



Niagara Frontier Transportation Authority
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March 31, 2014

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 Regular Board Meeting held on February 27, 2014.

Very truly yours,

A handwritten signature in blue ink, appearing to read "D. 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
FEBRUARY 27, 2014 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 12:43 p.m.

B. Approval of Minutes of the NFTA Regular Board Meeting held on January 23, 2014

It was moved by Commissioner Hughes, seconded by Commissioner Sloma, that the Minutes of the January 23, 2014, 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

C. Executive Director's Report:

Executive Director Kimberley Minkel updated the Board on NIMAC and Niagara County's efforts through a grant from ESD for Future Mission Study for the NFARS. This is in response to possible future BRAC that could come as early as 2015 for a 2017 BRAC. The NFTA is a stakeholder in the process. Viability of the Base is critical to NFTA through our shared services and Joint Use Agreement and to the community.

She also advised the Board that the initial screening and background checks for the CFO position have been completed and six candidates have been selected for interviews. Interviews with Board members will be scheduled through the Executive office.

A revised budget and five year capital and operating plan will be presented to the Board at the March Board Meeting.

She also advised the Board that the recent January Polar Vortex has affected both Metro and BNIA budgets. Buffalo was ranked third for hardest hit North American airports. The impact of the weather resulted in \$1.3 million less revenue as compared to last January and operating expenses were up by over \$900,000. Ridership was affected due to weather related closings and driving bans. Utilities were up almost 60% and rates have gone up six times. Salt, snow removal and associated overtime for these services have also impacted departmental budgets. A similar trend is expected to be reflected in February's numbers.

2. **NFTA CORPORATE REPORT**
 - A. Audit and Governance Committee Report
 - B. Consolidated Financial
 - C. Corporate Resolutions

Corporate Resolutions

1. Authorization for Procurement, Doritex Corporation, Uniform Rental, NFTA

CORPORATE:

2. C. (1) **Authorization for Procurement, Doritex Corporation, Uniform Rental, NFTA**

RECOMMENDATION: Staff recommends the Board approve the rental of uniforms at a cost of \$50,704.16 as required during the period April 1, 2014 through March 31, 2018 from Doritex Corporation of Alden, New York.

INFORMATION: This procurement will provide uniforms for Metro maintenance supervisors and airport mechanics. This procurement was advertised and three proposals were received and evaluated in accordance with the NFTA Procurement Guidelines. The evaluation team consisted of the Assistant Procurement Manager, Metro Equipment Engineer and the BNIA Supplies Supervisor. The proposals were evaluated and ranked based on cost, compliance with the technical specification and Proponent qualifications and experience.

FUNDING: This procurement is planned and budgeted in the respective business center's operating budget.

Whereupon, it was moved by Commissioner Demakos, seconded by Commissioner Wilcox, that the following Resolutions be adopted:

“**RESOLVED**, that the Board hereby authorizes the procurement of uniforms for Metro maintenance supervisors and airport mechanics from Doritex Corporation at a cost of \$50,704.16 as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Orders to Doritex Corporation for the procurement of uniforms 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 he/she is hereby authorized to make payments under said Purchase Order upon certification by the Director, Public Transit, that such payments are in order.”

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

NOES: NONE

ADOPTED

CORPORATE 2. C. (1)

RFP DOCUMENTS REQUIRED (Completed by Procurement)	DORITEX Alden, NY	COYNE TEXTILE SERVICE Buffalo, NY	ALADDIN VILLAGE CLEANERS Bowmansville, NY
Cover Letter	X		X
Description of services	X	X	X
Firm, Mgmt & Staff Qualifications	X		X
References	X	X	X
Itemized Cost Proposal	X	X	X
Non-Collusive Cert	X	X	X
Disclosure of Prior Non-Rep Determinations	X	X	X
Bidder's/Proposer's Affirmation & Certification	X	X	X
SELECTION CRITERIA (Completed by Team)	Rate on a score of 1 - 10 with 10 being the highest		
Qualifications & Experience 40%	8.50	8.50	5.33
Technical Specifications 30%	9.50	8.50	5.00
Cost 30%	10.00	8.17	0.68
TOTAL	9.25	8.40	3.84
ESTIMATED COST			
Year 1	\$12,676.04	\$14,380.08	\$172,603.60
Year 2	\$12,676.04	\$15,137.12	\$181,236.64
Year 3	\$12,676.04	\$15,894.32	\$190,857.68
Year 4	\$12,676.04	\$16,651.44	\$200,366.40
TOTAL	\$50,704.16	\$62,062.96	\$745,064.32

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. (5)
- 1. Authorization for Procurement, JBT AeroTech, Jetway Systems, Gate 19 Passenger Boarding Bridge Equipment, BNIA
- 2. Authorization for Procurement, United Uniforms, Employee Uniforms/Clothing, BNIA
- 3. Authorization for Supplemental Agreements, Lakestone Development, Inc. and Zoladz Construction Co. Inc., Snow Plowing and Removal Services, BNIA
- 4. Authorization for Lease Agreement, McGuire Development Co., Seasonal Overflow Parking, BNIA
- 5. Approval of Landing Fee Tariff, NFIA

AVIATION:

3. D. (i) Niagara Frontier Transportation Authority, Acceptance of Aviation Resolutions 3. D. (1) through 3. D. (5)

The Executive Director advised that Items 3. D. (1) through 3. D. (5) 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 Hughes, seconded by Commissioner Sloma, 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. (5) and dated February 27, 2014 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

ABSTENTION: BAYNES [*Item 3. D. (3) only]
PERRY [*Item 3. D. (3) only]

NOES: NONE

ADOPTED

AVIATION:

3. D. (1) **Authorization for Procurement, JBT AeroTech, Jetway Systems, Gate 19 Passenger Boarding Bridge Equipment, BNIA**

RECOMMENDATION: Staff recommends that the Board award the subject equipment procurement contract to JBT AeroTech, Jetway Systems for the lump sum amount of \$768,514.00, pending PFC funding approval.

INFORMATION: This project provides for a new Gate 19 Passenger Boarding Bridge (PBB) at Buffalo Niagara International Airport, including Ground Power Unit (GPU). The new PBB will utilize an existing refurbished Preconditioned Air Unit (PCAir).

The existing Gate 19 PBB is NFTA owned and was manufactured in 1970. The bridge has become a high maintenance cost for the airport. In addition, the bridge cannot be used for access to all the various types of aircraft that utilize this gate. Consequently, it is recommended for replacement. Further, a replacement PBB provides the opportunity to install a bridge that serves a wide variety of aircraft and complies with the Americans with Disability Act guidelines.

An aircraft position study was performed, utilizing the anticipated types of aircraft for this gate, in order to determine the parameters and specifications for the replacement PBB, including specialty equipment.

A search was made to determine if there were any refurbished bridges available for purchase. None could be found that met the application requirements. A Request for Proposals was advertised for a new or refurbished PBB, pursuant to FAA/NFTA procurement guidelines. Two proposals for new equipment were received.

The selection committee consisted of the Deputy Director Aviation, Assistant Terminal Superintendent, Project Manager, Manager of Design, and Manager of Construction. In accordance with NFTA procurement guidelines, proposals were evaluated for experience, technical criteria, and price. During the evaluation process, the committee requested technical clarifications from each proposer, and requested a Best and Final Offer. The committee ranked the respondents in the following descending order:

JBT AeroTech, Jetway Systems
Thyssen Krupp Airport Systems, Inc.

Price proposals are summarized below.

	Negotiated Best and Final Offer
Engineer's Estimate	\$777,950.00
JBT AeroTech, Jetway Systems	\$768,514.00
Thyssen Krupp Airport Systems, Inc.	\$781,199.00

FUNDING: Funding for this project is pending PFC approval. Funding will be found in capital account code 120000000-3209-2-2604 distributed as follows:

Construction		
PFC	100%	\$768,514.00

“RESOLVED, that the Board hereby authorizes the procurement of necessary equipment for a new Gate 19 Passenger Boarding Bridge at the Buffalo Niagara International Airport from JBT AeroTech, Jetway Systems at a cost of \$768,514.00, as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Orders to JBT AeroTech, Jetway Systems for the procurement of necessary equipment for a new Gate 19 Passenger Boarding Bridge at the Buffalo Niagara International Airport 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 he/she is hereby authorized to make payments under said Purchase Order upon certification by the Director, Engineering, that such payments are in order.”

AVIATION:

3. D. (2) Authorization for Procurement, United Uniforms, Employee Uniforms/Clothing, BNIA

RECOMMENDATION: Staff recommends that the Board approve the procurement of employee uniforms/clothing for maintenance staff within the BNIA terminal and Facilities Maintenance Department (FMD) from United Uniforms for a two year term in addition to three one-year option years commencing April 1, 2014 at an estimated cost of \$89,789.00.

INFORMATION: Maintenance staff assigned to the BNIA terminal and the Facilities Maintenance Department are responsible for cleaning, maintaining, and repairing the interior and exterior terminal premises and other airport properties. Staff appearance is frequently in view of airport patrons and uniforms/clothing are subjected to excessive "wear and tear" through daily responsibilities. Current uniforms/clothing are either rented or purchased from multiple vendors. BNIA Management recommends the standardization of employee uniform/clothing purchases ensuring acceptable appearance, durability, and safety requirements.

Staff issued Request for Proposal 4353 in accordance with NFTA procurement guidelines and two responses were received. The NFTA Evaluation Team consisting of representatives from BNIA management and the NFTA Procurement Department evaluated the proposals based upon technical criteria, cost, and qualifications/experience. The team selected United Uniforms as the most responsive to our requirements. The cost is estimated at \$17,329.00 for year 1, \$17,329 .00 for year 2, \$18,157.00 for option year 3, \$18,157.00 for option year 4, and \$18,817.00 for option year 5 for a grand total of \$89,789.00.

Staff may expand this program to include additional maintenance employees assigned to the BNIA Airfield and Fuel Farm pending an evaluation of the results of this program. The additional estimated annual cost is \$12,000 should these employees be included. The RFP contains a provision which allows for change in the number of employee participants if requested by the NFTA.

FUNDING: Funding is included in the BNIA operating budget.

"RESOLVED, that the Board hereby authorizes the procurement of employee uniforms/clothing from United Uniform at an estimated cost of \$89,789.00 to be used at the Buffalo Niagara International Airport, as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Orders to United Uniform for the procurement of employee uniforms/clothing 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 he/she is hereby authorized to make payments under said Purchase Order upon certification by the Director, Aviation, that such payments are in order.”

RFP # 4353 - UNIFORMS FOR AIRPORT EMPLOYEES

2/28/2014

RFP DOCUMENTS REQUIRED (Completed by Procurement)	UNITED UNIFORMS Buffalo, NY	MCKAY'S CLOTHING Buffalo, NY
Cover Letter	X	X
Description of services	X	X
Firm, Mgmt & Staff Qualifications	X	X
References	X	X
Itemized Cost Proposal	X	X
Non-Collusive Cert	X	X
Disclosure of Prior Non-Rep Determinatins	X	X
Bidder's/Proposer's Affirmation & Certification	X	X
ST220 Form (if over 100k)	X	X
Manufacturer's Literature and Specifications	X	X
Sample Invoice and Sales Report	X	X
SELECTION CRITERIA (Completed by Team)	Rate on a score of 1 - 10 with 10 being the highest	
Technical Criteria 40%	9.00	5.00
Cost 40%	10.00	9.70
Qualifications & Experience 20%	8.00	8.00
TOTAL	9.20	7.48
ESTIMATED COST		
YEAR 1	\$17,329.00	\$17,795.00
YEAR 2	\$17,329.00	\$17,795.00
YEAR 3	\$18,157.00	\$18,685.08
YEAR 4	\$18,157.00	\$18,685.08
YEAR 5	\$18,817.00	\$19,619.06
TOTAL	\$89,789.00	\$92,579.22

AVIATION:

3. D. (3) **Authorization for Supplemental Agreements, Lakestone Development, Inc. and Zoladz Construction Co. Inc., Snow Plowing and Removal Services, BNIA**

RECOMMENDATION: Staff recommends that the Board authorize supplements to the following Agreements for additional snow removal services at the Buffalo Niagara International Airport for the current winter season ending March 31, 2014. The requested amendments are \$250,000 for Lakestone Development Corporation and \$165,000 for Zoladz Construction Company.

INFORMATION: On September 24, 2013, the Board approved Lakestone Development Corporation and Zoladz Construction Company to perform snow removal services at BNIA at a estimated seasonal cost of \$431,012 and \$266,533, respectively. Lakestone performs snow removal services for all landside locations including the primary public parking areas, while Zoladz performs all airside services for the terminal and cargo ramps.

The cost of snow removal services is based upon contractual hourly rates for equipment and operators to plow, stack and remove snow. The current winter has experienced above average snowfall and below average temperatures resulting in the need for additional snow removal services.

Pursuant to current NFTA Procurement guidelines, the contractual seasonal estimated amount for each vendor was increased by \$99,000 and approved by the Executive Director to accommodate services performed to date in excess of Board approved amounts.

Landside Areas - It is anticipated that an additional \$250,000 will be required for the landside areas performed by Lakestone Development. The amended seasonal contract amount will be \$780,012. Actual costs expended through February 8, 2014 were \$538,916.

Airside Areas - It is anticipated that an additional \$165,000 will be required for the airside ramp areas performed by Zoladz Construction Company resulting in an amended seasonal contract value totaling \$530,533. Actual costs expended through February 8, 2014 were \$367,293.

FUNDING: Funding is included in the BNIA operating budget.

“RESOLVED, that the Board hereby authorizes supplements to the current Agreements with Lakestone Development, Inc. and Zoladz Construction Co. Inc. for additional snow plowing and removal services as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and are hereby authorized supplements to the current Agreements with Lakestone Development, Inc. and Zoladz Construction Co. Inc. for additional snow plowing and removal services as described above; and

BE IT FURTHER RESOLVED, that said Supplemental Agreements 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 he/she is hereby authorized to make payments under said Supplemental Agreements upon certification by the Chief Financial Officer, that such payments are in order.”

AVIATION:

3. D. (4) **Authorization for Lease Agreement, McGuire Development Co., Seasonal Overflow Parking, BNIA**

RECOMMENDATION: Staff recommends that the Board enter into a lease agreement with McGuire Development Co. for the rental of approximately 3 acres of land located at the Concourse Center, 4039 Genesee Street, Cheektowaga, New York on an “as needed” basis from March 1, 2013 through April 30, 2013. The estimated maximum cost to lease is \$15,200.

INFORMATION: On multiple occurrences over the past several years during the spring season, existing BNIA customer parking facilities have reached capacity. During the fall of 2013, a newly expanded economy parking lot was completed at BNIA which will accommodate approximately 1,000 additional vehicles. The lot was expanded in an effort to negate the annual need to lease additional off-site parking areas, as well as meet future expected passenger growth.

The lease provides for the pro-rated rental of a partial month on an “as needed” basis without any fees due if the NFTA does not opt to exercise the lease. The proposed agreement is requested for precautionary purposes if demand warrants. In the event that parking capacity is reached, the lease of the overflow lot will provide parking for approximately 300 vehicles. The proposed lease requires a fixed monthly rate of \$5,000 plus 15% of total gross revenues for a total cost estimated not to exceed \$15,200.

Overflow parking lots accommodated 992 vehicles during year 2013 and 656 vehicles during year 2012. BNIA has successfully utilized this lot with similar terms and conditions during the past few years. If leased, BNIA will maintain the premises and Standard Parking will provide shuttle service for the overflow parking customers.

FUNDING: Funding is included in the BNIA operating budget.

“RESOLVED, that the Board hereby authorizes a Lease Agreement with McGuire Development Co. for the rental of approximately 3.0 acres of land located at the Concourse Center at 4039 Genesee Street, Cheektowaga, New York to accommodate customer parking overflows at the Buffalo Niagara International Airport on an as needed basis 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 a Lease Agreement with McGuire Development Co. as needed at the costs described above; and

BE IT FURTHER RESOLVED, that said Agreements 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 he/she is hereby authorized to make payments under said Agreements upon certification by the Director, Aviation, that such payments are in order.”

AVIATION:

3. D. (5) Approval of Landing Fee Tariff, NFIA

RECOMMENDATION: Staff recommends that the Board approve the following tariffs at the Niagara Falls International Airport (NFIA) effective April 1, 2014:

- Landing fee tariff for scheduled passenger air carriers, air cargo carriers, and charter operators will increase to the rate of \$1.35 per 1,000 pounds of Gross Certified Take-off Weight, (GCTOW). The current rate is \$.90 per 1,000 pounds of GCTOW.
- Terminal Use Fee will increase to \$100 or \$1.00 per one-way seat (whichever is greater) per operation. The current rate is \$75 or \$.75 per one-way seat, and
- Fuel Flowage Fee will increase to \$.07 per gallon (excluding scheduled passenger air carriers). The current rate is \$.05 per gallon.

INFORMATION: The NFIA tariff has remained unchanged since year 2006. Since then, there have been significant improvements to NFIA including the construction of a new terminal building and the complete mill and overlay of the main runway.

The estimated financial impact of the proposed tariff revisions will increase NFIA revenues by \$76,000 during the current fiscal year. The estimated cost per enplanement for the scheduled passenger air carriers will increase from \$1.94 to \$2.77.

FUNDING: No funding is required.

“RESOLVED, that the Board hereby authorizes revisions to the Landing Fee Tariffs at the Niagara Falls International Airport as described above; and

BE IT FURTHER RESOLVED, that the above stated rates shall be effective April 1, 2014.”

NIAGARA FALLS INTERNATIONAL AIRPORT

TARIFF - EFFECTIVE APRIL 1, 2014

I. LANDING FEES*

- Scheduled passenger air carriers, air cargo carriers, and charter operators to pay a \$3.00 minimum or \$1.35 per 1,000 maximum gross certificated take-off weight (GCTOW), whichever is greater. Any aircraft, regardless of weight, that carries passengers or cargo for hire shall pay the landing fee set forth in this section.
- * Does not apply to general aviation aircraft permanently based at Niagara Falls International Airport provided that the aircraft is not carrying passengers or cargo for hire or other commercial use.

II. PUBLIC AIRCRAFT AREA PARKING FEES

1. All aircraft - first one (1) hour parking included in landing fee.
2. Parking on Niagara Frontier Transportation Authority (NFTA) public use areas.

	Each 24 Hours or <u>Fraction Thereof</u>
Below 8,000 lbs. GCTOW	\$ 7.00
8,001 - 12,500 lbs. GCTOW	15.00
12,501 - 55,000 lbs. GCTOW	20.00
Above 55,001 GCTOW	40.00

III. TERMINAL USE FEES

- A charge of \$100.00 or \$1.00 per one way seat, whichever is greater per operation.

IV. FUEL FLOWAGE FEES**

1. A charge of \$.07 per gallon will be assessed for all fuel delivered to the airport premises.
2. A charge of \$.07 per gallon will be assessed for all aircraft lubricants delivered to the airport premises.

** Fee does not apply to Part 121 scheduled passenger air carriers operating at the Terminal Building or scheduled cargo carriers operating at airport pursuant to an agreement(s) with the NFTA.

All applicable Fees established by this Tariff are due and owing upon landing at the airport. Users are subject to a late fee for failure to remit payment when due at the maximum rate amount allowable by law.

In areas designated for public aircraft parking at Niagara Falls International Airport, owners assume complete responsibility for their aircraft.

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 Procurement, Gillig, LLC, Replacement Seat Components, Metro
 - 2. Authorization for Agreement, Swiger Coil Systems, Inc., Traction Motor Overhaul, 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 Perry, seconded by Commissioner Gurney, 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 February 27, 2014 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 Procurement, Gillig, LLC, Replacement Seat Components, Metro**

RECOMMENDATION: Staff recommends that the Board approve the purchase of replacement seat components during the next four years for \$700,835.93 from Gillig of Hayward, California.

INFORMATION: Approximately half of Metro's transit buses utilize cushioned and fabric covered seats. The cushioned and fabric components wear out and periodically require replacement.

The components will be purchased and installed over the next four years in conjunction with the initiative to improve bus cleanliness.

The procurement was advertised and three proposals were received and evaluated in accordance with the NFTA Procurement Guidelines.

The evaluation team consisted of the Procurement Manager, Superintendent of Bus Shops and the Equipment Engineer. The proposals were evaluated and ranked based on cost, compliance with the technical specification and Proponent qualifications and experience.

FUNDING: Funding is provided in the capital budget.

"RESOLVED, that the Board hereby authorizes the procurement of replacement seat components from Gillig, LLC at a cost of \$700,835.93 as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Orders to Gillig, LLC for the procurement replacement seat components 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 he/she is hereby authorized to make payments under said Purchase Order upon certification by the Director, Public Transit, that such payments are in order."

RFP DOCUMENTS REQUIRED (Completed by Procurement)			American Seating		Gillig		NABI	
			Grand Rapids, MI		Hayward, CA		Delaware, OH	
Non-Collusive Cert			x		x		x	
Disclosure of Prior Non-rep Determinations			x		x		x	
Signature			x		x		x	
Buy America Certificate			x		x		x	
Lobbying Certificate			x		x		x	
Form ST-220-TD			x		x		x	
Contact Information Form			x		x		x	
Cost Proposal			x		x		x	
SELECTION CRITERIA (Completed by Team)			(Rated on a scale of 1 - 10, with 10 being the highest)					
Technical Criteria: compliance with technical specifications. 40%			9.00		9.00		9.00	
Cost. 40%			9.63		9.87		10.00	
Qualifications and Experience: demonstrated ability in the industry, references, warranty, delivery. 20%			9.00		9.00		8.00	
TOTAL			9.25		9.35		9.20	
Cost Proposals / Annual Cost								
Year 1 Model	Bus	Quan	Unit Price	Total	Unit Price	Total	Unit Price	Total
1999	20		\$3,772.00	\$75,440.00	\$3,751.52	\$75,030.40	\$3,422.87	\$68,457.40
2001A	8		\$3,980.00	\$31,840.00	\$3,937.05	\$31,496.40	\$3,611.41	\$28,891.28
2001B			\$3,980.00	\$0.00	\$3,937.05	\$0.00	\$3,611.41	\$0.00
2002A			\$3,980.00	\$0.00	\$3,937.05	\$0.00	\$3,611.41	\$0.00
2002B			\$3,980.00	\$0.00	\$3,937.05	\$0.00	\$3,611.41	\$0.00
2004			\$3,657.00	\$0.00	\$3,617.99	\$0.00	\$3,318.74	\$0.00
2005			\$3,980.00	\$0.00	\$3,937.05	\$0.00	\$3,611.41	\$0.00
2006			\$3,862.00	\$0.00	\$3,821.30	\$0.00	\$3,505.23	\$0.00
2007			\$3,862.00	\$0.00	\$3,821.30	\$0.00	\$3,505.23	\$0.00
Total Year 1				\$107,280.00		\$106,526.80		\$97,348.68
Year 2 Model	Bus	Quan	Unit Price	Total	Unit Price	Total	Unit Price	Total
1999			\$3,772.00	\$0.00	\$3,751.52	\$0.00	\$3,594.01	\$0.00
2001A	11		\$3,980.00	\$43,780.00	\$3,937.05	\$43,307.55	\$3,791.98	\$41,711.78
2001B	21		\$3,980.00	\$83,580.00	\$3,937.05	\$82,678.05	\$3,791.98	\$79,631.58
2002A	16		\$3,980.00	\$63,680.00	\$3,937.05	\$62,992.80	\$3,791.98	\$60,671.68
2002B			\$3,980.00	\$0.00	\$3,937.05	\$0.00	\$3,791.98	\$0.00
2004			\$3,657.00	\$0.00	\$3,617.99	\$0.00	\$3,484.68	\$0.00
2005			\$3,980.00	\$0.00	\$3,937.05	\$0.00	\$3,791.98	\$0.00
2006			\$3,862.00	\$0.00	\$3,821.30	\$0.00	\$3,680.49	\$0.00
2007			\$3,862.00	\$0.00	\$3,821.30	\$0.00	\$3,680.49	\$0.00
Total Year 2				\$191,040.00		\$188,978.40		\$182,015.04

Year 3								
Model	Bus	Quan	Unit Price	Total	Unit Price	Total	Unit Price	Total
	1999		\$3,885.00	\$0.00	\$3,751.52	\$0.00	\$3,773.71	\$0.00
	2001A		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$3,981.58	\$0.00
	2001B		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$3,981.58	\$0.00
	2002A		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$3,981.58	\$0.00
	2002B	26	\$4,099.00	\$106,574.00	\$3,937.05	\$102,363.30	\$3,981.58	\$103,521.08
	2004	22	\$3,776.00	\$83,072.00	\$3,617.99	\$79,595.78	\$3,658.91	\$80,496.02
	2005	15	\$4,099.00	\$61,485.00	\$3,937.05	\$59,055.75	\$3,981.58	\$59,723.70
	2006	27	\$3,977.00	\$107,379.00	\$3,821.30	\$103,175.10	\$3,864.52	\$104,342.04
	2007		\$3,977.00	\$0.00	\$3,821.30	\$0.00	\$3,864.52	\$0.00
Total Year 3				\$358,510.00		\$344,189.93		\$348,082.84
Model	Bus	Quan	Unit Price	Total	Unit Price	Total	Unit Price	Total
	1999		\$3,885.00	\$0.00	\$3,751.52	\$0.00	\$3,962.40	\$0.00
	2001A		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$4,180.66	\$0.00
	2001B		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$4,180.66	\$0.00
	2002A		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$4,180.66	\$0.00
	2002B		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$4,180.66	\$0.00
	2004		\$3,776.00	\$0.00	\$3,617.99	\$0.00	\$3,841.86	\$0.00
	2005		\$4,099.00	\$0.00	\$3,937.05	\$0.00	\$4,180.66	\$0.00
	2006	3	\$3,977.00	\$11,931.00	\$3,821.30	\$11,463.90	\$4,057.74	\$12,173.22
	2007	13	\$3,977.00	\$51,701.00	\$3,821.30	\$49,676.90	\$4,057.74	\$52,750.62
Total Year 4				\$63,632.00		\$61,140.80		\$64,923.84
Total Cost				\$720,462.00		\$700,835.93		\$692,370.40

SURFACE:

4. D. (2) Authorization for Agreement, Swiger Coil Systems, Inc., Traction Motor Overhaul, Metro

RECOMMENDATION: Staff recommends that the Board award a contract in the amount of \$1,500,000.00 to Swiger Coil Systems, Inc., Cleveland, Ohio, for the overhaul of 121 traction motors over the course of five years.

INFORMATION: A Request for Proposals was advertised and five responses were received. The selection team comprised of the Rail Operations Manager, Rail Vehicle Maintenance Supervisor, Electrical Specialist and the Procurement Manager who evaluated responses based on technical criteria, cost and qualifications and experience. Swiger Coil Systems was rated the highest and was the only bidder to provide a service license for repairing the NFTA's Westinghouse 1463-D traction motors. Traction motor overhauls are a service type repair that returns a traction motor (Westinghouse type 1463-D) back to like new service condition. The last motor overhaul contract was for the period of 1998-2008. The motors overhauled during the previous program will reach the end of their service life during the proposed contract period. The traction motors are not included in the Mid Life Rebuild project and are required to maintain a reliable safe LRV fleet.

FUNDING: Funding is provided in Capital Budget Account No. 120000000320929334.

FTA	\$1,200,000.00
NYSDOT	\$ 150,000.00
NFTA	<u>\$ 150,000.00</u>
Total	\$1,500,000.00

“RESOLVED, that the Board hereby authorizes an Agreement with Swiger Coil Systems, Inc. for traction motor overhaul services 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 Swiger Coil Systems, Inc. for a cost of \$1,500,000.00 over a five year period 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; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, be and he/she is hereby authorized to make payments under said Agreement upon certification by the Director, Public Transit, that such payments are in order.”

RFP DOCUMENTS REQUIRED (Completed by Procurement)		Swiger Coil Systems Cleveland, OH	Walco Electric Providence, RI	Advanced Motor Solutions Hamilton, ON	RAM Industrial Camp Hill, PA	Sherwood Electromotion Buffalo, NY
Cover Letter		x	x	x	x	x
Description of services		x	x	x	x	x
Firm, Mgmt & Staff Qualifications		x	x	x	x	x
Resumes		x	x	x	x	x
References		x	x	x	x	x
Buy America Certificate		x	x	x	x	x
Non-Collusive Cert		x	x	x	x	x
Disclosure of Contracts Form		x	x	x	x	x
Disclosure of Prior Non-rep Determinations		x	x	x	x	x
Company and Contact Information Form		x	x	x	x	x
Form ST-220-TD		x	x	x	x	x
Itemized Cost Proposal		x	x	x	x	x
SELECTION CRITERIA (Rate on the basis of 1 -10, 10 is the highest)						
(Completed by Team)						
Technical Criteria: project approach, methods, compliance with technical specifications. 50%		10.00	4.00	2.00	8.00	4.00
Cost. 30%		8.40	9.04	8.90	8.26	10.00
Qualifications and experience: demonstrated ability in the industry, references, past performance, organization, management, license. 20%		10.00	4.00	1.00	7.00	4.00
RATING		9.52	5.51	3.87	7.88	5.80
COST						
Year 1	Total cost for 1 complete unit	\$17,810.00	\$16,927.00	\$16,520.00	\$17,592.00	\$15,310.00
Year 2	Total cost for 1 complete unit	\$17,810.00	\$16,927.00	\$16,520.00	\$18,368.00	\$15,310.00
Year 3	Total cost for 1 complete unit	\$18,347.00	\$16,927.00	\$17,346.00	\$18,368.00	\$15,310.00
Year 4	Total cost for 1 complete unit	\$18,347.00	\$16,927.00	\$17,346.00	\$19,175.00	\$15,310.00
Year 5	Total cost for 1 complete unit	\$18,760.00	\$16,927.00	\$18,213.26	\$19,175.00	\$15,310.00
Total cost for 1 unit each for all 5 years		\$91,074.00	\$84,635.00	\$85,945.26	\$92,678.00	\$76,550.00

5. PROPERTY/RISK MANAGEMENT GROUP REPORT

- A. Property/Risk Management Committee Report
- B. Financial Update
- C. Business Update
- D. Resolutions

Property/Risk Management Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Property Risk/Management Resolutions 5. D. (2) through 5. D. (6)
1. Authorization for Sale of Real Property, Outer Harbor and Boat Harbor and Gallagher Beach, Erie Canal Harbor Development Corporation; Authorization for Operation of Boat Harbor, 2014 Boating Season; Amendment of Agreement, Funtime After Dark, LLC; Authorization for Operation of Outer Harbor, Erie Canal Harbor Development Corporation
2. Authorization for Lease Amendment, Acme Screenprinting, LLC, 247 Cayuga Road
3. Authorization for Permanent Easement, New York State Department of Transportation, Niagara Falls Secondary Track, Town of Tonawanda
4. Authorization for License Agreement, Jared Callahan, Boat Harbor/Gallagher Beach
5. Authorization for License Agreement, Hale Northeastern, Inc., 901 Fuhrmann Boulevard
6. Authorization for Extension of Due Diligence Period, Sale of Real Property located at 901 Fuhrmann Boulevard to Gracious Living Corporation

PROPERTY:

5. D. (i) **Niagara Frontier Transportation Authority, Acceptance of Property Resolutions 5. D. (2) through 5. D. (6)**

The Executive Director advised that Items 5. D. (2) through 5. D. (6) 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 Gurney, seconded by Commissioner Wilcox, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 5. D. (2) through 5. D. (6) and dated February 27, 2014 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

ABSTENTION: BAYNES [*Item 5. D. (5) only]

NOES: NONE

ADOPTED

PROPERTY:

5. D. (1) **Authorization for Sale of Real Property, Outer Harbor and Boat Harbor and Gallagher Beach, Erie Canal Harbor Development Corporation; Authorization for Operation of Boat Harbor, 2014 Boating Season; Amendment of Agreement, Funtime After Dark, LLC; Authorization for Operation of Outer Harbor, Erie Canal Harbor Development Corporation**

RECOMMENDATION: Staff recommends that the Board authorize the sale of approximately 354 acres of real property located at Fuhrmann Boulevard, Buffalo, New York and known as the Boat Harbor and Gallagher Beach and Outer Harbor to Erie Canal Harbor Development Corporation ("ECHDC"). In addition, Staff recommends that the Board authorize operation of the Boat Harbor for the 2014 boating season pursuant to a permit with the New York State Office of Parks, Recreation and Historic Preservation ("State Parks"), an amendment to the NFTA's agreement with Funtime After Dark, LLC to provide for programming events for the Boat Harbor in an amount not-to-exceed \$49,750, and operation of the Outer Harbor for the 2014 summer season pursuant to an agreement with ECHDC.

INFORMATION: ECHDC has agreed to purchase the Boat Harbor and Gallagher Beach for the sum of \$1.00. This transfer will be subject to a deed restriction that requires that the ownership and use of the Boat Harbor and Gallagher Beach will remain with the government or any other public entity and the property is being conveyed for the express purpose of creating a New York State park.

ECHDC has agreed to purchase the Outer Harbor (not including the Port Terminal Complex) for the sum of \$1.00. The NFTA commissioned an appraisal to determine the fair market value of this property taking into account existing environmental conditions and the presence of environmental contamination, and the costs necessary to remediate the property as set forth in the New York State Department of Environmental Conservation Record of Decision. The appraisal concluded that the sum of \$1.00 represents fair market value for the property. This parcel will remain subject to the Environmental Easement filed for the Greenbelt and will also include an easement for an extension of the Greenbelt to Fuhrmann Boulevard along the side of the Seaway Pier.

The Property Disposition Agreement provides that ECHDC and New York State Urban Development Corporation, d/b/a Empire State Development ("ESD"), will release the NFTA from all environmental claims and indemnify the NFTA from all environmental claims but for those attributable to a release of hazardous substances which are demonstrated to be caused by the NFTA's active and knowing unlawful disposal of hazardous substances upon the property during the period of the NFTA's ownership of the property. The property is being conveyed to ECHDC "as is."

The Agreement is subject to obtaining consents from various governmental agencies that have provided funding for projects for the Boat Harbor and Gallagher Beach and negotiation and execution of operating agreements between and/or among the NFTA, ECHDC and State Parks for the operation of the Boat Harbor/Gallagher Beach and the Outer Harbor for the 2014 boating season, terminating on November 15, 2014.

On January 13, 2014, ECHDC, as SEQRA lead agency, issued a finding that the proposed transfer will not have a significant adverse effect on the environment and also approved the terms of this Agreement. ESD's Board subsequently approved the terms of this Agreement on January 16, 2014.

The NFTA will operate the Boat Harbor for the 2014 boating season, terminating on November 15, 2014, pursuant to a permit with State Parks. The permit will provide that the NFTA will receive all revenues from the operation of the Boat Harbor and expend such sums as we would normally expend to operate the Boat Harbor. The NFTA will not be required to incur any capital costs beyond those normally budgeted. The NFTA will indemnify State Parks pursuant to the permit for negligent acts committed by the NFTA in the course of operating the Boat Harbor.

State Parks wants to provide events in addition to those the NFTA already hosts at the Boat Harbor. They have requested that some of these events be provided by the NFTA's concert promoter, Funtime After Dark. Funtime has an established track record working with the NFTA in providing events in areas without infrastructure normally necessary, such as electricity and water. In order to accomplish Parks' desire for additional programming, staff recommends that the Board authorize an amendment to Funtime's agreement for the 2014 summer season only to permit Funtime to provide programming, in an amount not-to-exceed \$49,750.00. If the NFTA incurs any costs as a result of State Parks' additional programming, the permit will provide that State Parks will reimburse the NFTA for those costs.

The NFTA will operate the Outer Harbor for the 2014 summer season, including working with Funtime After Dark on the concert series and maintaining the Greenbelt, pursuant to an agreement with ECHDC. The NFTA will expend such sums for maintenance as we would normally. The NFTA will not be liable for any capital costs.

FUNDING: No funding is required.

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

“**RESOLVED**, that the Board hereby authorizes the sale of approximately 354 ± acres of real property located at Fuhrmann Boulevard, Buffalo, to Erie Canal Harbor Development Corporation for the sum of \$2 as set forth above and as negotiated; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the operation of the Boat Harbor pursuant to a permit with the New York State Office of Parks, Recreation and Historic Preservation pursuant to the terms set forth above; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes operation of the Outer Harbor pursuant to an Agreement with Erie Canal Harbor Development Corporation pursuant to the terms set forth above; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes an amendment to the NFTA's Agreement with Funtime After Dark, LLC as in the best interests of the NFTA to permit Funtime After Dark, LLC to provide events at the Boat Harbor for an amount not-to-exceed \$49,750; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee, and/or the Chairman are hereby authorized to execute any and all documents necessary to effectuate the transaction set forth above; and

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

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

NOES: NONE

ADOPTED

PROPERTY:

5. D. (2) **Authorization for Lease Amendment, Acme Screenprinting, LLC, 247 Cayuga Road**

RECOMMENDATION: Staff recommends that the Board authorize a lease amendment with Acme Screenprinting, LLC (Joseph Strapason IV, Owner) for leased space at 247 Cayuga Road, Cheektowaga.

INFORMATION: Acme Screenprinting has been a tenant at 247 Cayuga Road since 2004. Their current lease term began February 1, 2010 and expires January 31, 2015. This amendment will increase the term by changing the expiration date to January 31, 2017 with the tenant having the right to renew for one additional three-year period. This amendment will also increase the leased square footage from 2,625 to 3,641. The additional 1,016 square feet will have the same rental rate as the original leased space, which is currently \$5.17 per square foot for this C- space with a 3% annual escalator. All other terms and conditions will remain the same.

FUNDING: No funding is necessary.

“**RESOLVED**, that the Board hereby authorizes a Lease Amendment with Acme Screenprinting, LLC, for the use of the space at 247 Cayuga Road, 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 a Lease Amendment with Acme Screenprinting, LLC, as set forth above and as negotiated; and

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

PROPERTY:

5. D. (3) Authorization for Permanent Easement, New York State Department of Transportation, Niagara Falls Secondary Track, Town of Tonawanda

RECOMMENDATION: Staff recommends that the Board authorize and accept the real estate compensation offered by New York State Department of Transportation (NYSDOT) for a permanent easement associated with the Interstate Route Connection 590-1-1 Powerline Expressway project along the I290.

INFORMATION: NYSDOT has requested a permanent easement on a parcel of NFTA property to gain access to the I290 bridges that cross our Niagara Falls Secondary Track right of way for the purpose of bridge repairs. The parcel is south of the interstate and is 6,012 square feet. NYSDOT has offered \$2,175 compensation for this easement based upon the appraised value. It has been determined by staff that this offer is fair and reasonable compensation.

FUNDING: No funding is necessary.

“**RESOLVED**, that the Board hereby authorizes an Easement Agreement with the New York State Department of Transportation for a permanent easement 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 an Easement Agreement as set forth above and as negotiated; and

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

PROPERTY:

5. D. (4) Authorization for License Agreement, Jared Callahan, Boat Harbor/Gallagher Beach

RECOMMENDATION: Staff recommends that the Board authorize a Permit for Temporary Access to NFTA Property with Jared Callahan for use of Boat Harbor facilities for a Paddle Festival.

INFORMATION: Mr. Callahan is working with the Buffalo Niagara Riverkeeper, the Buffalo Urban Outdoor Education Program, and WNY Adaptive Water Sports to produce Buffalo's first Paddle Festival. The Paddle Festival is scheduled for July 12 and 13, 2014 and will include both long distance and sprint distance recreational and competitive races for stand up paddle boards, kayaks, and outrigger canoes.

The mission of the festival is to bring awareness to the recreational opportunities on Buffalo's waterfront and to promote environmental awareness and stewardship for the waterfront. Proceeds from the event will support local projects conducted by Buffalo Niagara Riverkeeper and will benefit the growth of the Buffalo Urban Outdoor Education Program and the WNY Adaptive Water Sports. In addition to the races, the event will include a beach/water clean up before and after the event, demonstrations of adaptive paddling, sailing and water skiing for the physically challenged, as well as music and vendors.

Mr. Callahan will be required to provide all appropriate insurance coverages. No additional operating costs will be incurred by the NFTA.

FUNDING: No funding is necessary.

"RESOLVED, that the Board hereby authorizes a License Agreement with Jared Callahan, for use of the Boat Harbor/Gallagher Beach area facilities for a Paddle Festival, 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 a License Agreement with Jared Callahan, as set forth above and as negotiated; and

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

PROPERTY:

5. D. (5) Authorization for License Agreement, Hale Northeastern, Inc.,
901 Fuhrmann Boulevard

RECOMMENDATION: Staff recommends that the Board authorize a License Agreement with Hale Northeastern, Inc. (John Dubreville, Director of Sales) for the use of parking lot space at 901 Fuhrmann Boulevard.

INFORMATION: Hale has been awarded a contract to provide marshalling services for the 2014 Snow Symposium at the Buffalo Convention Center. They need approximately 80,000 square feet of space to stage vehicles providing exhibits for the Snow Symposium. The License will be for one week from April 23, 2014 to May 1, 2014 at a rental rate of \$2,000 per week. Hale will provide proof of insurance and will be responsible for any expenses.

FUNDING: No funding is necessary.

“RESOLVED, that the Board hereby authorizes a License Agreement with Hale Northeastern, Inc., for use of parking lot space at 901 Fuhrmann Boulevard, 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 a License Agreement with Hale Northeastern, Inc. from April 23, 2014 to May 1, 2014 as set forth above and as negotiated; and

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

PROPERTY:

5. D. (6) **Authorization for Extension of Due Diligence Period, Sale of Real Property located at 901 Fuhrmann Boulevard to Gracious Living Corporation**

RECOMMENDATION: Staff recommends that the Board authorize the extension of the due diligence period in the Disposition Agreement between the NFTA and Gracious Living Corporation until April 30, 2014.

INFORMATION: The Board authorized a Disposition Agreement for the transfer of the 901 Fuhrmann Boulevard parcel to Gracious Living Corporation on August 22, 2013. The Disposition Agreement gave Gracious Living a 120-day due diligence period to conduct environmental testing and other investigations.

Gracious Living has requested that they be given an additional amount of time to complete their investigation of the property.

FUNDING: No funding is required.

“**RESOLVED**, that the Board hereby authorizes an extension of the due diligence period contained in the Disposition Agreement between the NFTA and Gracious Living Corporation; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute such an extension of the due diligence period in the Disposition Agreement between the NFTA and Gracious Living to April 30, 2014.”

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

At approximately 1:17 p.m., the Chairman indicated that there was no further business coming before the Board, whereupon it was moved by Commissioner Perry, seconded by Commissioner Durand, 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