrera, Regional Rail Working Group – Committee for Better Transit*
Andy Pollack, Passengers United*

Refer to the video recording of the meeting produced by the MTA and maintained in MTA records for the list of other speakers and the content of speakers' statements.

General Counsel Paige Graves confirmed a quorum of the Board Members in attendance.

1. **EXECUTIVE SESSION.**

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

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

2. **PUBLIC SESSION RESUMES.**

Chair Lieber stated that while in Executive Session the Board discussed and voted affirmatively on a labor agreement.

3. **CHAIR LIEBER'S REMARKS.**

Chair Lieber thanked public speakers for their engagement. Chair Lieber noted this is the first gathering of the new year, and there is so much happening. To begin, the commuter railroads accomplished terrific records in 2024. Both LIRR and Metro-North had their best year ever in terms of performance. LIRR's on time performance pushed 96% while running more service than ever. On customer satisfaction, the LIRR customer counts indicate an upward tick of 6 or 7 percent. Similarly, Metro-North accomplished 98% on time performance and 12% growth in ridership from the previous year as well as an 85% customer satisfaction report from riders. Similarly, the paratransit team accomplished historic customer satisfaction rates in the high 70%.

The Chair further stated there was progress on ADA. Two new accessible stations opened, Westchester Square in the Bronx and Woodhaven Boulevard in Queens, with many more to come. The Chair reflected on the state of ADA projects back in 2019 and throughout the COVID 19 pandemic, stating that we had 115 fully accessible stations, just 23% of the system accessible. During Covid MTA was able to dramatically accelerate work on accessible stations. The Chair stated that there are now 150 fully accessible stations, plus 36 more stations in construction right now. In total that would bring the number to 186 fully accessible stations. In addition, there are going to be 23 more stations that will be funded by congestion relief revenues. Chair Lieber stated that the 2025-2029 Capital Plan would provide 60 new accessible stations. At the conclusion of the next capital plan cycle that would bring the system to the over 50% mark on systemwide accessibility. Chair Lieber reiterated the goal is 100%. He stated we are all counting on Governor Hochul's leadership and the Senate to achieve a fully funded capital program. Chair Lieber

acknowledged that the MTA is seeing gains in one of the most controversial areas – the fight against fare evasion, reporting that in the last six months, subway fare evasion is down 25%. In addition, MTA has made inroads on reducing bus fare evasion, which is down 12%. Chair Lieber acknowledged that the MTA’s collective strategy is publicity, rider education, stronger physical barriers and enforcement. Chair Lieber welcomed the support that the MTA is receiving from the NYPD and the work that the MTAPD is doing on the railroads. The Chair mentioned the return on investment on gate guards is positive as well as shutting down emergency gates. In addition, the increased police presence system wide, including the EAGLE teams on buses, are contributing factors to battling fare evasion. As part of the capital plan, the MTA plans to fully replace turnstiles with modern, full height barriers. Until then, the MTA is doing everything possible to shore up the physical barriers that exist now. Moving to system safety, Chair Lieber acknowledged that high-profile incidents have New Yorkers on edge, and the MTA is going to keep pushing the criminal justice system to come down much harder on subway criminals.

Switching to congestion relief, the Chair stated today is the first Board meeting since the start of the congestion pricing program. The Chair stated that the message is clear: this has altered the equation for many, many people. The Chair indicated that the Board would have an update later in this meeting but noted the preliminary data on the Congestion Relief Zone is promising. The Chair reported that on anecdotal evidence, reports in the press, firsthand accounts and more, we are all hearing about the positive effects the program is having on many, many people.

The Chair stated that in addition to the update on the CRZ (Congestion Relief Zone) the Board will hear from Chief Strategic Initiatives officer Jon Kaufman, who will talk about what is being done to find new efficiencies and cost savings at the MTA. He stated the MTA is committed to a consistent approach on how we become more efficient. Further, the MTA is putting saved money to good use. The Chair noted that today the Board will vote on the Queens Bus Network Redesign, an extraordinary network that will be funded by savings, that were identified through the efficiency effort. The Chair turned the meeting to Jai Patel to update the Board on the potential federal grant situation.

4. FEDERAL FUNDING UPDATE

Chair Lieber called on Deputy CFO Jai Patel to update the Board regarding ongoing federal funding issues.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of the financial update as well as Board Member comments.

5. MTA EFFICIENCY UPDATE

Chair Lieber called on Jon Kaufman, Chief of Strategic Initiatives, to present on MTA efficiencies.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of Jon Kaufman’s presentation as well as Board Member comments.

6. CONGESTION RELIEF ZONE UPDATE

Chair Lieber called on Juliette Michaelson, Deputy Chief of Policy & External Relations, to update the Board on the Congestion Relief Program, and Chris Pangilinan, Chief of Operations Planning, to update the board on the related travel time savings and ridership increases.

Refer to the video recording of the meeting, produced by the MTA and maintained in MTA records, for details of the congestion relief zone update as well as Board Member comments and discussion.

7. QUEENS BUS NETWORK REDESIGN

Chair Lieber called on Chris Pangilinan to introduce the action before the Board on the Queens Bus Network Redesign.

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

1. Approved the Queens Bus Network Redesign.

Refer to the staff summary and documentation filed with the records of this meeting for the details on this item.

8. APPROVAL OF MINUTES

Upon motion duly made and seconded, the Board approved the Joint Minutes of the MTA and MTA Agencies Regular Board meeting held on December 18th, 2024, as corrected.

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

The Chair stated that the Bridges and Tunnels, Joint Railroad, New York City Transit and Capital Program Committees all met Monday and did not have any items for Board action or other business before the Board.

9. COMMITTEE ON AUDIT

Upon a motion duly made and seconded, the Board voted to approve the following:

1. The Audit workplan
2. MTA 3rd Quarter 2024 Consolidated Financial Statements

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

10. MTA FINANCE COMMITTEE

A. Procurement Items.

Upon a motion duly made and seconded the Board approved the action items listed below. The specifics are set forth in the staff summary and documentation filed with the meeting materials.

1. Award of a modification to the contract for Life/Accidental Death and Dismemberment, Long-term and Short-term Disability Benefits Insurance in order to continue providing benefit services. Metropolitan Life Insurance Company Contract #15524-0100.2 in the amount of \$14,140,000.
2. Award of a modification to the contract for As-Needed Purchase of Safety and Work Shoes in order to extend services for eight months and add funding. Saf-Gard Safety Shoe Company, Contract #619739.5 in the amount of \$2,250,000.

B. Real Estate Items

Upon a motion duly made and seconded, the Board approved the procurement items listed below. The specifics are set forth in staff summaries and documentation filed with the meeting materials.

Administrative Action Item

MTA New York City Transit

1. Update on the acquisition of temporary and permanent easements from the New York City Department of Parks and Recreation in support of accessibility improvements at the Broadway Junction station in Brooklyn, NY.

Transactional Action Items

MTA Metro-North Railroad

1. Lease agreement with Carlo Innovation Inc. for a restaurant in the Spring Valley Station.

MTA Long Island Rail Road

1. License agreement with 450 Acquisition Company, LLC for the use of a parcel of land for parking located adjacent to 450 Endo Boulevard, Garden City, NY.
2. Grant of a permanent easement agreement to the Long Island Power Authority in support of the Yaphank Station relocation project in Brookhaven, NY.

11. ADJOURNMENT

Upon motion duly made and seconded, the Board voted to adjourn the meeting at 12:08 p.m.

Paige Graves
General Counsel and
Corporate Secretary
MTA

Haley Stein
Acting General Counsel
Metro-North Railroad

David Farber
General Counsel and
Corporate Secretary
NYCT and MTA Bus

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

Paul L. Friman
General Counsel
and Corporate Secretary
TBTA

Evan Eisland
General Counsel and Corporate Secretary
MTA C&D

Subject NYCT Public Transportation Agency Safety Plans
Department Safety & Security
Department Head Name Brian Lapp
Department Head Signature 
Project Manager Name Timothy Doddo

Date February 24, 2025

Board Action-					
Order	To	Date	App	Info	Other
1	Safety		x		
2	Board		x		

Internal Approvals			
Order	Approval	Order	Approval
1	SVP Safety & Security		x
2	SVP Subways		x
3	SVP Buses		x
4	President, NYCT		x

The Senior Vice President of Safety and Security at New York City Transit (“NYCT”) submits the attached Department of Subways (DOS) and Department of Buses (DOB) Public Transportation Agency Safety Plans (“PTASP”) for the MTA Board’s review and approval.

The Federal Transit Administration (FTA) PTASP Final Rule 49 CFR 673 requires operators of urban public transportation systems that receive federal funds to develop a PTASP that documents the processes and procedures that are in place to manage the agency safety program through the implementation of Safety Management Systems (SMS). Implementation of SMS is intended to improve public transportation safety by effectively and proactively managing safety risks through a comprehensive, collaborative approach to managing safety.

The Office of System Safety (“OSS”) generated the 2024 DOS and DOB PTASPs for NYCT in conjunction with representatives from the various departments.

The PTASPs have been approved by agency senior leadership and the NYCT Joint Safety Committee. As per 49 CFR Part 673, the 2024 PTASP also requires MTA board approval and is due to the NYS Public Transportation Safety Board (“PTSB”).

OSS must conduct an annual review of the PTASPs in accordance with 49 CFR Part 673 to incorporate modifications and updates such as may be mandated by the PTSB, changes in management, incorporation of new equipment, or new systems and facilities, operational changes, and any safety related topics and recommendations from the MTA Board. This annual review requires MTA Board’s review and approval.

Recommendation

Approve the 2024 PTASPs for Department of Subways and Department of Buses

Subject County of Westchester Employer-Based Shuttle Agreement	
Department Service Design	
Department Head Name Sean Fahey	
Department Head Signature 	
Project Manager Name Donna Y Mason	Program Manager Name

Date February 3, 2025
Vendor Name N/A
Contract Number N/A
Contract Manager Name N/A
Table of Contents Ref#

Board Action					
Order	To	Date	Approval	Info	Other
1	M-N Comm. Mtg.	2/24/25			
2	MTA Board Mtg	2/26/25			

Internal Approvals			
Order	Approval	Order	Approval
4	President 	2	Acting General Counsel
	Executive Vice President & COO	3	MNR Financial Liaison

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

PURPOSE:
To obtain MTA Board approval for Metro-North to amend the Westchester County Department of Public Works & Transportation (“WCDPW&T”) Employer-Based Shuttle Agreement pursuant to Amendment No. 9 to extend the term of the Agreement to December 31, 2025.

DISCUSSION:
On June 1, 1997, Metro-North and WCDPW&T entered into an agreement for WCDPW&T to operate and Metro-North to partially subsidize the Employer-Based Shuttles that provide connecting bus service to and from Metro-North train stations serving the corporate parks along Westchester Avenue and Routes 119 and 120 in Westchester County, with the goals of increasing ridership on Metro-North trains and promoting public transportation. Most of the source of the ridership originates from Metro-North stations in the Bronx, and these shuttles provide a service for reverse commuters with employment in the County. Subsequently, Metro-North and WCDPW&T entered into Amended and Restated Agreements, which ultimately extended the terms of the original contract to December 31, 2024. Metro-North and WCDPW&T now wish to further extend this agreement through December 31, 2025. This extension will maintain the same terms as the prior Amendments. Metro-North intends to engage its marketing partners to further publicize these shuttles to increase ridership. In addition, Metro-North will be working with Westchester County to rationalize the connecting services with the goal of recommending different alternatives after 2025.

BUDGET IMPACT:
The flat rate established for the Employer-Based Shuttles provides Metro-North Railroad with a predictable yearly WCDPW&T payment which is included in its Operating Budget. The shuttle buses serve to increase railroad ridership and promote reverse commutation.

RECOMMENDATION:
That the MTA Board grant approval for Metro-North Railroad to amend the WCDPW&T Employer-Based Shuttle Agreement pursuant to Amendment No. 9 to extend the term of the Agreement to December 31, 2025.

The legal name of MTA Metro-North Railroad is Metro-North Commuter Railroad Company



Metro-North Railroad Procurements

Omar Messado, Assistant Deputy Chief Procurement Officer – MTA Office of the Chief Procurement Officer



PROCUREMENTS

The Procurement Agenda this month includes 2 actions for a proposed estimated expenditure of \$304.9M.

Subject	Request for Authorization to Award Various Procurements				
Department	MTA Procurement				
Department Head Name	Lisette Camilo				
Department Head Signature	<i>Lisette Camilo</i>				
Project Manager Name	Rose Davis				
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	2/24/25			
2	Board	2/26/25			

February 21, 2025			
Department			
Department Head Name			
Department Head Signature			
Internal Approvals			
	Approval		Approval
	President	<i>Catherine A. Lind</i>	
	SVP Operations Support		
<i>Acting</i>	VP & General Counsel	<i>[Signature]</i>	

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

PURPOSE

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

DISCUSSION

Metro-North proposes to award Noncompetitive procurements in the following categories: None

Metro-North proposes to award Competitive procurements in the following categories:

Procurements Requiring Two-Thirds Vote:	<u># of Actions</u>	<u>\$ Amount</u>
Schedule B: Competitive Requests for Proposals (Solicitation of Purchase and Public Work Contracts)	1	\$ TBD M
SUBTOTAL	1	\$ TBD M
Schedules Requiring Majority Vote:		
Schedule I: Modifications to Purchase and Public Works Contracts	1	\$ 304.9 M
SUBTOTAL	1	\$ 304.9 M

Metro-North proposes to award Ratifications in the following categories: None

TOTAL	2	\$ 304.9 M
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COMPETITIVE BIDDING REQUIREMENTS: The procurement actions in Schedules A, B, C, and D are subject to the competitive bidding requirements of PAL 1209 or 1265-a relating to contracts for the purchase of goods or public work. Procurement actions in the remaining Schedules are not subject to these requirements.

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

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

BOARD RESOLUTION

WHEREAS, in accordance with Sections 1265-a and 1209 of the Public Authorities Law and the All-Agency General Contract Procurement Guidelines, the Board authorizes the award of certain noncompetitive purchase and public work contracts, and the solicitation and award of requests for proposals regarding purchase and public work contracts; and

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

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

NOW, the Board resolves as follows:

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

2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals, and authorizes the solicitation of such proposals.

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

4. As to each action set forth in Schedule D, the Board declares competitive bidding impractical or inappropriate for the reasons specified therein and ratifies each action for which ratification is requested.

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

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

FEBRUARY 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

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

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

- | | | | |
|----|--|-----|-------------------------------|
| 1. | RFP Authorizing Resolution
Contract Term TBD
Contract #TBD | TBD | <i>Staff Summary Attached</i> |
|----|--|-----|-------------------------------|

Issue a competitive Request for Proposal to solicit and evaluate proposals from railcar manufactures for the procurement of coach cars that will operate on the newly constructed Penn Station Access route.

Procurements Requiring Majority Vote:

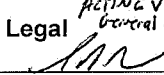
I. Modification to Purchase and Public Work Contracts

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

- | | | | |
|----|---|----------------------|-------------------------------|
| 2. | Siemens Mobility, Inc.
Contract Term: 7 years
Contract #244941.17 | \$304,941,000 | <i>Staff Summary Attached</i> |
|----|---|----------------------|-------------------------------|

Modification to the contract for the Design, Manufacture, Test, and Delivery of new Dual-Mode Locomotives in order to exercise Option 4 and procure 13 Dual-Mode Locomotives with an option to purchase two additional locomotives.

Staff Summary

Item Number			
Department, Department Head Name: MTA Procurement, MNR Operations Omar Messado			
Internal Approvals			
Order	Approval	Order	Approval
1	President	6	
2	EVP/COO Officer		
3	Legal <i>Acting VP's General Counsel</i> 		
4	MofE Office		
5	Safety & Security		

SUMMARY INFORMATION	
Vendor Name RFP Authorizing Resolution	Contract No. TBD
Description Design, Manufacture, and Deliver Coach Cars for Penn Station Access Program	
Total Amount: TBD	
Contract Term (including Options, if any) TBD	
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"/> Noncompetitive	
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other:	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	

Purpose

To request that the Board declare competitive bidding impractical or inappropriate for the procurement of coach cars for operation on the new Penn Station Access (“PSA”) route, and that it is in the public interest to issue a competitive Request for Proposals (“RFP”) pursuant to New York State Public Authorities Law, Section 1265-a, subdivision 4.

Discussion

The Public Authorities Law, Section 1265-a, subdivision 4 permits Metro-North Commuter Railroad (“Metro-North”) to use the competitive RFP process in lieu of competitive bidding for the procurement of coach cars. The new coach cars will expand Metro-North’s current fleet, providing service from Penn Station to four new Bronx commuter railroad stations via Amtrak’s territory and connecting to the New Haven line through the New Rochelle station. In coordination with Long-Range Planning regarding Metro-North ridership for PSA and lack of full fleet availability, new coach cars are required. The RFP will also address the replacement of Metro-North’s current End-Door (“End Doors”) and Center-Door (“Center Doors”) coaches that have either reached or are approaching their 35-year service life.

Utilizing a single-car fleet will ensure the capability to operate throughout Metro-North’s service territory, while preserving the ability to acquire the replacement fleet across multiple MTA capital programs and adhering to MTA’s standard to reduce its carbon footprint. Replacing the entire fleet with a uniformly configured fleet of coaches will ensure all customers benefit from the associated amenities.

The scope of work for this solicitation will include the design, manufacture, testing, and delivery of new coach cars, as well as the required technical support, deliverables, and capital replacement parts necessary to operate and maintain the fleet.

The RFP process will provide Metro-North the ability to evaluate terms other than price alone, such as technical approach, contractor and design professional qualifications, and past performance. The process also provides the ability to negotiate key terms and to solicit improved technical and schedule requirements.

Alternatives

None: Metro-North does not have the capability to design and build coach cars.

Impact on Funding

Funding is anticipated to be provided by the 2020–2024 Capital Plan.

Recommendation

To recommend that the Board declare competitive bidding impractical or inappropriate for the procurement of coach cars for operation on the new PSA route, and that it is in the public interest to issue a competitive RFP pursuant to New York State Public Authorities Law, Section 1265-a, subdivision 4.

Schedule I: Modifications to Purchase and Public Works Contracts



Vendor Name (Location) Siemens Mobility, Inc. (Sacramento, California)
Description Design, Manufacture, Test, and Delivery of New Dual-Mode Locomotives – Option Election
Contract Term (including Options, if any) February 2021–January 2028
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Procurement Type: <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Department: Jeffrey Weston – Chief Mechanical Officer

Contract Number 244941	Modification # 17
Original Amount:	\$253,740,796
Prior Modifications	\$532,252,478
Current Amount:	\$785,993,274
This Request:	\$304,941,000
% of This Request to Current Amount:	38.8%
% of Modifications (including This Request) to Original Amount:	329.9%

Discussion:

Metro-North Railroad (“Metro-North”) requests Board approval to exercise an option of a contract with Siemens Mobility, Inc. (“Siemens”) for the design, manufacturing, testing, and delivery of 13 Dual-Mode Locomotives and related equipment with an option to purchase two additional Dual-Mode Locomotives in the total amount of \$304,941,000. In lieu of the current contractual technical requirements for a diesel-electric package, these option locomotives will be equipped with state-of-the-art innovative battery-alternating current (“B+AC”) power distribution systems. The B+AC locomotives will be used to support the Penn Station Access (“PSA”) program’s rolling stock requirements.

In December 2020, the MTA Board approved Metro-North’s request to purchase 27 SC-42 Dual-Mode (“SC-42 DM”) locomotives: a base order of 19 and an Option 1 order for an additional eight. In March 2021, both the base and Option 1 were executed. At the June 2023 Board, Metro-North, on behalf of the Connecticut Department of Transportation (“CTDOT”), exercised Option 2 for the purchase of six locomotives. For the 33 locomotives in total, Siemens is scheduled to complete delivery in the third quarter of 2027. Under Option 3, Long Island Rail Road (“LIRR”) received approval at the December 2024 Board to purchase up to 44 alternate configuration dual-mode locomotives. In February 2025, LIRR executed Option 3 for 22 locomotives. To date, the first two Siemens locomotives from the base have been delivered on schedule to Metro-North and are undergoing acceptance testing.

The 13 B+AC locomotives will expand Metro-North’s current fleet, providing service from Penn Station to four new Bronx commuter railroad stations via Amtrak’s territory and connecting to the New Haven line through the New Rochelle station. Metro-North was provided with key operational requirements and provisions by Amtrak and CTDOT to provide service in the new PSA region. Alternative rolling stock solutions were explored. However, to meet the requirements of Amtrak and CTDOT, as well as Metro-North’s service needs, Siemens’ proposal for a B+AC locomotive presented the best solution by modifying its current Tier 4 Dual Mode diesel-electric locomotive design. After a thorough review of the current technical specifications, Siemens initiated and completed a detailed feasibility study supporting the design of the new B+AC locomotive. In maintaining the overall performance requirements, the B+AC configuration replaces the Diesel Engine with Traction Batteries as the locomotive prime mover and replaces the third-rail equipment with an AC Pantograph for operation under catenary. This also furthers Metro-North’s initiative in supporting the MTA’s mission to reduce its carbon emissions footprint with the purchase of a zero-emission locomotive fleet.

The contract includes an option for the purchase of apparatus, such as specialized test equipment and tools, replacement parts, and training equipment, which based on quantity assessment, may be exercised prior to acceptance of pilot locomotives (June 2029).

Negotiations for the locomotives centered on (1) the change in propulsion; (2) converting the purchase of apparatus as an option; (3) obtaining fixed pricing for the two additional locomotives; and (4) fixed versus floating escalation to the price adjustment formula for options.

The option locomotive is subject to a price adjustment based on a formula that incorporates a number of indices. Negotiations were conducted to potentially minimize the impact of the projected escalation. The agreed-to fixed price was based on a review of both historical and projected escalation by the Cost Price Analysis group. This approach provides a favorable price, price certainty, and a potential savings of approximately \$12 million compared to projections of the escalated pricing. Additionally, savings of approximately \$5 million were achieved from Siemens’ initial proposal to their final. MTA Cost/Price determined that the overall aspects of the pricing for the Dual-Mode (Diesel-Electric) original design, including base costs and modifications, are fair and reasonable.

The locomotives are scheduled to be delivered on property from January 2029 through July 2030.

Siemens has the experience, technical capability, resources, and facilities to perform the work required. The MTA Controller’s Office found that there is reasonable assurance Siemens can continue to perform the work under this option. Metro-North’s Project Management team found Siemens’ overall performance to be satisfactory.

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

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

MBE/WBE/TVM

The base contract is Federal Transit Authority (“FTA”)–funded, therefore federal terms and conditions. Siemens continues to comply with the FTA Transit Vehicle Manufacturer program.

Impact on Funding

Funding for the locomotives is available in the 2020–2024 Capital Plan.


New York City Transit Procurements

Louis Montanti, MTA Deputy Chief Procurement Officer – Procurement Operations

PROCUREMENTS

The Procurement Agenda this month includes 4 actions for a proposed estimated expenditure of \$365.8M.

Subject Request for Authorization to Award Various Procurements					
Department MTA Procurement					
Department Head Name Lisette Camilo					
Department Head Signature <i>Lisette Camilo</i>					
Project Manager Name Rose Davis					
Board Action					
Order	To	Date	Approval	Info	Other
1	Committee	02/24/25			
2	Board	02/26/25			

February 20, 2025			
Department			
Department Head Name			
Department Head Signature			
Internal Approvals			
	Approval		Approval
	President NYCT	X	Pres. MTA Bus/SVP DOB
X	Co-CFO	X	SVP Subways
X	Law	X	Diversity/Civil Rights

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

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

DISCUSSION
NYC Transit proposes to award Noncompetitive procurements in the following categories:
Procurements Requiring Two Thirds Vote:

	# of Actions	\$ Amount
Schedule A: Noncompetitive Purchases and Public Work Contracts	1	\$ 122.2 M
SUBTOTAL	1	\$ 122.2 M

NYC Transit proposes to award Competitive procurements in the following categories:
Procurements Requiring Majority Vote:

Schedule H: Modifications to Personal/Miscellaneous Service Contracts	3	\$ 243.6 M
SUBTOTAL	3	\$ 243.6 M

NYC Transit proposes to award Ratifications in the following categories: None

TOTAL	4	\$ 365.8 M
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COMPETITIVE BIDDING REQUIREMENTS: The procurement actions in Schedules A, B, C, and D are subject to the competitive bidding requirements of PAL 1209 or 1265-a relating to contracts for the purchase of goods or public work. Procurement actions in the remaining Schedules are not subject to these requirements.

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

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

BOARD RESOLUTION

WHEREAS, in accordance with Sections 1265-a and 1209 of the Public Authorities Law and the All-Agency General Contract Procurement Guidelines, the Board authorizes the award of certain noncompetitive purchase and public work contracts, and the solicitation and award of requests for proposals regarding purchase and public work contracts; and

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

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

NOW, the Board resolves as follows:

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

2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals, and authorizes the solicitation of such proposals.

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

4. As to each action set forth in Schedule D, the Board declares competitive bidding impractical or inappropriate for the reasons specified therein and ratifies each action for which ratification is requested.

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

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

FEBRUARY 2025

LIST OF NONCOMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Two-Thirds Vote:

A. Noncompetitive Purchases and Public Work Contracts

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

- | | | |
|--|----------------------|-------------------------------|
| 1. Kawasaki Rail Car, Inc. | \$122,200,000 | <i>Staff Summary Attached</i> |
| Five years | | |
| Contract# TBD | | |
| Contract award for the sole-source procurement of truck components and car body replacement parts, components, assemblies, and kits. | | |

Item Number: 1

Vendor Name (Location) Kawasaki Rail Car, Inc. (Yonkers, New York)	Contract Number TBD	Renewal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Description Parts Pricing Agreement for Sole-Source Replacement Parts	Total Amount: \$122,200,000 (Est.)	
Contract Term (including Options, if any) Five Years (April 1, 2025–March 31, 2030)	Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	Requesting Dept. Dept. of Subways, William Amarosa Jr.	
Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive		
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Sole-Source		

Discussion:

As a result of a multiagency Joint Procurement, NYC Transit, on behalf of itself, Long Island Rail Road (“LIRR”), and Metro-North Railroad (“MNR”) (collectively “the Agencies”) requests Board approval to award a five-year estimated quantity contract for sole-source replacement parts to Kawasaki Rail Car, Inc. (“KRC”) in the estimated value of \$122.2 million. The contract covers the furnishing of various replacement parts identified as obtainable only from or through KRC, which are required for the Agencies to operate and maintain their respective fleets of rolling stock that currently include, but are not limited to, NYC Transit’s R62, R68A, R142A, R143, R160, R188, and R211 subway cars; LIRR’s C-3 coach and M-9 electric railcars; and MNR’s M-8 electric railcars. KRC is also the sole distributor and reseller for Toshiba International Corporation (“Toshiba”), certain items from Fuji Electric Corporation of America (“Fuji”), and Koito Industries (“Koito”). (Toshiba is a manufacturer of the Auxiliary Power Electric systems; Fuji is a manufacturer of the Door system; and Koito is a manufacturer of the Monitoring and Diagnostics systems for NYC Transit subway cars.)

This is the first time requirements to be provided by KRC are based on the needs of all three Agencies. Utilizing a joint procurement approach for this contract combines the buying power of the NYC Transit, LIRR, and MNR to achieve the most favorable pricing for the Agencies and better supply chain management for KRC. Additional benefits are the process efficiencies that will reduce Procurement’s lead time needed to award individual procurements, as well as a reduction in the number and frequency of individual purchases of various items identified as obtainable only from KRC for the following reasons: sole prequalified item on the Qualified Products List and not available from any distributors or other sources; publicly advertised within a 12-month period without an acceptable alternate supplier; or proprietary to KRC. A list of KRC sole-source items, as well as the Agencies’ intention to purchase these items without competitive bidding, is available for download from the MTA website at any time by any prospective vendor. Furthermore, in accordance with the MTA All-Agency Procurement Guideline requirements, the Agencies publicly advertised its intent to procure the items under this agreement on a sole-source basis in the *New York State Contract Reporter* and *Daily News*. No other firms expressed interest in participating in these procurements.

Under this new contract, NYC Transit, LIRR, and MNR will continue to support its Scheduled Maintenance, Life Cycle Maintenance, and Reliability Centered Maintenance programs with parts that are replaced at prescribed intervals to ensure safety, maintain high car reliability and availability, as well as improve customer service. Additionally, the contract includes the parts required to perform unscheduled maintenance and repairs on rail and subway cars to ensure safe, reliable, and maintainable operation.

Of the overall estimated value, approximately 70 percent, or \$84,430,209, of the agreement has firm fixed pricing (1,301 items) for the initial three years of the term of the contract, and for the balance of the term (two years), pricing shall be adjusted up or down as of the third anniversary using a Producer Price Index. The value of the remaining 30 percent, or \$37,769,791 of the agreement, was established using estimated pricing and includes items not yet identified or items whose requirements had not yet been determined that may need to be purchased and/or added to the contract. The pricing for these items will be negotiated on an as-required basis and will be subject to a cost and/or price analysis as well as the most favored customer pricing clause. Through extensive negotiations coupled with the unified purchasing approach provided by this joint procurement, the MTA achieved an estimated cost savings of \$9,582,696. For the firm fixed price items, the MTA Cost Price Analysis Unit performed a detailed analysis using comparative and historical data of previous purchases and determined the pricing to be fair and reasonable.

The chart below summarizes the estimated amounts anticipated to be expended with each Agency over the five-year term of the contract.

NYC Transit	LIRR	MNR	TOTAL
\$15,000,000	\$52,000,000	\$55,200,000	\$122,200,000

The total dollars outlined above are based on historical data and projected/forecasted usage.

KRC is the sole responsible source for the parts that will be provided under this contract. No other vendor can access the proprietary designs, specifications, and drawings and, therefore, cannot readily provide these parts. The Controller's Office found that there was reasonable assurance that KRC is financially qualified to perform this contract.

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

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

This contract is subject to review and approval of the Office of the New York State Comptroller ("OSC"), and an award will not be made prior to OSC approval.

A review of KRC's overall performance, inclusive of quality of material, customer responsiveness, and delivery has been deemed to be satisfactory by the Agencies.

M/W/DBE Information

MTA Department of Diversity and Civil Rights does not assign goals to commodities.

Impact on Funding

This procurement is to be funded by each Agency's Operating Budget.

FEBRUARY 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

H. Modification to Personal & Miscellaneous Service Contracts Awarded as Contracts for Services
 (Staff Summaries required for items estimated to be greater than \$1,000,000.)

2.	PTM Management Corp.	\$158,412,004	<i>Staff Summary Attached</i>
3.	NY Paratransit Group	\$85,195,692	↓
4.	AMR All-Transit LLC	\$0.00	↓

Contract Terms: Each up to two years

Contract #s 6%25792.2 / 6%25834.2 / 6%28783.2

Modification to the contracts in order to exercise the Option years for the provision of Access-A-Ride Primary Carrier Transportation Service for Paratransit.

Item Numbers 2-4

Vendor Names (Locations) PTM Management Corp (Queens, New York) NY Paratransit Group (Brooklyn, New York) AMR All-Transit LLC (New Hyde Park, New York)	Contract Numbers 6%25792 (PTM) 6%25834 (NYPG) 6%28783 (AMR)	AWO/Mod. #s 2 2 2
Description: Primary Carrier Service Option Years for Paratransit	Original Amounts: 6%25792 \$ 175,202,867 6%25834 \$ 485,509,613 6%28783 \$ 202,265,572	
Contract Term (including Options, if any) Five years; Options up to 2 years	Prior Modifications: 6%25792 \$ 35,352 6%25834 \$ 52,079 6%28783 \$ 33,241	
Option(s) included in Total Amount? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	Prior Budgetary Increases 6%25792 \$ 0.00 6%25834 \$ 0.00 6%28783 \$ 0.00	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive	Current Amounts: 6%25792 \$ 175,238,219 6%25834 \$ 485,561,692 6%28783 \$ 202,298,813	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	This Request: 6%25792 \$ 158,412,004 6%25834 \$ 85,195,692 6%28783 \$ 0.00	
Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	% of This Request to Current Amount: 6%25792 90.40% 6%25834 17.55% 6%28783 0.00%	
Requesting Department: Department of Paratransit, Rachel Cohen, Acting VP	% of Modifications (including This Request) to Original Amount: 6%25792 90.44% 6%25834 17.56% 6%28783 0.02%	

Discussion:

NYC Transit is seeking Board approval to exercise the Option years (April 1, 2025–March 31, 2027) of contracts 6%25792 with PTM Management Corp. (“PTM”), 6%25834 with NY Paratransit Group (“NYPG”), and 6%28783 with AMR All-Transit LLC (“AMR”) for the provision of Access-A-Ride Primary Carrier Transportation Service for the Department of Paratransit (“Paratransit”). PTM’s contract amendment will also include the addition of a second facility in Queens. Total funding requested for the option period is \$243,607,696; the breakdown is as follows: \$158,412,004 is requested for PTM, \$85,195,692 is requested for NYPG, and no additional funding is requested for AMR.

Paratransit provides origin-to-destination shared-ride transportation services under the name Access-A-Ride (“AAR”) for people with disabilities who meet the eligibility criteria in accordance with the Americans with Disabilities Act of 1990. AAR service is provided through two different approaches: dedicated service and non-dedicated service. Dedicated service providers are known as Primary Carriers whose business is to transport NYC Transit AAR customers using NYC Transit-owned vehicles. Non-dedicated service providers, such as Broker Car Service and Supplemental Service, perform AAR service in concert with their existing operations. Brokers utilize taxis and for-hire vehicles while Supplemental providers utilize their own vehicles and dedicate a block of time to AAR service outside of their other operations.

In 2019, Request for Proposal (“RFP”) 179562 was competitively solicited to continue the Primary Carrier mode of transportation as a fundamental element for NYC Transit’s AAR customers who require a wheelchair-equipped and/or a lift-equipped vehicle. Approximately 21 percent of all AAR trips are performed using the Primary Carrier mode of service for AAR customers. The RFP resulted in the awards of four contracts in Q1 2020, each with a base term of five years and an option to extend for an additional two years: PTM with a location in Queens; NYPG (a joint-venture entity between the veteran-Primary Carriers Maggies and GVC II) with locations in Brooklyn and the

Bronx respectively; AMR with locations in Far Rockaway and College Point (College Point was closed in 2023 due to AMR’s failure to meet its contractual agreement); and MV Transportation (“MV”) with locations in Staten Island, Brooklyn, and Manhattan. All four Primary Carrier contracts are set to expire on March 31, 2025.

There was one prior modification to all Primary Carrier contracts. In April 2024, Modification 1 enabled the Primary Carriers to install two dual electric vehicle (“EV”) charging stations at each of their operating facilities, as Paratransit is currently piloting 15 EV paratransit buses. This modification will memorialize NYC Transit’s decision to exercise its option on three of the four contracts (PTM, NYPG, and AMR), extending each of their terms for two years (April 1, 2025–March 31, 2027). NYC Transit has chosen not to exercise its option to extend MV’s contract due to persistent compliance failures and marginal performance, which MV has been unable to resolve despite numerous opportunities to cure.

Paratransit continues to experience increasing AAR ridership trends. All-time highs were met in the fourth quarter of 2024, and continued growth is expected into the first and second quarters of 2025. Based on the projected ridership increases, as well as losing one Primary Carrier, each of the remaining Primary Carriers has committed to increasing the size of its fleet. It is anticipated that NYPG will reach 600 vehicles (350 for Maggies, 250 for GVC II), AMR will reach 150 vehicles and PTM will reach 250 at its existing Queens facility, and up to 200 at its second Queens facility.

Pricing for Primary Carrier service is based on an all-in operating rate per Vehicle Service Hour (“VSH”). This structure is comprised of total operating expenses per VSH pricing (tiered by minimum and maximum number of vehicles and by ranges of service hours performed per vehicle, per month), and maintenance pricing per VSH. The pricing in these contracts is adjusted annually based on the Consumer Price Index, which has increased by approximately 18.75 percent over the last four years. The option years were included in the fair and reasonable determination at the time of award.

The NYC Transit Controller’s Office performed an updated financial analysis of PTM, NYPG, and AMR and found each to be financially qualified to perform the work.

PTM, NYPG, and AMR have each certified that pursuant to EO 16, it is not doing business in Russia.

PTM, NYPG, and AMR have all consistently performed satisfactorily, meeting or exceeding performance standards for the AAR program.

The modification awarded to PTM resulting from this procurement was evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. PTM has certified compliance with the MTA’s cybersecurity requirements. Applicable cybersecurity requirements have been included in the contract terms and conditions.

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

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

Subject Authorization to Amend the TBTA Multiple Credit and Series 2025 Supplemental Resolution to authorize the use of term loan agreements to finance Transit and Commuter Projects secured by certain authorized revenues
Department Finance
Department Head Name Kevin Willens, Chief Financial Officer
Department Head Signature
Project Manager Name Olga Chernat, Deputy Chief, Financial Services

Date February 26, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Comm.	2/24/25			
2	Board	2/26/25			

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

PURPOSE

On December 18, 2024, the Board of Directors (“TBTA Board”) of the Triborough Bridge and Tunnel Authority (“TBTA”) adopted the Multiple Credit and Series 2025 Supplemental Resolution Authorizing Obligations, Obligation Anticipation Notes and Refunding Obligations (the “TBTA Multiple Credit and Series 2025 Supplemental Resolution”) for calendar year 2025 to authorizing the issuance of new money bonds, bond anticipation notes and refunding bonds to finance, among other things, the costs of capital projects in approved transit and commuter capital programs. The MTA Finance Department is seeking TBTA Board authorization and approval of an amendment to the TBTA Multiple Credit and Series 2025 Supplemental Resolution, a copy of which is attached hereto (the “TBTA Amendment Resolution”), which would amend the TBTA Multiple Credit and Series 2025 Supplemental Resolution to include authorization and approval of the necessary documentation for TBTA to borrow funds under one or more term loan agreements (“Term Loan Agreements”) with financial institutions (each, a “Bank”) to finance the costs of approved transit and commuter capital projects included within the 2020 to 2024 MTA Capital Program or any successor approved programs (collectively, “Authorized Purposes”). TBTA’s obligations to repay a Bank for the term loan and other amounts owing to a Bank under a Term Loan Agreement will be payable from monies of the Issuer or the MTA that are authorized under New York State law to be pledged by the Issuer and available to secure and be applied to the payment of obligations of the Issuer (“Authorized Revenues”), which may include, but is not limited to, monies derived from tolls, fees and other charges (“CBD Revenues”) under the Central Business District Tolling Program (“CBD Tolling Program”) after payment of certain costs of operating and administering, and properly allocable to, the CBD Tolling Program and certain mitigation costs. Amounts owed to the Bank may be payable from other available financing sources of TBTA and MTA.

BACKGROUND AND DISCUSSION

The CBD Tolling Program went into effect in January 2025. As is often the case with new funding sources, it is difficult for MTA to structure a new long-term bonding credit to leverage these monies until a sufficient operating and collection history is available. TBTA, under Section 553-j of the New York Public Authorities Law, is authorized to pledge the CBD Tolling Revenues to the payment of obligations incurred for Authorized Purposes under financing agreements, including the payment of debt service and other amounts required under financing agreements.

TBTA Board approval is sought for the Amendment to the TBTA Multiple Credit and Series 2025 Supplemental Resolution attached hereto (the “TBTA Amendment Resolution”), which delegates to the Chairman, the Chief Financial Officer of the MTA or the Deputy Chief, Financial Services of the MTA, or their designees (the “Authorized Officers”) the authority to enter into new Term Loan Agreements with or one or more financial institutions to finance the costs of approved transit and commuter projects, to determine and accept the terms and provisions thereof, including, without limitation, financial

and/or other covenants (including covenants of MTA), events of default and remedies, and to execute and deliver such additional agreements, including security agreements and account control agreements, and related closing certificates and documents and to take such other actions as may be necessary or desirable to effectuate such transactions. Any such Term Loan Agreement and documents will be in the forms such officers shall deem advisable, with the execution and delivery of such Term Loan Agreement and documents being conclusive evidence of the determinations and approval of any one or more of the foregoing Authorized Officers. In addition, such officers are hereby authorized to terminate, amend, supplement, replace or extend any such documents.

The TBTA Amendment Resolution also delegates to the Authorized Officers the authority to determine the Authorized Revenues to be pledged to secure the Issuer's repayment obligations under a Term Loan Agreement, which may include, but is not limited to, CBD Tolling Revenues.

The TBTA Multiple Credit and Series 2025 Supplemental Resolution currently authorizes the issuance of new money bonds, bond anticipation notes and refunding bonds to finance, among other things, in the aggregate principal amount of up to \$7.0 billion in the case of transit and commuter capital programs ("Transit and Commuter Authorized Principal Amount"). The TBTA Amendment Resolution provides that such Transit and Commuter Authorized Principal Amount will be reduced by the principal amount of any loan made under a Term Loan Agreement to finance transit and commuter projects.

ALTERNATIVES:

The authorization to enter into one or more Term Loan Agreements will allow MTA to finance Authorized Purposes using Authorized Amounts until a sufficient operating history is available to structure new long-term bonding credits using new funding sources for such amounts. TBTA and MTA could continue to finance such Authorized Purposes under other bond credits.

RECOMMENDATION:

The TBTA Board and MTA Board approve the above-referenced resolution authorizing the use of term loan agreements, and all other actions described above, including the execution and delivery of such other documents, and the taking of all other actions, from time to time deemed necessary or desirable by such officers in connection therewith.

AMENDMENT TO TBTA MULTIPLE CREDIT
AND SERIES 2025 SUPPLEMENTAL RESOLUTION

WHEREAS, the Board of Triborough Bridge and Tunnel Authority (the “Issuer”) adopted the Multiple Credit and Series 2025 Supplemental Resolution Authorizing Obligations, Obligation Anticipation Notes and Refunding Obligations (the “TBTA Multiple Credit and Series 2025 Supplemental Resolution”) on December 18, 2024 (capitalized terms used herein and not otherwise defined herein shall have the meaning set forth in the TBTA Multiple Credit and Series 2025 Supplemental Resolution;

WHEREAS, the TBTA Multiple Credit and Series 2025 Supplemental Resolution, among other things, authorizes the issuance of Series 2025 Obligations to finance Applicable Transit and Commuter Projects as therein provided;

WHEREAS, the Issuer would like the ability to enter into one or more term loan agreements with banks and financial institutions payable from monies of the Issuer or the MTA that are authorized under New York State law and available to be pledged by the Issuer (“Authorized Revenues”) to secure and be applied to the payment of obligations of the Issuer to Capital Costs of Applicable Transit and Commuter Projects;

WHEREAS, the Issuer’s payment obligations under the term loan agreements may be payable from other available financing sources of TBTA and MTA, including the proceeds of bonds, notes and other obligations, including revenue anticipation notes, issued under the Issuer’s Applicable Transit and Commuter Resolutions (as defined in the TBTA Multiple Credit and Series 2025 Supplemental Resolution) and under the Metropolitan Transportation Authority’s (“MTA”) Applicable Transit and Commuter Resolutions (as defined in MTA’s Multiple Credit and Series 2025 Supplemental Resolution Authorizing Obligations, Obligation Anticipation Notes and Refunding Obligations adopted on December 18, 2024 (the “MTA Multiple Credit and Series 2025 Supplemental Resolution”));

BE IT RESOLVED by the Issuer as follows:

1. A new Article VI is hereby added to the TBTA Multiple Credit and Series 2025 Supplemental Resolution to read as follows:

“ARTICLE VI

Section 6.01. Term Loan Agreements.

(a) The Issuer intends to finance Applicable Transit and Commuter Projects (whether directly or as a reimbursement) consisting of capital assets, whether in the nature of personal or real property, as more fully described in the capital programs adopted by the Issuer or by the MTA by entering into one or more term loan agreements with financial institutions (“Term Loan Agreements”) evidencing the Issuer’s repayment obligations with respect to amounts loaned to the Issuer (“Term Loans”) under such Term Loan Agreements.

(b) The Transit and Commuter Authorized Principal Amount shall be reduced by the principal amount of the Term Loan made under a Term Loan Agreement to finance transit and commuter projects.

(c) There is hereby delegated to each Authorized Officer the following powers with respect to such Term Loans:

(i) to determine whether and when to enter into any Term Loan Agreement, the principal amount and maturity date of each Term Loan, the interest rate(s) applicable to such Term Loan, the prepayment terms, the amount of the Term Loan to be applied to finance Capital Costs of the Applicable Transit and Commuter Projects and to fund a reserve requirement, if any, and to pay any costs in respect of the entering into of such Term Loan Agreement, and the Authorized Revenues to be pledged to secure the Issuer's repayment obligations under the Term Loan Agreement, which may include monies derived from tolls, fees and other charges under the Issuer's Central Business District Tolling Program ("CBD Tolling Program") after payment of certain costs of operating and administering, and properly allocable to, the CBD Tolling Program and certain mitigation costs ("Net CBD Tolling Revenues");

(ii) to execute and deliver one or more Term Loan Agreements with one or more financial institutions selected by such Authorized Officer, to determine and accept the terms and provisions thereof, including, without limitation, financial and/or other covenants (including covenants of MTA), events of default and remedies, and to execute and deliver such additional agreements, including security agreements and account control agreements, and related closing certificates and to take such other actions as may be necessary or desirable necessary to effectuate the transactions authorized hereby. Any such Term Loan Agreement and documents will be in the forms such officer shall deem advisable, with the execution and delivery of such Term Loan Agreement and documents being conclusive evidence of the determinations and approval of any one or more of the foregoing Authorized Officers. In addition, such officers are hereby authorized to terminate, amend, supplement, replace or extend any such documents.

(d) For purposes of refunding or refinancing a Term Loan under a Term Loan Agreement, the Term Loan shall be treated under the Supplemental Resolution in the same manner as Series 2025 Notes to the effect that the authorization to issue Series 2025 Obligations to refinance a Term Loan made under a Term Loan Agreement shall continue in effect until the Term Loan has been refinanced by Series 2025 Bonds or otherwise repaid, including by the issuance of Cross-Credit Obligations and by revenue anticipation notes."

2. This amendment to the TBTA Multiple Credit and Series 2025 Supplemental Resolution shall take effect immediately upon adoption.

Staff Summary

Subject Board Authorization to File for and Accept Federal Grants
Department Capital Funding Management
Department Head Name Kevin Willens, Chief Financial Officer
Department Head Signature
Project Manager Name Olga Chernat, Deputy Chief, Financial Services

Date February 24, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action-					
Order	To	Date	App	Info	Other
1	Finance	02/24/2025	x		
2	Board	02/26/2025	x		

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

Purpose

To secure MTA Board's approval to file for and accept Federal grants on an on-going basis, and to provide information about a public hearing held on February 4, 2025, on the projects proposed to be submitted for federal funding.

Discussion

Federal funding plays an important role in MTA's ability to advance its capital programs. Federal assistance accounts for approximately \$13.1B or 24% of the total funding for the 2020-2024 program and accounts for approximately 20% of the proposed \$68.4 billion 2025-2029 Capital Program. Securing and managing federal funding is an ongoing process, and the enclosed resolution provides authorization for the Chairman and his designees to make required certifications and assurances and authorizes the filing and acceptance of grant applications for Federal Fiscal Year 2025 and future federal fiscal years as allowed under Federal regulations. This is a change from prior years when the authorization was renewed annually, and it is necessary to maintain the continuous work of securing and managing federal assistance.

Enclosed is a resolution for Board action to:

- Authorize the Chairman or any of his designees to make required certifications and assurances.
- Authorize the filing and acceptance of grant applications.

In addition, attached to this staff summary is a list of projects authorized to be submitted for Federal funding pursuant to the Public Hearing, which was held on Tuesday, February 4, 2025.

In accordance with FTA regulations, a public hearing inviting public comment on the projects proposed to be submitted for federal funding was advertised beginning on January 3, 2025. Written comments (via mail or the MTA.info website) were solicited, and a hearing to solicit comments was held on Tuesday, February 4, 2025, both in person and via Zoom, referred to as the "Hearing". At the Hearing, the Director of Capital Funding Management read into the record the amounts of Federal funds and dollar amounts of work covered by the Notice.

A transcript of the Hearing and written comments submitted in conjunction with the Hearing are available on the Director's Desk. Sixteen members of the public gave testimony at the Public Hearing, ten provided comments via Zoom during the public hearing. In addition, 23 online comments and one written note were collected. Collectively, these statements/comments discussed requests for increased federal funding raised important concerns and provided suggestions to improve the MTA's operations and future projects. Key points included advocating for more formula funding and enhanced station and train accessibility. Many participants stressed the need for better accessibility signage and support for a rail connection between MTA and NJ Transit's Long Branch Line. There were concerns about projects running over budget and behind schedule, with some suggesting that MTA should not receive additional funding until these issues are addressed. Questions were raised about the cost of elevators in passenger stations, and the need for additional elevators in stations, especially in Queens, was highlighted. The public also requested alterations to ensure full elevator access at stations and an increase in security measures. There was strong support for the extension of routes such as Interborough to the Bronx, the Queens Link to Rockaway Beach, and the Astoria Line extension to LaGuardia. Other comments included suggestions for vibrant colors in station renovations, support for the SAS Phase 2, and the investment in the Interborough Express Project.

Recommendation

It is recommended that the MTA Board approve the attached resolution in order to permit the filing and acceptance of Federal assistance. The board will continue to be advised whenever there is a public hearing.

**RESOLUTION ADOPTED AT A MEETING OF
METROPOLITAN TRANSPORTATION AUTHORITY
Wednesday, February 26, 2025**

Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53; title 23 of the United States Code, or other federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transit Administrator has been delegated authority to award federal financial assistance for transportation projects;

WHEREAS, grants or cooperative agreements for federal financial assistance will impose certain obligations upon the Metropolitan Transportation Authority, and may require the applicant to provide the local share of the project cost;

WHEREAS, the Metropolitan Transportation Authority has provided or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY METROPOLITAN TRANSPORTATION AUTHORITY:

1. That the Chairman, or any of his designees, be, and each of them hereby is authorized to execute and file an application for federal assistance on behalf of the Metropolitan Transportation Authority (the "Authority") for the capital improvement program for the New York City Transit Authority, Manhattan and Bronx Surface Transit Operating Authority, Long Island Rail Road, Metro-North Commuter Railroad, MTA Construction and Development, MTA Bus Company, and Staten Island Rapid Transit Operating Authority, with the Federal Transit Administration for federal assistance authorized by 49 U.S.C. Chapter 53, title 23 of the United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration. The Authority has been made designated recipient of federal assistance by the Governor of New York State, and has received authority as the designated recipient to apply for Urbanized Area Formula Program assistance.
2. That the Chairman, or any of his designees, be and each of them hereby is, authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That the Chairman, or any of his designees, is authorized to execute grants and cooperative agreements with the Federal Transit Administration on behalf of the Metropolitan Transportation Authority.

CERTIFICATION

The undersigned hereby certifies that she is the Corporate Secretary of the Metropolitan Transportation Authority, a public benefit corporation of the State of New York, and that the foregoing is a true and correct copy of a resolution adopted at a meeting of the said Authority duly held on the 26th day of February 2025, which meeting a quorum of the said Authority was present and acting throughout.

Paige Graves
Corporate Secretary

Dated: _____

Federal Fiscal Year 2025

ACEP ID/Agency PIN	Project/Project Description	Estimated Federal Request (\$M)	Page
NEW YORK CITY TRANSIT			
<i>Subway Cars</i>			
T9010101	Purchase Subway Cars	\$1,800.00	1
	Subtotal	\$1,800.00	
<i>Bus Replacement</i>			
T8030201	Purchase Standard Electric Buses	\$275.00	2
T8030203	Purchase Articulated Electric Buses	\$125.00	3
T8030230	Electric Bus Charging Infrastructure	\$200.00	4
T9030201	Purchase Standard Electric Buses	\$70.00	5
T9030202	Purchase Standard Buses	\$275.00	6
T9030203	Purchase Articulated Buses	\$450.00	7
T9030205	Bus Charging	\$225.00	8
	Subtotal	\$1,620.00	
<i>Stations</i>			
T80413RR	ADA: Various Stations	\$150.00	9
T9040701	Replace Elevators: System-wide	\$300.00	10
T9041201	Station Renewal: System-wide	\$300.00	11
	Subtotal	\$750.00	
<i>Line Equipment</i>			
T9060502	Fan Plants: Various Locations	\$5.00	12
	Subtotal	\$5.00	
<i>Line Structures</i>			
T8070301	Subway Structure Repairs: Various Locations	\$200.00	13
T8070302	Elevated Structure Repairs: Various Locations	\$100.00	14
T8070340	Stormwater Mitigation: Various Locations	\$45.00	15
T9070301	Elevated Structure Repairs: Various Locations	\$1,575.00	16
T9070302	Subway Structure Repairs: Various Locations	\$80.00	17
	Subtotal	\$2,000.00	
<i>Signals and Communications</i>			
T9080303	Signal System Component Replacement	\$200.00	18
T9080606	Communication Cable Replacement: Various Locations	\$35.00	19
	Subtotal	\$235.00	
<i>Power</i>			
T8090204	Power Improvements: Various Locations	\$200.00	20
T9090201	Substation Renewals: Various Locations	\$500.00	21
T9090202	Substation Components: Various Locations	\$200.00	22
T9090401	Rehab CBHs / Enclosures: Various Locations	\$150.00	23
	Subtotal	\$1,050.00	
<i>Shops</i>			
T8100401	Shop Components Repairs: Various Locations	\$125.00	24
T9100402	Shop Components: Various Locations	\$55.00	25
	Subtotal	\$180.00	
<i>Depots</i>			
T8120301	Depot Component Repairs: Various Locations	\$95.00	26
T9120301	Depot Component Repairs: Various Locations	\$80.00	27
T9120303	Other Depot Work	\$30.00	28
	Subtotal	\$205.00	
<i>Service Vehicles</i>			
T8130202	Purchase: Various Work Train Cars	\$95.00	29
	Subtotal	\$95.00	
<i>Miscellaneous</i>			
TBD	Bus Fleet & Subway Car Equipment State of Good Repair Investment	\$100.00	30

	Subtotal	\$100.00	
SIRTOA			
S8070104	Purchase: Various Work Train Cars	\$15.00	31
S9070102	Track and Switch Replacement	\$65.00	32
S9070103	Structure Repairs: Various Locations	\$2.00	33
S9070106	Power Improvements: Various Locations	\$45.00	34
S9070107	Various Technology / System Improvements	<u>\$15.00</u>	35
	Subtotal	\$142.00	
New York City Transit Total		\$8,182.00	

LONG ISLAND RAILROAD

Stations

L9020401	Station Components: Various Locations	\$40.00	36
L9020402	Station Renewals: Various Locations	\$100.00	37
L9020403	Small Business Mentoring - Stations	\$4.00	38
L9020404	Station ADA Improvements: Various Locations	<u>\$40.00</u>	39
	Subtotal	\$184.00	

Track

L9030101	Annual Track Program	\$230.00	40
L9030103	ROW Culverts, Drainage, Retaining Walls	\$6.00	41
L9030104	ROW Protection – High Security Fencing	\$2.00	42
L9030105	Yard Track Rehabilitation	<u>\$6.00</u>	43
	Subtotal	\$244.00	

Line Structures

L9040101	Painting, Drainage & Waterproofing of Bridges	\$35.00	44
L9040102	Small Business Mentoring - Bridges	<u>\$9.00</u>	45
	Subtotal	\$44.00	

Power

L9050101	Communications State of Good Repair	\$12.00	46
L9050201	Signal Normal Replacement	<u>\$9.00</u>	47
	Subtotal	\$21.00	

Shops and Yards

L9060401	Rehabilitation of Employee Facilities: Various Locations	\$12.00	48
L9060402	Small Business Mentoring Program – Employee Facilities	<u>\$6.00</u>	49
	Subtotal	\$18.00	

Power

L9070101	Substation Replacements	\$75.00	50
L9070102	Substation Component Renewal	\$5.00	51
L9070103	Power Component Repairs & Replacements	\$4.00	52
L9070104	3rd Rail Replacements & Upgrades	<u>\$5.00</u>	53
	Subtotal	\$89.00	

Miscellaneous

L9090405	Program Administration	<u>\$33.00</u>	54
	Subtotal	\$33.00	

Long Island Rail Road Total \$633.00

METRO-NORTH RAILROAD

Ferries

882396	Haverstraw-Ossining Ferry	\$4.20	55
882399A	Newburg-Beacon Ferry	<u>\$3.20</u>	56
	Subtotal	\$7.40	

Stations

M802-02-XX	Poughkeepsie Station Design	\$1.60	57
M802-02-05	Ludlow Station Design	\$1.60	58
M802-03-02	SBMP Riverdale Parking Lot	\$2.40	59
M802-03-02	SBMP Fleetwood Parking Lot	<u>\$2.40</u>	60
	Subtotal	\$8.00	

Track and Structures

M903-01-01	Annual Track Program	\$72.00	61
M903-01-02	Marble Hill Retaining Wall Construction Phase I	\$24.00	62
M903-01-03	Maintenance of Way Equipment	\$4.80	63
M903-01-04	Slope Remediation	\$64.00	64
M903-01-05	Drainage Improvements	\$16.00	65
M903-02-01	Undergrade Bridge Program	\$105.60	66
M903-02-02	Tunnel Improvements	\$1.60	67
M903-02-03	Overhead Bridge Program	\$8.00	68
M903-02-04	R.O.W. Force Account Structures Rehab	<u>\$7.00</u>	69

M903-02-05	Small Business Mentoring Program-Structures	\$4.00	70
M903-03-01	SBMB-West of Hudson	\$0.80	71
M903-03-02	West of Hudson Improvement	\$0.14	72
M903-03-03	West of Hudson Track Program-Port Jervis Line	\$8.00	73
M903-03-04	West of Hudson Undergrade Bridge – Pt. Jervis Line	\$1.60	74
	Subtotal	\$317.54	
Communications and Signals			
M904-01-01	Signal System Upgrades	\$256.00	75
M904-01-02	Network Infrastructure Replacement	\$8.00	76
M904-01-03	PBX Replacement / Upgrade	\$8.80	77
M904-01-05	Grade Crossing Improvements	\$2.40	78
M904-01-06	Signal Infrastructure Replacement	\$1.60	79
M904-01-07	Communications Improvement	\$4.80	80
	Subtotal	\$281.60	
Power			
M905-01-01	Dewatering System-City Water Substation	\$8.00	81
M905-01-02	Substations Improvements	\$40.00	82
M905-01-03	R.O.W. Power Improvements	\$17.20	83
	Subtotal	\$65.20	
Shops and Yards			
M906-01-01	SBMP-Shops & Yards	\$4.00	84
M906-01-03	Yard Improvements	\$5.60	85
	Subtotal	\$9.60	
Miscellaneous			
M908-01-05	Program Administration	\$11.20	86
M908-01-06	Program Scope Development	\$9.60	87
	Subtotal	\$20.80	
Metro-North Railroad Total		\$710.14	
MTA BUS			
Bus Replacement			
U9030203	Purchase 90 Articulated Buses	\$89.58	88
	Subtotal	\$89.58	
Facilities			
U9030207	Design/Engineering Management Services - 2025	\$2.00	89
U9030207	Project Administration - 2025	\$3.60	90
U9030208	Non-Revenue Vehicles - 2025-2029	\$1.60	91
	Subtotal	\$7.20	
MTA Bus Total		\$96.78	

CONSTRUCTION AND DEVELOPMENT

Penn Station Access

G7110102	Penn Station Access - Project Management	\$40.50	92
G7110104	Penn Station Access - Track and Structures (Interlocking)	\$1.10	93
G7110107	Penn Station Access - Stations	\$30.33	94
G7110110	Penn Station Access - Engineering Consulting Services	\$38.30	95
G7110111	Penn Station Access - Force Account	\$6.60	96
G7110112	Penn Station Access - Design Build Construction - Demolition	\$19.30	97
G7110113	Penn Station Access - Arts at Stations	\$3.00	98
G7110199	Penn Station Access - Project Reserve	\$2.20	99
G8110102	Penn Station Access - Project Management	\$14.40	100
G8110102	Penn Station Access - Program Management	\$14.40	101
G8110103	Penn Station Access - Construction Management	\$112.40	102
G8110108	Penn Station Access - Shops and Yards Construction - New Rochelle Yard	\$117.50	103
G8110111	Penn Station Access - Force Account	\$175.00	104
G8110112	Penn Station Access - Real Estate Management	\$129.80	105
G8110113	Penn Station Access - Controlled Insurance	\$105.10	106
G8110114	Penn Station Access - Design Build Construction Services	\$1,201.60	107
G8110120	Penn Station Access - Fleet Reserve	\$409.60	108
G8110199	Penn Station Access - Construction Reserve	\$92.70	109

Subtotal \$2,513.83

Miscellaneous

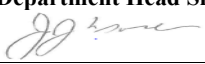
G9080101	Interborough Express	\$40.00	110
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Subtotal \$40.00

MTA Capital Construction & Development Total \$2,553.83



MTA GRAND TOTAL \$12,175.75

Staff Summary

Subject: 2024 TBTA Operating Surplus
Department: Finance
Department Head Name James McGovern (Controller's Department)
Department Head Signature 
Project Manager Name Tricia Cangemi

Date February 24, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	MTA B&T Committee	02/24/25			
2	MTA Finance Committee	02/24/25			
3	MTA Board	02/26/25			

Internal Approvals			
Order	Approval	Order	Approval
2	President 		VP Staff Services
3	Chief Financial Officer 		VP Procurement & Materials
	General Counsel		VP Labor Relations
	VP Operations		VP & Chief Engineer

Internal Approvals (cont.)							
Order	Approval	Order	Approval	Order	Approval	Order	Approval
1	Department Head		Chief Technology Officer		Chief Health & Safety Officer		Chief EEO Officer
	Chief Security Officer		Chief Maintenance Officer		MTA Office of Civil Rights		Other

PURPOSE:

To obtain MTA Board approval of resolutions which will:

- Certify and transfer \$1,423,408,128 operating surplus to the MTA and NYCTA pursuant to Section 1219-a(2)(b) of the Public Authorities Law of the State of New York.
- Transfer \$11,249,639 representing 2024 investment income to the MTA pursuant to Section 569-c of the Public Authorities Law of the State of New York.
- Advance the 2025 TBTA Surplus as per attached Resolution.

DISCUSSION:

The attached calculation and agreed-upon procedures letter from Deloitte & Touche LLP represent the Triborough Bridge and Tunnel Authority's operating surplus for fiscal year ending December 31, 2024. The amount of surplus available for transfer to the MTA and NYCTA is \$1,423,408,128. The amount of investment income that is surplus funds and available to transfer to MTA for fiscal year 2024 is \$11,249,639.

BUDGET IMPACT: None.

ALTERNATIVES: None.

The legal name of MTA Bridges and Tunnels is Triborough Bridge and Tunnel Authority.

RESOLVED, that the Chairman and Chief Executive Officer or their related designees are hereby authorized to certify to the Mayor of the City of New York and to the Chairman of the Metropolitan Transportation Authority, that for the purposes of Section 1219-a (2) (e) of the Public Authorities Law of the State of New York, the amount of the Authority's operating surplus for its fiscal year ending December 31, 2024 is \$1,423,408,128.

RESOLVED, that this Authority hereby makes the following determination in respect of its operating surplus for its fiscal year ending December 31, 2024, for the purposes of Section 1219-a (2) (e) of the Public Authorities Law of the State of New York:

Operating Revenue	\$2,610,503,263
Operating Expense	<u>(512,935,655)</u>
Net Operating Revenue	\$2,097,567,608
Increase in Prepaid Expenses and Other Adjustments	(3,432,008)
Debt Service on Bonds	(677,233,877)
Interest Income on Unexpended Bond Proceeds and Debt Service Fund	16,758,031
Purchase of Capital Assets Funded from Operations	(8,579,703)
Prior Year Adjustments Relating to 2023 Expenses	310,442
Prior Year Adjustments Relating to 2023 Revenues	<u>(1,982,365)</u>
Operating Surplus	<u>\$ 1,423,408,128</u>

February 25, 2025

RESOLVED, that the amount of \$11,249,639 representing the Authority's investment income for the year 2024 is determined to be surplus funds of the Authority; and be it further

RESOLVED, that the amount of \$11,249,639 be transferred and paid over to Metropolitan Transportation Authority in a lump sum as soon as practicable pursuant to Section 569-c of the Public Authorities Law.

RESOLVED, pursuant to the provisions of paragraphs (b), (c), and (d) of subdivision 2 of Section 1219-a of the Public Authorities Law, that the Chairman and Chief Executive Officer or their related designees are authorized in his discretion, to advance to Metropolitan Transportation Authority and New York City Transit Authority monthly, out of funds in the General Fund created by the General Revenue Bond Resolution which are attributable to the operations of the 2025 fiscal year (other than funds arising out of the investment of monies of the Authority) and which have been released and paid over to the Authority free and clear of the lien and the pledge of the General Revenue Bond Resolution as provided in Section 506 thereof, an aggregate amount not to exceed 90% of the Chairman's estimate of the sum which that month's operations, if available, will contribute to the "operating surplus" of the Authority which he anticipates will or may be certified and transferred for the fiscal year in which such month falls; and

RESOLVED, that the monies thus authorized to be advanced monthly shall be apportioned between Metropolitan Transportation Authority and New York City Transit Authority and paid as follows:

1. The first \$1.8 million to New York City Transit Authority;
2. Fifty percentum of the remainder to New York City Transit Authority (less applicable bond service); and
3. The remainder to Metropolitan Transportation Authority (less applicable bond service).

Triborough Bridge and Tunnel Authority

(A Component Unit of the Metropolitan Transportation Authority)

Agreed-Upon Procedures Performed in
Connection with the Schedule of Operating
Surplus for the Year Ended December 31, 2024

INDEPENDENT ACCOUNTANT'S AGREED-UPON PROCEDURES REPORT

Members of the Board
Metropolitan Transportation Authority
New York, New York 10004

We have performed the procedures enumerated in the accompanying Exhibit B on the Triborough Bridge and Tunnel Authority's (the "Authority") calculation of the operating surplus ("Operating Surplus") presented in the Schedule of Operating Surplus ("the Schedule") for the year ended December 31, 2024 (Exhibit A) and the Supporting Schedule to the Schedule of Operating Surplus for the year ended December 31, 2024 (Exhibit C) (collectively "the subject matter"), in accordance with Title 9 Section 1219-a (2)(d) of the New York Public Authorities Law and various bond resolutions. The Authority is responsible for the subject matter.

The Authority, the Metropolitan Transportation Authority ("MTA"), and the MTA New York City Transit Authority ("Transit") have agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of assisting the specified parties in evaluating the subject matter.

We make no representation regarding the appropriateness of the procedures either for the purpose for which our report has been requested or for any other purpose. Accordingly, this report may not be suitable for either the purpose of which this report has been requested or for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated findings are included in the accompanying Exhibit B.

We were engaged by the Authority, the MTA and Transit to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an audit or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on the subject matter. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Authority and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the Board of Directors of the MTA, the Transit, and the management of the Authority, and is not intended to be, and should not be, used by anyone other than these specified parties.

Deloitte Touche LLP

February 12, 2025

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

SCHEDULE OF OPERATING SURPLUS

YEAR ENDED DECEMBER 31, 2024 (amounts in U.S. Dollars)

OPERATING REVENUES (Procedure 1)	\$ 2,610,503,263
OPERATING EXPENSES (Procedure 2)	<u>(512,935,655)</u>
NET OPERATING REVENUE	2,097,567,608
INCREASE IN PREPAID EXPENSES AND OTHER ADJUSTMENTS (Procedure 2)	(3,432,008)
DEBT SERVICE ON BONDS (Procedure 3)	(677,233,877)
INTEREST INCOME ON UNEXPENDED BOND PROCEEDS AND DEBT SERVICE FUNDS (Procedure 4)	16,758,031
PURCHASE OF CAPITAL ASSETS FUNDED FROM OPERATIONS (Procedure 5)	(8,579,703)
ADJUSTMENTS (Procedure 8):	
OPERATING EXPENSES RELATED TO 2023	310,442
OPERATING REVENUES RELATED TO 2023	<u>(1,982,365)</u>
OPERATING SURPLUS	<u>\$ 1,423,408,128</u>

See Independent Accountant's Agreed-Upon
Procedures Report and accompanying notes.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

NOTES TO THE SCHEDULE OF OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31, 2024 (Exhibit A)

1. REPORTING ENTITY

The Triborough Bridge and Tunnel Authority (the “Authority” or “MTA Bridges and Tunnels”) is a public benefit corporation created pursuant to the Public Authorities Law (the “Act”) of the State of New York (the “State”). MTA Bridges and Tunnels is a component unit of the Metropolitan Transportation Authority (“MTA”). The MTA is a component unit of the State and is included in the State’s Annual Comprehensive Financial Report of the Comptroller as a public benefit corporation. MTA Bridges and Tunnels is operationally and legally independent of the MTA. MTA Bridges and Tunnels enjoy certain rights typically associated with separate legal status including the ability to issue debt. However, MTA Bridges and Tunnels is included in the MTA’s consolidated financial statements as a blended component unit because of the MTA’s financial accountability and MTA Bridges and Tunnels is under the direction of the MTA Board (a reference to “MTA Board” means the board of MTA and/or the boards of the MTA Bridges and Tunnels and other MTA component units that apply in the specific context, all of which are comprised of the same persons). Under accounting principles generally accepted in the United States of America (“GAAP”), the MTA is required to include MTA Bridges and Tunnels in its consolidated financial statements.

2. OPERATING SURPLUS CALCULATION REQUIREMENTS

The operating surplus is calculated based upon Title 9 Section 1219-a (2)(d) of the New York Public Authorities Law (“PAL”) and various bond resolutions. This surplus is transferred to the MTA and the MTA New York City Transit Authority (“Transit”). The initial \$24 million in operating surplus is provided to Transit and the balance is divided equally between Transit and the MTA. The Supporting Schedule to the Schedule of Operating Surplus (Exhibit C) is included as additional information providing further detail for the amounts recorded in the Schedule of Operating Surplus (Exhibit A) (the “Schedule”).

3. BASIS OF ACCOUNTING

The Schedule excludes Central Business District (“CBD”) Tolling activities. The operating revenues and operating expenses are included in the Schedule in accordance with Title 9 Section 1219-a (2)(d) of the New York Public Authorities Law and the applicable bond resolutions on the accrual basis of accounting.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

AGREED-UPON PROCEDURES PERFORMED IN CONNECTION WITH THE SCHEDULE OF OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31, 2024 (Exhibit A)

1. OPERATING REVENUES

- We compared the “Operating Revenues” which consists of Vehicle Toll Revenue, Advertising, Rents & Concessions, and Other Revenue of the Triborough Bridge and Tunnel Authority (“TBTA”) appearing on the Schedule of Operating Surplus (Exhibit A) to the general ledger of the TBTA, which excludes Central Business District (CBD) Tolling activities, and confirmed them to be in agreement.
- We inquired with management their policy for recording operating revenues and we have been informed that operating revenues were recorded using the accrual basis of accounting and that operating revenues excluded interest income.

2. OPERATING EXPENSES

- We compared the aggregate “Operating Expenses” of the TBTA appearing on the Schedule of Operating Surplus (Exhibit A) to the general ledger of the TBTA, which excludes CBD Tolling activities, and confirmed them to be in agreement.

We inquired with management their policy for recording operating expenses and we have been informed that operating expenses were recorded using the accrual basis of accounting and that operating expenses excluded depreciation.

- We compared the following expense items to the general ledger of the TBTA, which excludes, CBD Tolling activities: “Non-Operating Expenses” and “Reimbursement of Personnel Costs”, as noted on Exhibit C, and confirmed them to be in agreement.
- We recalculated the “Increase in Prepaid Expenses and Other Adjustments” appearing on the Schedule of Operating Surplus (Exhibit A) and compared it to the general ledger of the TBTA, which excludes CBD Tolling activities, and confirmed them to be in agreement.

We inquired whether the operating expenses were adjusted to include amounts charged to prepaid expenses on a cash basis of accounting and we have been informed that the operating expenses were adjusted to include amounts charged to prepaid expenses on a cash basis of accounting.

We inquired whether any cash adjustments were made for changes in accounts payable, accrued expenses, or accounts receivable and we have been informed that no cash adjustments were made for changes in accounts payable, accrued expenses or accounts receivable.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

AGREED-UPON PROCEDURES PERFORMED IN CONNECTION WITH THE SCHEDULE OF OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31, 2024 (Exhibit A)

3. DEBT SERVICE ON BONDS

- We compared the “Debt Service on Bonds” on the following bonds appearing on the Schedule of Operating Surplus (Exhibit A) to the TBTA debt service schedules listed below and confirmed them to be in agreement:
 - General Revenue Bonds, and
 - Subordinate Revenue Bonds.
- We compared the “Debt Service on Bonds” on the TBTA’s portion of debt service on the 2 Broadway Certificates of Participation to the TBTA debt service schedule and confirmed them to be in agreement.
- We confirmed that the Debt Service on Bonds represents interest paid and/or accrued applicable to calendar year 2024 and the principal payment due January 1, 2025, on all bond indebtedness and certificates.

4. INTEREST INCOME

- We compared the aggregated amounts of “Interest Income on Unexpended Bond Proceeds and Debt Service Funds” appearing on the Schedule of Operating Surplus (Exhibit A) to the debt service schedules (General Revenue Bonds and Subordinate Revenue Bonds) and confirmed them to be in agreement.
- We compared the interest income to the debt service schedules (General Revenue Bonds and Subordinate Revenue Bonds) as noted in Exhibit C and confirmed them to be in agreement.

We inquired whether interest income is excluded from operating revenues on the Schedule of Operating Surplus (Exhibit A) and we have been informed that interest income is excluded from “Operating Revenues” on the Schedule of Operating Surplus (Exhibit A).

We inquired whether interest income on the debt service fund consists of income from (1) the debt service funds established in connection with the 2 Broadway Certificates of Participation to the extent attributable to the TBTA’s portion of debt service thereon, and (2) the debt service funds established in connection with the TBTA Bonds from their respective dates of issuance and we have been informed that interest income on the debt service fund investments consists of income from (a) the debt service funds established in connection with the 2 Broadway Certificates of Participation to the extent attributable to the TBTA’s portion of debt service thereon, and (b) the debt service funds established in connection with the TBTA bonds from their respective dates of issuance. We inquired whether the interest income was included in the computation of operating surplus as a reduction of debt service cost (therefore increasing operating surplus) and we have been informed that this amount was included in the computation of operating surplus as a reduction of debt service cost therefore, increasing operating surplus.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

AGREED-UPON PROCEDURES PERFORMED IN CONNECTION WITH THE SCHEDULE OF OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31, 2024 (Exhibit A)

- We inquired whether unexpended bond proceeds consist of bond moneys on deposit with the TBTA until expended for either transit or commuter projects or on the TBTA's bridges and tunnels and we have been informed that unexpended bond proceeds consist of bond moneys on deposit with the TBTA until expended for either transit or commuter projects or on the TBTA's bridges and tunnels.

5. CAPITAL ASSETS FUNDED FROM OPERATIONS

- We compared the amount of "Purchase of Capital Assets Funded From Operations", which represents amounts paid and capitalized for vehicles and other fixed assets, appearing on the Schedule of Operating Surplus (Exhibit A), which excludes CBD Tolling activities, to the general ledger of the TBTA and confirmed them to be in agreement.

We inquired whether these amounts were funded from operations and that such amounts represent a reduction of operating surplus appearing on the Schedule of Operating Surplus (Exhibit A) and we have been informed that these amounts were funded from operations and that such amounts represent a reduction of operating surplus appearing on the Schedule of Operating Surplus (Exhibit A).

6. NECESSARY RECONSTRUCTION RESERVE

- We compared the amount appearing on the Schedule of Operating Surplus (Exhibit A) as "Establishment of Necessary Reconstruction Reserve Account" to the TBTA Financial Plan, which was approved by the Finance Committee at the December 20, 2023, meeting, to set aside and reduce the operating surplus by \$0 and confirmed them to be in agreement. (We confirmed the Necessary Reconstruction Reserve Account was established by the TBTA by resolution adopted March 29, 1968).

We inquired whether this amount, together with interest income thereon, is to be used to fund reconstruction of present facilities within the meaning of TBTA's General Revenue Bond Resolution and we have been informed that this amount, together with interest income thereon, is to be used to fund reconstruction of present facilities within the meaning of the TBTA's General Revenue Bond Resolution.

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

AGREED-UPON PROCEDURES PERFORMED IN CONNECTION WITH THE SCHEDULE OF OPERATING SURPLUS FOR THE YEAR ENDED DECEMBER 31, 2024 (Exhibit A)

7. CAPITAL CONTRIBUTION - PAYGO

- We compared the amount appearing on the Schedule of Operating Surplus (Exhibit A) as “Capital Contribution - PAYGO” to the TBTA Financial Plan which was approved by the Finance Committee at the December 20, 2023 meeting, to set aside and reduce the operating surplus by \$0 and confirmed them to be in agreement.

8. ADJUSTMENTS

- We compared the amount appearing on the Schedule of Operating Surplus as “Operating Expenses Related To 2023” to the difference between the December 31, 2023 Surplus and Post Surplus Operating Expenses in the general ledger of the TBTA, which excludes CBD Tolling activities, and confirmed to be in agreement.
- We compared the amount appearing on the Schedule of Operating Surplus as “Operating Revenues Related To 2023” to the difference between the December 31, 2023 Surplus and Post Surplus Operating Revenues (net of other revenues) in the general ledger of the TBTA, which excludes CBD Tolling activities, and confirmed to be in agreement.

9. RECONCILIATION OF EXHIBIT C TO EXHIBIT A

- We compared the operating revenues, operating expenses, increase in prepaid expenses and other adjustments, interest income on unexpended bond proceeds and debt service funds, and total debt service on bonds appearing on the Supporting Schedule to the Schedule of Operating Surplus (Exhibit C) to the respective amounts appearing on the Schedule of Operating Surplus (Exhibit A), and confirmed them to be in agreement.

* * * * *

TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY

SUPPORTING SCHEDULE TO THE SCHEDULE OF OPERATING SURPLUS YEAR ENDED DECEMBER 31, 2024 (amounts in U.S. Dollars)

TOTAL REVENUES		\$	2,621,752,902
LESS: Interest Income			<u>11,249,639</u>
OPERATING REVENUES (Exhibit A)		\$	<u>2,610,503,263</u>
TOTAL EXPENSES (excluding depreciation)		\$	857,568,228
LESS: Non-Operating Expenses (Procedure 2)	\$	326,683,209	
Reimbursement of Personnel Costs (Procedure 2)		<u>17,949,364</u>	\$ <u>344,632,573</u>
OPERATING EXPENSES (Exhibit A)		\$	<u>512,935,655</u>
PREPAID EXPENSES AND OTHER ADJUSTMENTS:			
Balance December 31, 2023	\$	23,294,871	
Balance December 31, 2024		<u>26,726,879</u>	
INCREASE IN PREPAID EXPENSES AND OTHER ADJUSTMENTS (Exhibit A)		\$	<u>3,432,008</u>
DEBT SERVICE ON BONDS:			
TBTA	\$	422,960,576	
MTA		74,148,764	
NYCTA		<u>163,366,506</u>	
Subtotal		660,475,846	
INTEREST INCOME ON UNEXPENDED BOND PROCEEDS AND DEBT SERVICE FUNDS (Exhibit A)		<u>16,758,031</u>	
TOTAL DEBT SERVICE ON BONDS (Exhibit A)		\$	<u>677,233,877</u>

Staff Summary

Subject Mission Statement, Measurements, and Performance Indicators Report	Date February 24, 2025
Department Chief Strategic Initiatives	Vendor Name N/A
Department Head Name Jon Kaufman	Contract Number N/A
Department Head Signature	Contract Manager Name N/A
Project Manager Name N/A	Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
	Finance	2/24/25	X		
	Board	2/26/25	X		

Internal Approvals			
Order	Approval	Order	Approval
1	Finance		
2	Legal		
3	External Relations		

Purpose:

To obtain Board approval of the MTA’s Mission Statement and to authorize submission of the annexed 2024 Mission Statement, Measurements, and Performance Indicators Report (the “Report”) to the Independent Authorities Budget Office (“ABO”) .

Discussion:

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

The MTA and its Board engage in oversight of agency operating performance throughout the year. The Board, through its transit, rail and bridge/tunnel operating committees, closely monitors agency operating performance. Each operating agency reports and publishes its most recent performance data in monthly reports and committee books distributed in advance of public MTA operating committee meetings, which are conducted at least eleven times a year. At these public meetings, operating agency results are reviewed and discussed by Board members and agency senior staff. In addition, regular presentations throughout the year are made by agency staff to the Board and focus on particular areas of performance, in accordance with the work plan schedule for each operating committee. The MTA regularly publishes downloadable data and visualizations reported to operating committees on metrics.mta.info and the New York State Open Data Portal at data.ny.gov. This Report compiles the MTA Mission Statement, Stakeholder Assessment, and the performance measures from 2024.

Recommendation:

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



Metropolitan Transportation Authority

**Metropolitan Transportation Authority
Mission Statement, Measurements, and Performance Indicators
Report Covering Fiscal Year 2024**

**In Compliance with New York State Public Authorities Law §2800 and §2824-a
Submitted as Part of the MTA 2024 Annual Report to the Governor**

Metropolitan Transportation Authority Mission Statement

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

Stakeholder Assessment

The main stakeholders of the MTA are its customers; the businesses, residents, and taxpayers of our service area and the State; the MTA's employees and unions; and its government partners.

Customers

Our customers are those who ride our trains and buses or cross our bridges and tunnels. They include the residents of our region, as well as visitors. Our customers expect service that is safe, on-time, reliable, and that provides good value for their money.

Businesses, Residents, and Taxpayers

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

Employees and Unions

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

Government Partners (Federal, State, and Local)

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

List of Performance Measurements

The following table lists the MTA's strategic priorities and the key performance indicators used to evaluate and monitor the attainment of those strategic priorities.

A detailed explanation of MTA's strategic priorities can be found on the MTA website at <https://new.mta.info/transparency/strategic-priorities>. Analysis of the MTA's 2024 strategic priorities and performance can be found in the 2024 Annual Report, prepared in accordance with Public Authorities Law §2800. A comprehensive list of 2024 performance results are provided in the 2024 Annual Report Appendices, which can be found on the MTA's Transparency webpage. More details and data visualizations of MTA performance metrics are available on the MTA's Metrics site at metrics.mta.info, and available for download on the New York State Open Data Portal at data.ny.gov.

MTA Strategic Priorities	Key Performance Measures
Deliver better service	Weekday Major Incidents – Subways (monthly average)
	Customer Journey Time Perf. (% within 5 min of scheduled) – Subways, NYCT & MTA Bus
	Additional Platform Time (average beyond scheduled) – Subways
	Additional Train Time (average beyond scheduled) – Subways
	Weekday Service Delivered – Subways
	Weekday Terminal On-Time Performance – Subways
	Weekday Terminal Delays – Subways (monthly average)
	Mean Distance Between Failures (miles) – Subways, Staten Island Railway, NYCT & MTA Bus, LIRR, Metro-North
	Weekday Wait Assessment – Subways
	Total Ridership – Subways, MTA Bus, NYCT Bus, Paratransit, LIRR, Metro-North
	Weekday On-Time Performance – Staten Island Railway
	Additional Bus Stop Time – NYCT & MTA Bus (avg beyond scheduled)
	Additional Travel Time – NYCT & MTA Bus (avg beyond scheduled)
	Service Delivered – NYCT & MTA Bus (% scheduled buses, peak hrs.)
	Bus Speeds – NYCT & MTA Bus (average route speed, end-to-end)
	Wait Assessment – NYCT & MTA Bus
	Access-A-Ride On-Time Performance Pick up within (30 min / 15 min)
	Access-A-Ride Appointment OTP Trips (30 min early to 1 min late)
	Access-A-Ride Actual Ride Time at or Better than Planned Ride Time
	Access-A-Ride Passenger Complaints (per 1,000 completed trips)
	Access-A-Ride Registrants
On-Time Performance – LIRR, Metro-North (West / East of Hudson)	
Paid Traffic – Bridges and Tunnels	
Promote safety & respect	Customer Injury Rate (per million customers) – Subways
	Customer Accident Injury Rate – NYCT Bus (per million customers)
	Collisions with Injury Rate – NYCT Bus (per million vehicle miles)
	Employee Lost Time and Restricted-Duty Rate – NYCT Subways (per 100 employees)
	Employee Lost Time and Restricted-Duty Rate – NYCT Bus (per 100 employees)
	FRA-Reportable Customer Injury Rate (per million customers) – LIRR, Metro-North

MTA Strategic Priorities	Key Performance Measures
Promote safety & respect (cont.)	FRA-Reportable Employee Lost Time Rate (per 200,000 worker hours) – LIRR, Metro-North
	Collisions with Injury Rate (per million vehicles) – Bridges and Tunnels
	Employee Lost Time Injury Rate (per 200,000 work hours) – Bridges and Tunnels
Increase appeal for customers	Elevator Availability – Subways, LIRR, Metro-North
	Escalator Availability – Subways, LIRR, Metro-North
	AAR Customer Experience – Frequent Rider Experience
	AAR Call Center (% of calls answered)
Provide 21st century bus service	Customer Journey Time – NYCT & MTA Bus (% within 5 min of scheduled)
	Additional Bus Stop Time – NYCT & MTA Bus (average beyond scheduled)
	Additional Travel Time – NYCT & MTA Bus (average beyond scheduled)
	Bus Customer Wheelchair Lift Usage – NYCT Bus
	Service Delivered – NYCT & MTA Bus (% scheduled buses, peak hrs.)
	Bus Speeds – NYCT & MTA Bus (average route speed, end-to-end)
	Total Ridership – NYCT & MTA Bus
	Mean Distance Between Failures – NYCT & MTA Bus (miles)
	Wait Assessment – NYCT & MTA Bus
Achieve financial stability & viability	Farebox Operating Ratio – NYCT, LIRR, Metro-North
	Operating Cost per Passenger – NYCT, LIRR, Metro-North
	E-ZPass Market Share – Bridges and Tunnels
	Total Support to Transit – Bridges and Tunnels
Strengthen & expand the network	Capital Program project commitments
	Capital Program project completions
Revive talent & culture	Female Representatives in Workforce – NYCT, LIRR, Metro-North, Bridges and Tunnels, and Construction & Development
	Minority Representatives in Workforce – NYCT, LIRR, Metro-North, Bridges and Tunnels, and Construction & Development

FEBRUARY 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

G. Miscellaneous Service Contracts

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

2. **Quest Diagnostics Clinical Laboratories Inc. \$9,535,161**
Five Years
Contract # 15934

Staff Summary Attached

Award of a contract to provide drug and alcohol testing services in support of MTA pre-hire and post-hire workplace drug/alcohol testing policies for the MTA agencies.

Schedule G: Miscellaneous Service Contracts

Item Number: 1

Vendor Name (Location) Quest Diagnostics Clinical Laboratories Inc. (Lenexa, Kansas)	Contract Number 15934	Renewal? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Description Drug & Alcohol Testing Services	Total Estimated Amount: \$9,535,161	
Contract Term (including Options, if any): April 1, 2025–March 31, 2030	Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> n/a	Requesting Department: Chief Safety Officer, Carl Hamann, Acting Chief	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Noncompetitive		
Solicitation Type <input checked="" type="checkbox"/> RFP <input type="checkbox"/> Bid <input type="checkbox"/> Other: Sole-Source		

Discussion:

Board approval is sought to award a competitively negotiated miscellaneous service contract to Quest Diagnostics Clinical Laboratories Inc. (“Quest”) to provide Drug & Alcohol Testing Services in support of MTA pre- and post-hire workplace drug/alcohol testing policies (“Policies”) for the following MTA agencies: NYC Transit (including Staten Island Rapid Transit and MaBSTOA); MTA Bus Company; MTA Headquarters; Metro-North Railroad; Long Island Rail Road; MTA Police Department; and MTA Bridges and Tunnels. In addition to MTA agency-specific drug/alcohol testing requirements, this award is necessary to also comply with federally mandated workplace drug/alcohol testing requirements. The period of performance is five years (April 1, 2025–March 31, 2030) for a total not-to-exceed amount of \$9,535,161. The contract with the current provider, Quest, will expire on May 31, 2025.

The Division of Safety - Office of Occupational Health Services (“OHS”) has requested a five-year miscellaneous service contract for laboratory-based (“lab-based”) drug/alcohol testing services. The work under this contract includes pick-up of job candidate/employee (“donor”) specimens (urine, oral fluid, and blood) collected by OHS technicians across the seven OHS collection sites, or from contractor technicians collecting specimens in the field, together with transport to a laboratory appropriately certified for analysis in the detection of prohibited drug and alcohol use. The work also includes furnishing the MTA with specimen collection supplies; documentation/reporting of test results to OHS within 24 to 72 hours following specimen pick up; as-needed reconfirmation testing; expert witness testimony; long-term storage of specimens that resulted in a positive test result; as well as new online paperless testing technology.

MTA’s federally mandated drug testing Policies are specifically governed by regulations defined by the Federal Transit Administration and the Federal Railroad Administration under the federal Department of Transportation (“DOT”). This includes DOT’s rule: Title 49 CFR Part 40, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs.” Coupled with drug testing required by MTA policy (not federally regulated: non-DOT), total drug testing volume annually is estimated at 70,000 for MTA agency donors.

The new five-year contract will be different from the current one, which is predominantly for lab-based analysis of urine specimens. In addition to continuing this capability for certain testing scenarios, the new contract will introduce new lab-based oral-fluid testing* as an alternative sampling option for approximately 50 percent of all annual DOT and non-DOT drug testing performed across all MTA agencies. The new contract will also include the ability to replace paper-based documentation of each testing event with a fully electronic process, as well as automated scheduling of donors at lab-affiliated collection sites across the NYC metropolitan region.

*Urine and oral fluid sampling both can be used to detect illicit drug use and are the only sampling options currently authorized for federally mandated testing. However, lab-based oral fluid testing, while more expensive than lab-based urine testing, offers additional benefits that will strengthen MTA workplace testing programs. Lab-based oral fluid testing will:

- Increase detection of more recent drug use (as early as one hour following use, whereas use in urine is generally not detected within 24 hours following use). This is relevant, for example, for MTA post-accident and reasonable suspicion incidents that may be triggered by an employee’s recent use, and with marijuana being more recreationally decriminalized across the nation.
- Provide for continuous “direct observation” of an employee by the OHS technician, meaning private use of a bathroom where specimen tampering could occur will be significantly reduced.
- Eliminate need to ensure availability of a bathroom if testing in the field is necessary.

- Provide for practical elimination of “shy bladder” events when an employee is unable to provide sufficient urine specimen at the start of the collection process that would then necessitate the employee to be afforded up to a three-hour waiting period to consume MTA-provided water to assist in the collection of a sufficient amount of urine. This will notably reduce the amount of time employees will spend at an OHS collection site.
- In instances when urine testing is prescribed by OHS standing order but cannot be collected, the technician can immediately transition to oral fluid testing. This will also reduce the amount of time employees will spend at an OHS collection site.

The evaluation criteria for this procurement includes: (1) Proposer’s technological platforms and software solutions to meet all electronic RFP requirements including donor scheduling, electronic Chain-of-Custody initiation/processing, testing results communications, reporting, and online access; (2) Content, Quality and Responsiveness of Executive Summary submitted by Proposer; (3) Proposer’s experience supporting large-scale DOT and non-DOT laboratory-based drug testing requirements and approach for introduction of DOT and non-DOT laboratory-based oral fluid drug testing; (4) Proposer’s approach to specimen pick ups, Chain-of-Custody supply/replenishment, secured transport to laboratory(ies), inspection of specimens, and notification of specimen issues e.g., specimens that are damaged, insufficient in volume or inconsistent with Specimen List, or lost in transit; (5) cost; and (6) Proposer’s diversity practices.

The Selection Committee (“SC”) consisted of the OHS Senior Director of Drug and Alcohol Programs, Director of Testing and Laboratory Services, and Director of Information Management and Reporting. The MTA received proposals from the following 11 vendors: (1) A. Joy Health; (2) Acuity International LLC; (3) Bruen Medical Partners, LLC; (4) Clinical Reference Laboratory (“CRL”); (5) DSI Medical (submitted a cost proposal only); (6) eScreen, Inc. (“eScreen”); (7) Intra Testing Services; (8) Labcorp Employer Services, Inc. (“Labcorp”); (9) NMS Management Services, Inc; (10) Quest; and (11) StatCare d/b/a NAO Medical.

Following evaluation of each technical proposal received, the SC voted to recommend four proposers to advance to oral presentations, including CRL, eScreen, Labcorp, and Quest. The SC was interested in each of the four remaining proposers demonstrating their specific solutions for electronic test scheduling and testing documentation, processing of test results and reporting to the MTA, as well as online management tools for designated OHS staff in accordance with RFP specifications. eScreen withdrew its proposal prior to providing an oral presentation. CRL, LabCorp, and Quest provided oral presentations. Following further analysis of the technical proposals, each vendor was requested to submit revised cost proposals and subsequently, Best and Final Offers (“BAFOs”).

The initial five-year cost proposals received from the three short-listed firms (CRL, LabCorp, and Quest), which excluded costs for lab-based oral fluid testing, ranged from \$3.9 to \$4.9 million. In December 2024, with certification of laboratories having initiated, DOT lab-based oral fluid pricing from the RFP proposers became available. CRL, LabCorp, and Quest were requested to provide BAFOs, which were received in the amounts of \$7,888,748; \$8,711,129; and \$9,535,161 respectively, with all scope items included. To compare cost proposals, each proposer was given estimated annual quantities based on expected volumes and requested to propose a unit cost per line item.

The increase in cost from initial proposals to BAFOs is attributed to new added costs of: (1) lab-based oral fluid drug testing; (2) pre-employment drug testing collections outsourced to contractor affiliated test sites; and (3) direct observation of job applicants undergoing lab-based urine testing that may be needed to be performed at contractor affiliated test sites.

The SC unanimously determined Quest to be the highest ranked proposer offering the best value proposal to MTA taking into consideration technical and cost evaluation criteria in the RFP. Quest demonstrated: (1) a preferred end-to-end integrated technological solution to meet all RFP requirements related to donor test scheduling, electronic Chain-of-Custody processing, proper specimen handling, electronic recording and processing of test results to be reported to MTA, online oversight management tools for designated OHS staff, and other value-add automation, thereby facilitating quicker hiring of preemployment job candidates and the return of current employees back to work; and (2) broad experience supporting large-scale DOT and non-DOT workplace testing programs for organizations with similar complexity as MTA. Quest’s proposed unit costs is within the competitive range when compared to CRL and LabCorp. Based on the foregoing, Quest’s proposed not-to-exceed amount of \$9,535,161 is considered fair and reasonable.

MTA Occupational Health Services project management has found the performance of Quest’s services to be satisfactory.

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

M/W/DBE Information

The MTA Department of Diversity and Civil Rights (DDCR) has established zero percent MWBE/SDVOB goals on this contract because the participant data and benefit contract provisions are considered highly sensitive and confidential in nature. Subcontracting to third parties would increase the risk and exposure of confidential information.

Impact on Funding

Funding for services associated with this contract will be provided by operating accounts from agencies supported by OHS.

Alternatives

1. Perform all services in-house. This alternative is not feasible as the MTA is required to contract with a laboratory that is certified by the Department of Health and Human Services.
2. Do not approve award of the contract. This alternative is not feasible as the MTA is obligated to comply with federal regulations mandating workplace drug/alcohol testing of all employees performing safety-sensitive work (approximately 45,000 MTA agency-wide) and job candidates being considered for performing safety-sensitive work.

FEBRUARY 2025
MTA REAL ESTATE
FINANCE COMMITTEE AGENDA ITEMS

1. TRANSACTIONAL ACTION ITEM

MTA New York City Transit

- a. Master lease with TK Metro Grand Central LLC & Times Square LLC for retail spaces on the 42 Street – Times Square and 42 St. Grand Central Shuttle - Station mezzanines (1, 2, 3, 4, 5, 6, 7, N, R, Q, S trains), NY

2. INFORMATION ITEMS

- a. Access agreement between NYCT and Queens Ballpark Company for the use of a portion of the Southfield Parking Lot at CitiField in connection with the 120th Street/ Roosevelt Substation Project, Queens, NY
- b. License agreement between NYCT and the City of New York, Department of Housing Preservation & Development for the temporary use of a parking lot adjacent to Kingsbridge Bus Depot, New York, NY
- c. Easement agreement granted to the LIRR by the State of New York (Office of Parks, Recreation and Historic Preservation) to construct, operate, and maintain station facilities in Elmont, NY
- d. License between the MTA and Starbucks Corporation for a retail unit in 2 Broadway, New York, NY
- e. Report on retail agreements entered into directly by the Real Estate Department pursuant to board policy

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

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

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

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

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

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

Subject MASTER LEASE WITH TK METRO GRAND CENTRAL LLC & TK METRO TIMES SQUARE LLC FOR RETAIL SPACE AT 42 ST – TIMES SQUARE AND GRAND CENTRAL – 42 ST STATIONS, NEW YORK, NY
Department REAL ESTATE
Department Head Name DAVID FLORIO
Department Head Signature
Project Manager Name RAYMOND SMYTH

Date FEBRUARY 26, 2025
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref. #

Board Action					
Order	To	Date	Approval	Info	Other
1	Finance Committee	02/24/25	X		
2	Board	02/26/25	X		

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

AGENCY: MTA New York City Transit (“NYCT”)

LESSEE: TK Metro Times Square LLC and TK Metro Grand Central LLC (collectively, “Lessee”)

LOCATIONS: NYCT 42 St – Times Square Station (“Times Square”) and Grand Central – 42 St Station (“Grand Central”); collectively the “Stations”

PREMISES:

- Times Square:
 - Four (4) retail units located in the mezzanine level
 - Eight (8) travel convenience units
 - Three (3) retail kiosks located in the mezzanine level
- Grand Central:
 - Eight (8) retail kiosks along the shuttle passageway and shuttle platform

USE: Various retail and ancillary uses

ACTION REQUESTED: Authorization to enter into certain master lease agreements (collectively, the “Lease”)

TERM: Initial term of twenty-five (25) years (“Initial Term”) and one, ten (10) year option term

COMPENSATION:

- Minimum Annual Guarantee (“MAG”) of \$1,719,599.76, subject to 3% annual increases
- Retail and travel convenience units: Twelve percent (12%) of Gross Sales above the natural breakpoint for each unit
- Kiosks: Ten percent (10%) of Gross Sales above \$500,000.

FINANCE COMMITTEE MEETING

MASTER LEASE WITH TK METRO GRAND CENTRAL LLC & TK METRO TIMES SQUARE LLC FOR RETAIL SPACE AT 42 ST – TIMES SQUARE AND GRAND CENTRAL – 42 ST STATIONS, NEW YORK, NY (cont'd)

TERMINATION FOR CORPORATE

PURPOSE PAYMENT: If NYCT terminates the Lease during the Initial Term, Lessee will receive a payment equal to the unamortized cost of the initial improvement net of any rent abatement or other concession.

COMMENTS:

MTA Real Estate, on behalf of NYCT, issued a Request for Proposals (“RFP”) on November 9, 2023, seeking proposals from experienced developers to manage and operate the retail programs at the Times Square 42nd Street (“Times Square”) and Grand Central 42nd Street (“Grand Central”) subway station complexes, with the goal of creating an innovative food and retail offering for our customers. The RFP was targeted to receive proposals that: a) develop and manage a diverse program of high-quality food and retail concepts that align with current consumer tastes and commuter expectations; b) provide architectural designs that are visually appealing, complement the station’s aesthetic, reflect the surrounding neighborhood, and accommodate efficient traffic flow; c) ensure an optimal level of quality, value, and service to our customers ; d) maximize the use of existing retail space in coordination with the MTA; e) identify and propose new retail programming opportunities within the station; and f) maximize revenue streams for the MTA.

The RFP for the Premises comprised of two (2) separate Master Lease retail packages encompassing units ranging in size from approximately 50 to 900 square feet throughout the Stations.

A single proposal was received in connection with the RFP. A summary of the proposal is detailed in the table below:

Proposer	Proposed Rent/Term	Proposed Use	NPV at 6% w/o Improvements (Base Term)
TK Metro Times Square LLC & TK Metro Grand Central LLC	25 Year Term MAG: \$1,719,599.76 3% Increases Per Annum	Develop Times Square Station Complex and Grand Central Passageway and Shuttle Platform with a program that includes four (4) Retail and eight (8) Travel Convenience Units and construct eleven (11) kiosks with various commercial retail uses.	\$25,040,008

The Lessee has proposed operating a diverse mix of establishments within the Times Square and Grand Central Stations, including brands and concepts such as Auntie Anne’s, Cinnabon, Dunkin’ Express, ShoeShine, Nestle / Haagen Dazs, Flower Shop, Mini Mart, Playa Bowls, Rosa’s Pizza, as well as grab & go concepts.

The Lessee’s financial proposal and proposed retail concepts successfully meet the objectives outlined in the RFP. The MTA anticipates the Lessee’s commitment to offering unique, high quality, retail options that will provide a valuable amenity to our customers. The Lessee intends to directly own and operate all units, ultimately leading to increased net rent for the MTA by removing administrative layers associated with subtenants. However, the Lessee has the right to sublease any individual retail unit or kiosk that the Lessee does not directly operate, provided that such subleases adhere to the approved merchandising and kiosk plans, align with the permitted uses, comply with the terms of the Lease, and promote sound business practices that support the overall success of the Stations.

The MTA will make certain base building improvements to the mechanical, electrical, and plumbing systems of the Premises to support the uses outlined in the Lessee’s proposal. Upon the MTA completion of base building work, the Lessee will be responsible for the initial work, including but not limited to, the buildout of each retail unit and kiosk in the Premises and anticipates making an initial investment of approximately \$12,600,000 to cover its share of the total cost of improvements to the Premises. Additionally, at Times Square, in order to facilitate improved positioning of retail units, the Lessee, at its

FINANCE COMMITTEE MEETING

MASTER LEASE WITH TK METRO GRAND CENTRAL LLC & TK METRO TIMES SQUARE LLC FOR RETAIL SPACE AT 42 ST – TIMES SQUARE AND GRAND CENTRAL – 42 ST STATIONS, NEW YORK, NY (cont'd)

Page 3 of 3

cost and subject to NYCT review and approval, will be responsible for relocating and constructing the current NYCT Stations office.

Throughout the Term, the Lessee will be responsible for ongoing maintenance and necessary repairs to the Premises, its components, and all related systems, including fixtures, equipment, and any alterations made by the Lessee. The Lessee will also maintain individual retail units and kiosks, uphold quality standards for merchandise, and comply with safety, sanitation, and business practices.

Should NYCT intend to offer all or any portion of certain other space in the Stations (the "ROFO Space") to the general public for lease for retail purposes, NYCT has agreed to grant a Right of First Offer ("ROFO") to Lessee on such ROFO Space.

The MAG in year one of the Lease will collectively start at \$1,719,599.76, with successive 3% annual increases. Additionally, the MTA will receive Percentage Rent for each Retail Unit, Travel Convenience Unit and Kiosk calculated as follows: the MTA will receive (i) 12% of the Gross Sales attributable to each Retail Unit and Travel Convenience Unit that are in excess of the an amount equal to the natural breakpoint for such Travel Convenience Unit or Retail Unit (as applicable); and (ii) 10% of the Gross Sales attributable to each retail kiosk that are in excess of \$500,000.00 for such retail kiosks.

In the event NYCT terminates the Lease during the Initial Term for a corporate purpose, NYCT will pay to Lessee a Corporate Purpose Termination Payment in an amount equal to the unamortized cost of the Lessee's initial improvements, as amortized on a straight-line basis over the Initial Term, net of any rent abatement or other concession.

An independent appraisal of the Premises, dated December 30, 2024, indicates that the rental value range for the eight (8) travel convenience, four (4) retail units and eight (8) kiosks to be between \$1,170,000 to \$1,380,000. The rent offered by Lessee exceeds the appraised value.

A credit and background investigation was performed in April 2024 by Kentech Consulting Inc. on the principals, Mr. Martin Kelly and Mr. Stefano Troia, and the investigation indicates no history of open civil or criminal records and that the Lessee possesses adequate financial resources to pay the proposed rent, maintain insurance and carry out Lessee's initial work. Mr. Martin Kelly and Mr. Stefano Troia will jointly and separately provide a guaranty of Lessee's obligations under the Leases, including Lessee's obligation to complete the initial improvements and open for operations.

Based on the foregoing, MTA Real Estate hereby requests authorization for NYCT to enter into lease agreements with TK Metro Times Square LLC and TK Metro Grand Central LLC on the above-described terms and conditions.

Contracts Department

Evan Eisland, Executive Vice President and General Counsel

**PROCUREMENT PACKAGE
FEBRUARY 2025**

PROCUREMENTS

The Procurement Agenda this month includes 4 actions for a proposed expenditure of \$ 17.7 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	2/24/25	X		
2	Board	2/26/25	X		

Date: February 21, 2025			
Internal Approvals			
	Approval		Approval
X	Deputy Chief Development Officer, Delivery	X	President
X	Deputy Chief Development Officer, Development	X	Executive Vice President & General Counsel

Purpose

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

Discussion

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

Schedules Requiring Majority Vote	# of Actions	\$	Amount
I. Modifications to Purchase and Public Work Contracts	3	\$	13,237,000
J. Modifications to Miscellaneous Procurement Contracts	1	\$	4,500,000
SUBTOTAL	4	\$	17,737,000
TOTAL	4	\$	17,737,000

Budget Impact

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

Recommendation

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

MTA Construction & Development

BOARD RESOLUTION

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

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

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.

FEBRUARY 2025

LIST OF COMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

I. Modifications to Purchase and Public Work Contracts

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

- | | | | |
|-------------|---|--------------------|--------------------------------------|
| 1-2. | Skanska Railroad Construction JV
Contract A46030 | \$5,737,000 | <u>Staff Summary Attached</u> |
|-------------|---|--------------------|--------------------------------------|

MTA Construction & Development requests Board approval of two modifications, one for replacement of two cross girders and two columns on the Express Track of the 61st Street Woodside Station and the other for the procurement and fabrication of four platform girders and certain temporary steel elements.

- | | | | |
|-----------|---|--------------------|--------------------------------------|
| 3. | Tutor Perini Corporation
Contract No. S47009 | \$7,500,000 | <u>Staff Summary Attached</u> |
|-----------|---|--------------------|--------------------------------------|

MTA Construction and Development requests Board approval of a modification to resolve a claim of Extra Work associated with the modification and/or replacement of rail ties.

J. Modification to Miscellaneous Procurement Contracts

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

- | | | | |
|-----------|---|--------------------|--------------------------------------|
| 4. | Cubic Transportation Systems
Contract No. A34024 | \$4,500,000 | <u>Staff Summary Attached</u> |
|-----------|---|--------------------|--------------------------------------|

MTA Construction & Development requests Board approval of a modification that will replace bus validator mounting hardware with a new bracket system and an updated wiring configuration and provide for the Contractor to accelerate the completion of other outstanding Change Work.

Staff Summary

Schedule I: Modifications to Purchase and Public Work Contracts

 Item Number: **1-2**

Vendor Name (& Location) Skanska Railroad Construction JV (East Elmhurst, New York)	
Description Design-Build Services for Improvements on the Flushing Line	
Contract Term (including Options, if any) September 19, 2022 – May 25, 2025	
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a	
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive	
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification	
Funding Source <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Other:	
Requesting Dept/Div & Dept/Div Head Name: Delivery, Mark Roche, Deputy Chief Development Officer	

Contract Number	Modification #
A46030	21 & 22
Original Amount:	\$ 199,955,000
Prior Modifications:	\$ 18,862,730
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 218,817,730
Modification No. 21	\$ 1,037,000
Modification No. 22	\$ 4,700,000 (NTE)
This Request	\$ 5,737,000
% of This Request to Current Amount:	2.87%
% of Modifications (including This Request) to Original Amount:	12.30%

DISCUSSION:

Contract A46030 (the “Contract”) is for the rehabilitation of the 61st Street Woodside station, including replacement of an escalator, stairs, structural elements, and replacement of three escalators at the 74th Street Broadway Station in Queens. MTA Construction and Development requests Board approval of Modification No. 21, which provides for the replacement of deteriorated cross girders and columns on the Express Track of the 61st Street Woodside Station, and Modification No. 22, which will authorize the Design-Builder to procure and fabricate new platform girders and other long lead steel items. Modification 22 is a Unilateral Modification that directs the Design-Builder to commence the fabrication of four platform girders and certain temporary steel elements pending final negotiation of the terms of the Work so as to mitigate delay associated with the Work.

Modification No. 21

During concrete demolition of the CM Track, significant corrosion was discovered on existing cross girders at Bents 277 and 278, which had been encased in the concrete slab. Further investigation revealed the need to replace two of the cross girders and two columns. The Contract anticipated that repairs would be necessary to those elements but not full replacement. The Design-Builder’s proposal was submitted in the amount \$1,106,143.89. Negotiations were held and agreement was reached on the amount of \$1,037,000, which is considered fair and reasonable.

Modification No. 22

The Contract provides for steel girder rehabilitation and repairs but, as noted above, did not anticipate the need for replacements. However, the severity of the deterioration uncovered during the work and the opportunity to perform the work during planned track outages, supported a determination to perform the replacement work now, under this contract. There are eight platform steel girders that require replacement, four on the C1 track and four on the C2 track. To take advantage of planned outages and partially mitigate delay to this Contract, this modification will direct the Design-Builder to proceed with the procurement and fabrication of four of the platform girders and certain temporary support steel, up to a not to exceed amount of \$4,700,000. A subsequent modification for the complete scope of work, including additional materials, installation costs and any delay costs incurred will be presented to the Board once negotiated.

Staff Summary

Schedule I: Modifications to Purchase and Public Work Contracts

 Item Number: **3**

Vendor Name (& Location)
Tutor Perini Corporation (New Rochelle, NY)
Description
CBTC System Overlay West 8th Street to Church Avenue, Culver Line, "B" Division in the Borough of Brooklyn
Contract Term (including Options, if any)
February 4, 2019 to August 4, 2022
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source
<input type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Dept/Div & Dept/Div Head Name:
Delivery, Gregoire Sulmont, Senior Vice President, Signals & Train Control

Contract Number	AWO/Modification #
S-47009	62
Original Amount:	\$ 252,678,000
Prior Modifications:	\$ 12,789,851
Prior Budgetary Increases:	\$ 7,000,000
Current Amount:	\$ 272,467,851
This Request:	\$ 7,500,000
% of This Request to Current Amount:	2.5%
% of Modifications (including This Request) to Original Amount:	2.7%

DISCUSSION:

Contract S-47009 (the "Contract") requires Tutor Perini Corporation ("TPC") to modernize the signal system for the Avenue X and Ditmas Avenue Interlockings on the IND Culver Line in Brooklyn, which serves the F and G trains, and perform a complete Communications-Based Train Control ("CBTC") Signal System Overlay on the IND Culver Line between West 8th Street and Church Avenue in Brooklyn. MTA Construction and Development ("C&D") requests Board approval of a modification in the amount of \$7,500,000, to resolve a claim of Extra Work associated with the modification and/or replacement of rail ties, pursuant to an Arbitration decision, dated January 10, 2024.

The Contract Work includes replacement of existing track and installation of various new equipment at Ditmas Avenue and Avenue X, among other locations. After fabricating new ties for the replacement work, TPC performed site surveys that revealed uneven girders on the existing steel structure that supports the tracks at Ditmas Avenue and Avenue X, which are elevated stations. To ensure the ties would sit level on the uneven girders and meet the contractually required profiles for the new track at these locations, TPC modified the ties by dapping (i.e., notching) them. TPC also attempted to further modify the ties to meet the required profiles by gluing shims called "packing" to them. However, due to problems with the packing process, several hundred of the new ties were damaged and had to be replaced.

TPC took the position that the Work in question was Extra Work for which it was entitled to additional compensation. MTA took the position that the Work was a result of TPC's failure to follow the requirements of the Contract with respect to surveying track conditions before ordering of ties. On May 10, 2022, MTA issued directives for TPC to prosecute the work at no additional cost to MTA. TPC challenged MTA's directives in an Arbitration Notice dated June 8, 2022. In a decision dated January 10, 2024, the contractually appointed Arbitrator found that, notwithstanding TPC's failure to perform a survey before ordering the ties, the work to modify and/or replace the ties was Extra Work under the Contract (the "Extra Work"), and that MTA was "obligated to compensate TPC for the Extra Work." The Arbitrator remanded the matter to the MTA PCEO's office to initiate the Change Order process under the Contract.

After the Arbitration decision, TPC provided its cost data for the Work it claimed was to be compensated pursuant to the Arbitration decision. On February 20, 2024, TPC submitted to the MTA PCEO's office a proposal for direct costs for the Extra Work in the amount of \$7,964,735. On May 24, 2024, TPC submitted a revised proposal in the amount of \$8,003,343. Negotiations were held and agreement was reached on the amount of \$7,500,000 which is considered fair and reasonable.

The Arbitration decision resolved the issue of whether the Work in question constituted Extra Work and provided for the payment of TPC's direct costs. A separate claim for Delay and Impact Costs was held in abeyance pending the Arbitrator's determination as to whether the Work constituted Extra Work. That claim is currently being evaluated and negotiated and will be the subject of a subsequent Modification.

Staff Summary

Schedule J: Modifications to Miscellaneous Procurement Contracts

Item Number: **4**

Vendor Name (& Location) Cubic Transportation Systems (San Diego, CA)
Description New Fare Payment System, Bus Validator Rev J Work
Contract Term (including Options, if any) Contract Term: November 1, 2017 – July 31, 2030 Optional Service Extensions August 2030 – July 2040
Option(s) included in Total Amount? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Procurement Type <input checked="" type="checkbox"/> Competitive <input type="checkbox"/> Non-competitive
Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification
Funding Source <input checked="" type="checkbox"/> Operating <input checked="" type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other:
Requesting Dept/Div & Dept/Div Head Name: Delivery, Mark Roche, Deputy Chief Development Officer

Contract Number	AWO/Modification #
A-34024	36
Original Amount:	\$ 553,827,839
Prior Modifications:	\$ 54,062,917
Prior Budgetary Increases:	\$ 0
Current Amount:	\$ 607,890,756
This Request:	\$ 4,500,000
% of This Request to Current Amount:	0.7%
% of Modifications (including This Request) to Original Amount:	10.6%

Discussion:

Contract A-34024 (the “Contract”) requires Cubic Transportation Systems (the “Contractor”) to replace the legacy payment systems in use by New York City Transit (“NYCT”) and MTA Bus Company (“MTAB”) and provides the MTA with a contactless fare payment system under the OMNY brand name. MTA Construction & Development (“C&D”) requests Board approval of a modification in the amount of \$4,500,000, that will replace the mounting hardware on fare payment devices known as bus validators with a new bracket system and an updated wiring configuration, and provide for the Contractor to accelerate the completion of other outstanding Change Work.

The Contract includes the installation of bus validators throughout the bus fleets. Between 2018 and 2021, the Contractor manufactured and installed 11,359 bus validators on the NYCT and MTAB bus fleet with mounting brackets. In January 2021, cracks were found affecting a large number of the mounting brackets resulting in the bus validators falling off their mounts. There was a dispute between MTA and Cubic as to whether the failure of the brackets was a design defect or caused by MTA’s maintenance of the brackets and the Contractor asserted a claim in the amount of \$7,787,706.07 for the cost of replacing the brackets.

During the course of mediation of the dispute, the parties arrived at a solution for a new bracket design that would address any issue of defect and maintenance and result in a longer life for the bracket. Cubic agreed to provide the new bracket to the entire bus fleet, provide an extended warranty for a period of 16 months and address wiring issues associated with the bus validator installation, all within 9 months so as not to impact Substantial Completion. Cubic also agreed to accelerate other Change Work that otherwise would have extended beyond Substantial Completion, all for the sum of \$4,500,000. Thus, MTA will receive an upgraded, more reliable bracket system and a number of other valuable improvements and concessions from Cubic for a price of \$4,500,000 which, considering MTA’s exposure in the dispute and the enhancements to be received, is considered fair and reasonable.