



Niagara Frontier Transportation Authority
Serving Buffalo Niagara

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August 27, 2013

Mr. Robert M. Graber
Clerk
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: NFTA Board Minutes

Dear Mr. Graber:

Enclosed for your information and files, please find a copy of the Minutes from the Niagara Frontier Transportation Authority's Board Regular Meeting held on July 25, 2013.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David J. State", is written over a horizontal line.

David J. State
General Counsel

DJS:lf

Enclosure

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY
NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC.
REGULAR BOARD MEETING
JULY 25, 2013 12:30 PM
MINUTES**

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1. CALL TO ORDER

A. Meeting Called to Order

Chairman Zemsky called the meeting to order at approximately 12:34 p.m.

B. Approval of Minutes of the NFTA Regular Board Meeting held on June 27, 2013

It was moved by Commissioner Hughes, seconded by Commissioner Gurney, that the Minutes of the June 27, 2013, Regular Board Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., be accepted and approved.

**AYES: ZEMSKY, SLOMA, DEMAKOS, GURNEY, ANSARI,
BAYNES, DURAND, HUGHES, PERRY, WILCOX**

NOES: NONE

D. Executive Director's Report:

Executive Director Kimberley Minkel reminded new Commissioners that professional photographs and SIDA badge training would take place directly following the Board meeting. She also acknowledged Louis Giardina as the recipient of the William L. Holcomb Award for Public Service in Labor Relations. This award is presented for exemplary leadership, service and effectiveness throughout the course of a career in New York State public sector labor relations.

2. NFTA CORPORATE REPORT

- A. Audit and Governance Committee Report (Howard Zemsky)
- B. Consolidated Financial (Debbie Leous)
- C. Corporate Resolutions (Kim Minkel)

Corporate Resolutions

There are no proposed items at this time.

3. AVIATION BUSINESS GROUP REPORT

- A. Aviation Committee Report
- B. Financial Update
- C. Business Update
- D. Resolutions

Aviation Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Aviation Resolutions 3. D. (1) through 3. D. (2)
 - 1. Authorization for Agreements, General Aviation Hangar Sites, NFIA
 - 2. Authorization for Change Order No. 1, Accadia Site Contracting, Inc., Long Term Lot B Expansion – Parking Lot, BNIA

AVIATION:

3. D. (i) Niagara Frontier Transportation Authority, Acceptance of Aviation Resolutions 3. D. (1) through 3. D. (2)

The Executive Director advised that Items 3. D. (1) through 3. D. (2) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

Whereupon, it was moved by Commissioner Sloma, seconded by Commissioner Demakos, that the following Resolution be adopted:

“RESOLVED, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 3. D. (1) through 3. D. (2) and dated July 25, 2013 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA, DEMAKOS, GURNEY, ANSARI, BAYNES, DURAND, HUGHES, PERRY, WILCOX

NOES: NONE

ADOPTED

AVIATION:

3. D. (1) **Authorization for Agreements, General Aviation Hangar Sites, NFIA**

RECOMMENDATION: Staff recommends that the Board authorize a standard General Aviation Hangar Site Lease Agreement for Niagara Falls International Airport (NFIA).

INFORMATION: The General Aviation Hangar Site Lease Agreements (Agreement) currently in effect at NFIA provide for a ten year term from date of construction and a rental rate that was previously established in 1993 based upon the year that the Agreement was executed. The hangars are constructed by the tenants, at the tenants' sole cost, on NFTA land. The expiration dates and rental rates for the Agreements vary based upon the dates of construction. There are a group of Agreements that are set to expire over the next couple of years and several of the tenants have expressed a desire to continue to ground lease the NFTA land upon which their hangar is situated.

The terms of the new Agreement would provide for a five year term with a five year renewal at NFTA's sole discretion. The new Agreement will contain a relocation clause which will permit the NFTA, at its expense, to relocate the hangars to other areas of NFIA. This provides the NFTA with the needed flexibility to implement the recommendations of the Master Plan Update for NFIA if circumstances dictate the relocation of the general aviation facilities. The rental rate is \$.92 per square foot through March 2014. Thereafter, the rate is subject to an annual increase based upon the Consumer Price Index.

FUNDING: No funding is required.

“RESOLVED, that the Board authorizes General Aviation Hangar Site Agreements at the Niagara Falls International Airport, as described hereinabove; and .

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute T-Hangar Site Agreements as described hereinabove, with terms and conditions as set forth above and as negotiated; and

BE IT FURTHER RESOLVED, that said Agreements shall include such terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel.”

AVIATION:

3. D. (2) Authorization for Change Order No. 1, Accadia Site Contracting, Inc., Long Term Lot B Expansion – Parking Lot, BNIA

RECOMMENDATION: Staff recommends that the Board approve Change Order No. 1 as a \$138,000.00 increase to Accadia Site Contracting, Inc.'s Contract No. 12BL1206, Long Term Lot 'B' Expansion – Parking Lot Project at the Buffalo Niagara International Airport. This will result in an amended construction value of \$2,796,989.00.

INFORMATION: Change Order No. 1 provides for the recommended contract modification listed below. The cost for this modification is in accordance with Article 18 – Extra Work and Article 20 – Payment for Agreed Prices of the Contract General Conditions. All costs for this Proposed Change Order (PCO) incorporate New York State Prevailing Wage Rates and standard, material, and equipment prices as verified by the Engineer.

PCO No. 01 - Bulletin No. 1: Waterline Addition **ADD \$138,000.00**

The Business Center requested the installation of a new waterline and hydrants to enhance fire fighting capabilities in the parking lot expansion. In addition, the waterline will provide a domestic water supply for the proposed Air Rescue & Fire Fighting (ARFF) facility to be constructed at a later date adjacent to the parking lot. The installation of the waterline at this time will result in future cost savings. It will also avoid disruption to the operation of the new parking lot constructed under this project by eliminating the need to excavate through the asphalt pavement and restore the pavement after installation. The Engineer prepared Bulletin No. 1 for the construction of the waterline, a backflow preventer, two (2) hydrants, and the domestic water supply service connection. The Bulletin was forwarded to the Contractor along with a request for a cost proposal to install the system. The Contractor submitted a detailed breakdown along with his cost proposal in the amount of \$138,000.00. It was reviewed by the Authority's Engineer and compared to the Engineer's Estimate in the amount of \$154,400.00. Subsequently, the Contractor's proposal was approved and authorization to proceed was given in order to avoid delays to the completion of the parking lot.

FUNDING: The total amount of this Change Order No. 1 will be a \$138,000.00 increase, thereby increasing the total amount of the contract from the original bid amount of \$2,658,989.00 to an amended amount of \$2,796,989.00. Funds for this Change Order are contained in Capital Budget Account No. 120000000-3188-2-3403 and are provided as follows:

NYS DOT & ESD @85%	ADF@15%	Total
\$117,300.00	\$20,700.00	\$138,000.00

“RESOLVED, that the Board hereby authorizes Change Order No. 1 as described hereinabove; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and hereby authorized to execute Change Order No. 1 as described hereinabove; and

BE IT FURTHER RESOLVED, that said Change Order No. 1 shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, be and she is hereby authorized to make payments under said Change Order No. 1 upon certification by the Director, Engineering, that such payments are in order.”

- 4. SURFACE TRANSPORTATION BUSINESS GROUP REPORT**
 - A. Surface Transportation Committee Report
 - B. Financial Update
 - C. Business Update
 - D. Resolutions

Surface Transportation Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (2)
1. Authorization for Agreement, Igor Finkelshtein d/b/a Buffalo Transportation, Inc., Taxi Cab Service at MTC, NFTA
2. Authorization for Procurement, Replacement Bearings, Metro

SURFACE:

4. D. (i) Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (2)

The Executive Director advised that Items 4. D. (1) through 4. D. (2) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

Whereupon, it was moved by Commissioner Wilcox, seconded by Commissioner Baynes, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 4. D. (1) through 4. D. (2) and dated July 25, 2013 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ZEMSKY, SLOMA, DEMAKOS, GURNEY, ANSARI, BAYNES, DURAND, HUGHES, PERRY, WILCOX

NOES: NONE

ADOPTED

SURFACE:

4. D. (1) Authorization for Agreement, Igor Finkelshtein d/b/a Buffalo Transportation, Inc., Taxi Cab Service at MTC, NFTA

RECOMMENDATION: Staff recommends that the Board authorize an agreement with Igor Finkelshtein d/b/a Buffalo Transportation, Inc. as sole provider of taxi cab service at the Metropolitan Transportation Center (MTC) at 181 Ellicott Street, Buffalo, NY 14203.

INFORMATION: Request for Proposal was published and offers were submitted from the following two (2) vendors:

Vendor	Annual Revenue to NFTA/Capital Investment
Buffalo Transportation, Inc. 71 Military Road Buffalo, NY 14203	\$25,000/up to \$15,000
Liberty & Yellow Cab 1524 Kenmore Ave Buffalo, NY 14216	\$20,000/none

The proposals from all firms were reviewed by a committee including the Manager, Facilities, Manager, Procurement and Manager, Finance and Administration for Surface Transportation.

Current taxi cab service at the MTC is provided by Buffalo Transportation, Inc. through a contract which is nearing terms end. The single provider agreement has enhanced the quality, dependability and customer ready fleet of cabs to the traveling public; additionally, the NFTA benefits from the revenue stream of \$25,000 annually to support the operation of our transit center. It is recommended that the NFTA and Buffalo Transportation Inc. enter into a three (3) year agreement with 2 one (1) year renewals exercised at the sole discretion of the NFTA.

FUNDING: No funding is required.

“RESOLVED, that the Board hereby authorizes an Agreement with Igor Finkelshtein d/b/a Buffalo Transportation, Inc. for taxi cab services at the Metropolitan Transportation Center (MTC) for a cost as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute an Agreement with Igor Finkelshtein d/b/a Buffalo Transportation, Inc., for the total amount as described above; and

BE IT FURTHER RESOLVED, that said Agreement shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel.

SURFACE 4. D. (1)

RFP 4320
Taxicab Concession at MTC

7/25/2013

RFP DOCUMENTS REQUIRED (Completed by Procurement)	Liberty and Yellow	Buffalo Transportation
Non-Collusive Cert	x	x
Disclosure of Prior Non-responsibility	x	x
Cover Letter	x	x
Description of Services	x	x
Qualifications	x	x
References	x	x
Revenue to NFTA	x	x
(Completed by Team)	(Rate on a scale of 1 - 10, with 10 being the highest) Team Consensus	
Revenue to NFTA 50%	7.90	10.00
Compliance with requirements, capital investment 30%	5.00	8.00
Qualifications and experience, references, management 20%	8.00	8.00
RATING	7.05	9.00
COST PROPOSAL		
Annual Compensation	\$20,000	\$25,320
		Increased annually based on the CPI
Capital Investment	\$0	up to \$15,000

SURFACE:

4. D. (2) Authorization for Procurement, Replacement Bearings, Metro

RECOMMENDATION: Staff recommends that the Board approve the lowest responsive bids submitted for the procurement of bearings from the suppliers listed below. The estimated total cost is \$79,337.83 for the period August 1, 2013 through July 31, 2016.

Applied Industrial Technologies, Inc., Tonawanda, NY - \$2,642.31
Axletech LLC, Troy, MI - \$20,291.60
Bearing Distributors, Inc., DBA BDI, Buffalo, NY - \$39,219.56
Muncie Reclamation and Supply DBA Muncie Transit Supply, Muncie, IN - \$1,428.31
New Flyer Industries Canada ULC, Winnipeg, Manitoba - \$797.28
Prevost Car (US) Inc., Elgin, IL - \$8,649.16
Vehicle Maintenance Program, Inc., Boca Raton, FL - \$6,309.61

INFORMATION: Bus Maintenance requires replacement bearings for the repair of heavy-duty transit buses. See the attached bid analysis.

FUNDING: The funding for this procurement is budgeted in Inventory Account Number 2-00-0000-184-0010.

“RESOLVED, that the Board hereby authorizes the procurement of replacement bearings from Applied Industrial Technologies, Inc., Axletech, LLC, Bearing Distributors, Inc., Muncie Reclamation and Supply, New Flyer Industries Canada, Prevost Car, Inc. and Vehicle Maintenance Program, at an estimated cost of \$79,337.83, as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Orders to Applied Industrial Technologies, Inc., Axletech, LLC, Bearing Distributors, Inc., Muncie Reclamation and Supply, New Flyer Industries Canada, Prevost Car, Inc. and Vehicle Maintenance Program for the procurement of replacement bearings to be used as described hereinabove; and

BE IT FURTHER RESOLVED, that said Purchase Orders shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, be and she is hereby authorized to make payments under said Purchase Order upon certification by the Director, Surface Transportation, that such payments are in order.”

SURFACE 4. D. (2)

BID ANALYSIS										
Bid Number: 4253										
For: Various Bearings										
Department: Inventory										
ITEM#	STOCK CODE	Applied Tonawanda, NY	Axletech Troy, MI	BDI Buffalo, NY	Muncie Muncie, IN	New Flyer Winnipeg, Manitoba	Prevost Elgin, IL	VMP Boca Raton, FL	Daimler Oriskany, NY	NABI Delaware, OH
		3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total
1	000065979	\$360.26	No Bid	\$355.15	\$213.49	No Bid	\$200.31	No Bid	\$494.41	\$297.00
2	000065987	\$635.57	No Bid	\$626.96	\$317.22	No Bid	\$298.04	No Bid	\$1,111.80	\$667.74
3	000065995	\$2,631.28	No Bid	\$2,597.51	\$1,578.72	No Bid	\$1,484.95	No Bid	\$3,574.96	\$2,147.09
4	000066001	\$738.68	No Bid	\$728.63	\$500.35	\$463.59	\$470.24	No Bid	\$1,094.23	\$1,109.49
5	000066019	\$479.19	No Bid	\$472.78	\$502.06	No Bid	\$471.85	No Bid	\$769.53	\$780.30
6	000066027	\$1,025.04	No Bid	\$1,011.62	\$599.26	No Bid	\$563.18	No Bid	\$1,470.56	\$883.19
7	000066035	\$429.00	No Bid	\$423.13	\$360.21	\$333.69	\$338.51	No Bid	\$734.72	\$441.25
8	000066043	\$188.82	No Bid	\$186.37	\$197.91	No Bid	\$218.62	No Bid	\$307.13	\$311.44
9	000066282	\$1,127.41	No Bid	\$1,114.91	\$1,185.36	No Bid	\$3,652.27	No Bid	\$1,972.29	\$1,184.04
10	000020115	\$6,121.55	No Bid	\$6,039.83	\$5,878.58	\$5,037.82	\$8,243.48	\$1,829.56	No Bid	No Bid
11	000020131	\$4,142.12	No Bid	\$3,334.25	\$4,933.07	\$3,262.13	\$3,737.80	\$2,404.17	No Bid	\$3,952.43
12	000020149	\$76.10	No Bid	\$105.72	\$92.40	\$132.36	\$138.21	\$161.91	No Bid	\$156.89
13	000022640	\$1,287.93	No Bid	No Bid	\$742.82	No Bid	\$1,244.42	\$556.32	No Bid	\$762.96
14	000022665	\$1,614.16	No Bid	No Bid	\$774.29	No Bid	\$1,297.20	\$595.56	No Bid	\$862.95
15	000040394	\$5,961.02	\$10,488.38	\$5,901.26	\$6,870.86	No Bid	\$8,526.96	No Bid	\$6,816.59	\$6,261.68
16	000040923	\$167.60	\$719.72	\$166.02	\$176.18	\$175.41	\$165.55	No Bid	\$208.60	\$176.07
17	000044198	\$324.94	No Bid	\$420.67	\$609.84	No Bid	\$830.56	\$424.12	\$458.37	\$375.87
18	000045278	\$13,580.51	\$37,830.88	\$13,463.67	\$14,600.56	No Bid	\$42,224.68	No Bid	\$23,755.90	\$14,267.57
19	000045864	\$786.50	No Bid	\$1,061.78	\$935.55	\$1,268.75	\$2,074.60	\$929.04	\$1,110.90	\$824.67
20	000050625	No Bid	No Bid	No Bid	\$1,428.31	No Bid	\$7,085.02	No Bid	No Bid	No Bid
21	000057844	\$468.22	\$1,362.63	\$463.63	\$492.03	\$548.00	\$462.34	No Bid	\$715.95	\$491.81
22	000057869	\$308.97	\$1,152.92	\$305.57	\$327.49	\$324.39	\$305.09	No Bid	\$436.59	\$324.52
23	000059121	\$822.21	No Bid	\$590.18	\$735.77	\$592.47	\$9,863.40	\$570.78	No Bid	\$716.91
24	000064444	\$181.28	No Bid	\$179.44	\$193.51	No Bid	\$253.84	No Bid	\$256.14	\$190.41
25	000064451	\$598.86	No Bid	\$572.10	\$373.67	No Bid	\$520.25	\$353.22	No Bid	No Bid
26	000070631	\$118.31	No Bid	\$461.11	\$245.72	No Bid	No Bid	\$304.01	No Bid	No Bid
27	000070649	\$89.63	No Bid	\$275.51	\$234.53	No Bid	No Bid	No Bid	No Bid	No Bid

BID ANALYSIS										
Bid Number: 4253										
For: Various Bearings										
Department: Inventory										
ITEM#	STOCK CODE	Applied Tonawanda, NY	Axletech Troy, MI	BDI Buffalo, NY	Muncie Muncie, IN	New Flyer Winnipeg, Manitoba	Prevoist Elgin, IL	VMP Boca Raton, FL	Daimler Oriskany, NY	NABI Delaware, OH
		3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total	3 Year Total
28	000072090	\$756.54	No Bid	No Bid	\$2,267.73	\$3,676.13	No Bid	\$1,162.18	No Bid	\$3,069.14
29	009900013	\$490.29	No Bid	\$1,008.15	\$1,285.90	\$1,010.34	\$1,077.86	\$865.73	No Bid	\$1,222.79
30	009900014	\$609.31	No Bid	\$603.02	\$640.33	No Bid	\$1,510.65	No Bid	\$860.97	\$640.09
31	009900015	\$641.66	\$1,068.57	\$635.53	\$676.17	No Bid	\$633.75	No Bid	\$906.30	\$673.97
32	009900102	\$2,777.35	No Bid	\$2,747.10	\$2,918.22	No Bid	\$3,991.70	No Bid	\$3,176.28	\$2,917.53
33	009900103	\$5,899.67	\$7,907.71	\$5,843.90	\$6,312.02	No Bid	\$14,117.16	No Bid	\$6,747.60	\$6,196.91
34	009900104	\$7,370.18	\$11,797.03	\$7,304.40	\$7,767.10	No Bid	\$20,152.93	No Bid	\$8,428.84	\$7,742.81
35	009900105	\$21,188.17	\$20,291.60	\$21,117.10	\$22,378.20	No Bid	\$30,549.29	No Bid	\$30,090.90	\$22,372.81
36	009900170	\$3,694.25	No Bid	\$3,663.17	\$3,881.93	No Bid	\$3,648.55	No Bid	\$4,225.59	\$3,881.00
37	009900182	\$1,063.15	\$3,926.46	\$1,052.12	\$1,117.22	No Bid	\$1,866.43	No Bid	\$1,502.33	\$1,116.89
38	009900439	\$420.76	\$794.32	\$416.71	\$444.81	No Bid	\$415.55	No Bid	\$481.29	\$441.84
39	009900499	\$830.27	No Bid	\$823.37	\$872.14	No Bid	\$920.75	No Bid	\$1,173.23	\$872.36

- 5. PROPERTY/RISK MANAGEMENT GROUP REPORT**
- A. Property/Risk Management Committee Report
 - B. Financial Update
 - C. Business Update
 - D. Resolutions

Property/Risk Management Resolutions

There are no proposed items at this time.

6. General Counsel Report - Written
7. Executive Session - None
8. Adjournment

At approximately 1:05 p.m., the Chairman indicated that there was no further business coming before the Board, whereupon it was moved by Commissioner Durand, seconded by Commissioner Gurney, and unanimously approved that the Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc. be adjourned.

**AYES: ZEMSKY, SLOMA, DEMAKOS, GURNEY, ANSARI,
BAYNES, DURAND, HUGHES, PERRY, WILCOX**

NOES: NONE