



Niagara Frontier Transportation Authority  
Serving Buffalo Niagara

ECLEG NOV06'15 AM 10:33

181 Ellicott Street  
Buffalo, New York 14203  
716-855-7300  
Fax: 716-855-7657  
TDD: 855-7650  
www.nfta.com

October 27, 2015

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 September 24, 2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "David J. State", 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  
SEPTEMBER 24, 2015 12:30 PM  
MINUTES**

---

<b>1. REGULAR BOARD MEETING - September 24, 2015 - MINUTES</b>	
A. CALL TO ORDER	3
B. APPROVAL OF MINUTES (July 23, 2015 Regular Meeting)	
C. EXECUTIVE DIRECTOR'S REPORT	4
<b>2. NFTA CORPORATE REPORT</b>	<b>5</b>
A. Audit and Governance Committee Report (Howard Zemsky)	
B. Consolidated Financial (John Cox)	
C. Corporate Resolutions (Kim Minkel)	
1) Authorization to Terminate Relationship with LMHF/LMHC, NFTA	8
2) Authorization for Agreement, Security Scan Pressure Seal Checks and Forms, NFTA	9
3) Authorization for Agreement, Managed Services Solutions, NFTA	11
4) Authorization for Maintenance Agreement, Software Support Services, NFTA	12
5) Authorization for Maintenance Agreement, Barcode Reader Software, NFTA	13
6) Authorization for Lease Amendment, KLV Appraisal Group, 247 Cayuga Road	14
7) Authorization for Lease Agreement, Integrated Deicing Services, LLC, 247 Cayuga Road	15
8) Authorization for Lease Agreement, Ivergent, Inc., 247 Cayuga Road	16
9) Authorization for Lease Agreement, Olson Brothers Marine, Inc., 901 Fuhrmann Blvd.	17
<b>3. AVIATION BUSINESS GROUP REPORT</b>	<b>18</b>
A. Aviation Committee Report (Adam Perry)	
B. Financial Update (Bill Vanecek)	
C. Business Update (Bill Vanecek)	
D. Aviation Resolutions (Kim Minkel)	
1) Authorization for Agreement, Inspection and Maintenance of Emergency Generator Systems, BNIA and NFIA	21
2) Authorization for Agreement, Construction and Construction Monitoring, ARFF Facility, BNIA	25
<b>4. SURFACE TRANSPORTATION BUSINESS GROUP REPORT</b>	<b>29</b>
A. Surface Transportation Committee Report (Bonita Durand)	
B. Financial Update (Tom George)	
C. Business Update (Tom George)	
D. Surface Transportation Resolutions (Kim Minkel)	
1) Authorization to Adopt and Submit NFTA Title VI Program	32
2) Authorization for College/University Transit Pass Agreement Fee Reallocation, Erie Community College, Metro	35
3) Authorization for Agreement, Hatch Mott MacDonald, Supplement No. 2 Design	36

Services, Fastener & Pad Replacement Phase 8, LRRT	
4) Authorization for Change Order No. 32, AnsaldoBreda, Inc., LRV Midlife Rebuild Project, LRRT	45
5) Authorization for Supplemental Agreement No. 15, CH2M Hill New York, Inc., LRV Midlife Rebuild, LRRT	47
6) Authorization for Procurement, Bus Shelter Replacements and Replacement Parts, Metro	48
7) Authorization for Agreement, Bus Mobile Router (Gateway) Devices, Metro	51
8) Authorization for Support Agreement, ORBCAD Systems, Metro	55
9) Authorization for Agreement, City of Buffalo, Traffic On Main Street Project - 500 Block, Metro	56
10) Authorization for Agreement, Schindler Elevator Corporation, Escalator Replacement – Delavan Station, LRRT	58
11) Authorization for Supplemental Agreement No. 1, Cambridge Systematics, Consulting Services for Regional Modeling Support, GBNRTC	60
12) Authorization for Agreement, Cambridge Systematics, Consulting Services for Regional Model Update, GBNRTC	62
<b>5. GENERAL COUNSEL REPORT (Dave State)</b>	
<b>6. EXECUTIVE SESSION</b>	
<b>7. ADJOURNMENT</b>	66

1. **CALL TO ORDER**

A. **Meeting Called to Order**

Secretary Demakos called the meeting to order at approximately 12:35 p.m.

Secretary Demakos advised the Board that Chairman Zemsky and Vice Chairman Sloma were both unable to attend the Board Meeting. He advised that with the consent of the Board, he would serve as Chairman Pro Tem for the September 24, 2015 meeting. It was moved by Commissioner Baynes and seconded by Commissioner Durand that Secretary Demakos serve as Chairman Pro Tem for the September 24, 2015 Board Meeting.

**AYES: BAYNES, DURAND, GURNEY, HUGHES, PERRY, WILCOX**

**NOES: NONE**

B. **Approval of Minutes of the NFTA Regular Board Meeting held on July 23, 2015**

It was moved by Commissioner Gurney, seconded by Commissioner Hughes, that the Minutes of the July 23, 2015 Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., be accepted and approved.

**AYES: DEMAKOS, BAYNES, DURAND, GURNEY, HUGHES, PERRY, WILCOX**

**NOES: NONE**

C. Executive Director Report

Executive Director Kimberley Minkel advised the Board that the one millionth passenger traveling through NFIA would occur Monday, September 28<sup>th</sup> and invited them to join the celebration at the NFIA terminal. She acknowledged two NFTA police officers, Lt. James Halliday and Officer Bob Bove who were integral in saving the life of a female who overdosed at the MTC by administering several doses of Narcan.

The Executive Director also recognized the following employees who are participating in leadership development programs which will enhance and develop networking and leadership skills to move the Authority forward. They are:

Jason Abounader – one of 10 people accepted into the New York Public Transit Leadership Institute which is a year-long program.

James Morrell – one of 25 individuals from across North America selected to attend APTA's intensive one-year Leadership program.

Rachel Mahoney - currently enrolled in the Early Career Program with APTA was also one of 25 individuals selected among APTA member applicants to participate in a year-long program.

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

**Corporate Resolutions**

- i. Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. C. (1) through 2. C. (9)
1. Authorization to Terminate Relationship with LMHF/LMHC, NFTA
2. Authorization for Agreement, RR Donnelley, Security Scan Pressure Seal Checks and Forms, NFTA
3. Authorization for Agreement, Eaton Office Supply Co., Inc., Managed Services Solutions, NFTA
4. Authorization for Maintenance Agreement, Ventyx USA, Inc., Software Support Services, NFTA
5. Authorization for Maintenance Agreement, Teklynx, Inc., Barcode Reader Software, NFTA
6. Authorization for Lease Amendment, KLW Appraisal Group, 247 Cayuga Road
7. Authorization for Lease Agreement, Integrated Deicing Services, LLC, 247 Cayuga Road
8. Authorization for Lease Agreement, Ivergent, Inc., 247 Cayuga Road
9. Authorization for Lease Agreement, Olson Brothers Marine, Inc., 901 Fuhrmann Blvd.

**CORPORATE:**

2. C. (i) **Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. C. (1) through 2. C. (9)**

The Executive Director advised that Items 2. C. (1) through 2. C. (9) 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 Gurney, that the following Resolution be adopted:

**“RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 2. C. (1) through 2. C. (9) and dated September 24, 2015 as set forth herein, be and hereby are accepted and approved in their entirety.”

**AYES:       DEMAKOS, BAYNES, DURAND, GURNEY, HUGHES, PERRY,  
              WILCOX**

**NOES:       NONE**

**ADOPTED**

**CORPORATE:**

**2. C. (1) Authorization to Terminate Relationship with LMHF/LMHC, NFTA**

**RECOMMENDATION:** Staff recommends that the Board provide the Executive Director with the option to terminate the Agreement with the Labor Management Healthcare Fund (LMHF)/Labor Management Healthcare Coalition (LMHC), and directly retain Blue Cross and Blue Shield of WNY.

**INFORMATION:** Prior to 2004 employees had the option of obtaining health coverage from any major health maintenance organization. In 2004, the Authority moved all employees into the Core Plan that was self-funded by the NFTA and administered through the LMHF/LMHC. This movement was instrumental in significant savings during the early years of the plan.

Since health insurance is a significant cost to the Authority, the NFTA engaged the services of Arthur Gallagher & Co. (AG&C) to examine opportunities for cost containment. In connection with its examination, AG&C determined that a new and substantial tax, referred to as the Health Insurer Fee, which was established contemporaneously with, and included in, the Patient Protection and Affordable Care Act as a way to help support the overall cost of healthcare reform, could be avoided if the NFTA terminated its relationship with LMHF/LMHC. In addition, there would be savings due to the relief from the administrative fee paid to the LMHF/LMHC. The potential savings from reducing or eliminating these two health care benefits expense items could range between approximately \$600,000 - \$900,000 annually, with additional savings due to avoiding the future growth that can be expected for these expense items.

The Authority will continue to provide the same self-funded insurance plans (Core Plan, HDHP, etc.) through Blue Cross and Blue Shield. The managed health care coverage as presently exists for non-represented and for all contractually protected employees remains exactly the same. In order to retain the ability to pursue the Health Insurance cost savings possibilities set forth above the option to terminate the Agreement with the LMHF must be approved currently because the Authority is required to give contractual notice of intent to terminate the Agreement to the LMHF/LMHC no later than September 30, 2015.

**FUNDING:** No funding is required.

**“RESOLVED,** that the Executive Director, her designee and/or the Chairman be and hereby are authorized to terminate the existing agreement with the LMHF/LMHC and enter into any necessary agreements with Blue Cross and Blue Shield and/or other health care entities so as to ensure continuation of all existing employee health care benefits.”

**CORPORATE:**

2. C. (2) **Authorization for Agreement, RR Donnelley, Security Scan Pressure Seal Checks and Forms, NFTA**

**RECOMMENDATION:** Staff recommends that the Board approve a multi-year Agreement with RR Donnelley in the amount of \$33,460.52 for the provision of Security Scan Pressure Seal Checks and Forms. The initial term of the Agreement is three years, with the option to extend for two additional one-year periods, at the NFTA's discretion.

**INFORMATION:** The NFTA has historically sought bids annually for Security Scan Pressure Seal Checks and Forms. In an effort to reduce and stabilize costs, a multi-year bid was requested from three potential bidders. RR Donnelley was the single responsive bidder. In accordance with NFTA's Procurement Guidelines, a price analysis was performed by NFTA's Internal Audit and Corporate Compliance Department. Based on that analysis, it was determined that the RR Donnelley bid is both fair and reasonable.

This Agreement provides Security Scan Pressure Seal Checks for both Accounts Payable and Payroll. This Agreement also provides year-end Security Scan Pressure Seal Forms, including 1099's and W-2s.

**FUNDING:** Funding is provided in the NFTA operating budget.

**“RESOLVED**, that the Board hereby authorizes an Agreement with RR Donnelley for security scan pressure seal checks and forms as described above; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be, and hereby are, authorized to execute and deliver an Agreement with RR Donnelley, 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 hereby is, authorized to make payments under said Agreement upon certification by the Chief Financial Officer, that such payments are in order based upon receipt of all required supporting documentation.”

NFTA INFORMAL BID ANALYSIS								
BID NO.		4492						
BID FOR		Security Scan Pressure Seal Checks and Forms		(1)	(2)	(3)		
DEPT.		NFTA/METRO ACCOUNTING		RR DONNELLEY		DATA-MATION PRINTING & GRAPHICS, INC.		PANTHER GRAPHICS
BID DATE		6/23/2015		Grand Island, NY		Buffalo, NY		Rochester, NY
BID DUE DATE		7/21/2015						
YEAR 1								
ITEM #	QTY	DESCRIPTION	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL
1	80,000	CIR14Z Pressure Seal Check Form	\$54.60	\$4,368.00	\$60.00	\$4,800.00		
2	30,000	CB14Z Pressure Seal Check Form	\$57.29	\$1,718.70	\$60.00	\$1,800.00		
3	2,000	LW2PS Pressure Seal W-2 Form	\$71.95	\$143.90	\$73.00	\$146.00		
4	1,000	MW353 Pressure Seal 1099-Misc Form	\$72.22	\$72.22	\$73.00	\$73.00		
<b>TOTAL - YEAR 1</b>				<b>\$6,302.82</b>		<b>\$6,819.00</b>		
YEAR 2								
ITEM #	QTY	DESCRIPTION	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL
1	80,000	CIR14Z Pressure Seal Check Form	\$56.24	\$4,499.20				
2	30,000	CB14Z Pressure Seal Check Form	\$59.00	\$1,770.00				
3	2,000	LW2PS Pressure Seal W-2 Form	\$74.10	\$148.20				
4	1,000	MW353 Pressure Seal 1099-Misc Form	\$74.38	\$74.38				
<b>TOTAL - YEAR 2</b>				<b>\$6,491.78</b>	<b>NO SUBMITTAL</b>			
YEAR 3								
ITEM #	QTY	DESCRIPTION	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL
1	80,000	CIR14Z Pressure Seal Check Form	\$57.92	\$4,633.60				
2	30,000	CB14Z Pressure Seal Check Form	\$60.77	\$1,823.10				
3	2,000	LW2PS Pressure Seal W-2 Form	\$76.32	\$152.64				
4	1,000	MW353 Pressure Seal 1099-Misc Form	\$76.61	\$76.61				
<b>TOTAL - YEAR 3</b>				<b>\$6,685.95</b>	<b>NO SUBMITTAL</b>			
YEAR 4								
ITEM #	QTY	DESCRIPTION	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL
1	80,000	CIR14Z Pressure Seal Check Form	\$59.66	\$4,772.80				
2	30,000	CB14Z Pressure Seal Check Form	\$62.59	\$1,877.70				
3	2,000	LW2PS Pressure Seal W-2 Form	\$78.61	\$157.22				
4	1,000	MW353 Pressure Seal 1099-Misc Form	\$78.90	\$78.90				
<b>TOTAL - YEAR 4</b>				<b>\$6,886.62</b>	<b>NO SUBMITTAL</b>			
YEAR 5								
ITEM #	QTY	DESCRIPTION	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL	UNIT PRICE/PER M	TOTAL
1	80,000	CIR14Z Pressure Seal Check Form	\$61.45	\$4,916.00				
2	30,000	CB14Z Pressure Seal Check Form	\$64.47	\$1,934.10				
3	2,000	LW2PS Pressure Seal W-2 Form	\$80.99	\$161.98				
4	1,000	MW353 Pressure Seal 1099-Misc Form	\$81.27	\$81.27				
<b>TOTAL - YEAR 5</b>				<b>\$7,093.35</b>	<b>NO SUBMITTAL</b>			
<b>GRAND TOTAL</b>				<b>\$33,460.52</b>	<b>NON-RESPONSIVE</b>		<b>NO BID SUBMITTAL</b>	
<b>LEAD TIME</b>				<b>24-48 HRS</b>	<b>4-5 DAYS</b>			
INFORMAL BID								

**CORPORATE:**

2. C. (3) **Authorization for Agreement, Eaton Office Supply Co., Inc.,  
Managed Services Solutions, NFTA**

**RECOMMENDATION:** Staff recommends that the Board authorize a three-year Agreement with Eaton Office Supply Co., Inc. (Eaton) for managed services solutions in the total amount of \$148,428. The services include consumables (i.e., ink cartridges) and printer repairs. The term will commence September 1, 2015 and continue until August 31, 2018.

**INFORMATION:** Eaton Office Supply Co. Inc. offers a managed print services solution under NYS Contract No. PC64674 at a monthly fee of \$4,123.00. An updated analysis of the cost of the NFTA's consumable and printer repairs came to \$256,740.00. This service covers the maintenance, support, and supplies for over 160 printers presently in use by the NFTA at a cost of \$148,428.00 per year representing a savings of \$108,312.00 over time and materials repairs and supplies.

**FUNDING:** Funding is provided in the operating budget of NFTA.

**“RESOLVED,** that the Board hereby authorizes an Agreement with Eaton Office Supply Co., Inc. for managed print services solutions; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute and deliver an Agreement with Eaton Office Supplies Co., Inc. for the total amount of \$148,428.00 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 she is hereby authorized to make payments under said Agreement upon certification by the Chief Information Officer that such payments are in order based upon receipt of all required supporting documentation.”

**CORPORATE:**

2. C. (4) **Authorization for Maintenance Agreement, Ventyx USA, Inc. Software Support Services, NFTA**

**RECOMMENDATION:** Staff recommends that the Board authorize renewal of the Ventyx USA, Inc. Ellipse Enterprise Management Software Annual Maintenance Agreement, in the amount of \$115,330.42. Ventyx, an ABB Ltd. company, was formerly known as Mincom, Inc.

**INFORMATION:** The NFTA currently uses the Ellipse Management Software and its Enterprise Management application to support certain of its business activities, as set forth below. The software maintenance agreement helps to maintain an efficient operating system and entitles the NFTA to new version releases and fixes. This agreement provides support for the following modules:

- Maintenance / Work Orders
- Purchasing
- Inventory
- General Ledger
- Accounts Receivable
- Account Payable
- Capital Appropriation
- Fixed Assets.

**FUNDING:** Funding is provided in the FYE 16 operating budget.

**“RESOLVED**, that the Board hereby authorizes the renewal of the Maintenance Agreement with Ventyx USA, Inc., in the amount of \$115,330.42 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 and deliver the Maintenance Agreement with Ventyx USA, Inc., for the total amount of \$115,330.42 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 is hereby authorized to make payments under said Agreement upon certification by the Chief Information Officer, that such payments are in order based upon receipt of all required supporting documentation.”

**CORPORATE:**

2. C. (5) **Authorization for Maintenance Agreement, Teklynx, Inc., Barcode Reader Software, NFTA**

**RECOMMENDATION:** Staff recommends that the Board authorize a two-year Maintenance Agreement with Teklynx, Inc. for annual maintenance of the Sentinel/Labelview software, which has been used in the NFTA bar-code readers since 2006. This agreement provides for an upgrade of the current, outdated software at no cost to the NFTA, resulting in a one-time initial savings of \$9,400.00. The cost of the two-year Maintenance Agreement is \$4,478.55 and will be effective on September 1, 2015.

**INFORMATION:** This single bid by Teklynx has been validated for purposes of a sole source award on the basis that the software is proprietary. The NFTA has used the Sentinel/Labelview software from Teklynx, Inc. to print barcode labels for inventory items. The barcode labels are affixed to inventory storage bins and other storage locations, which identifies the item by stock code. As maintenance workers are assigned work that requires inventory items, a barcode label is printed and attached to work orders. The Support Agreement provides support for the software used to print the labels, as well as issues related to the Zebra Barcode printers that prints the labels.

**FUNDING:** Funding is provided in the operating budget.

**“RESOLVED,** that the Board hereby authorizes a Maintenance Agreement with Teklynx, Inc. for the annual maintenance of the software system supporting the NFTA bar code readers 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 and deliver a Maintenance Agreement with Teklynx, Inc. for the total amount of \$4,478.55 as described above; and

**BE IT FURTHER RESOLVED,** that said Maintenance 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 is hereby authorized to make payments under said Agreement upon certification by the Chief Information Officer that such payments are in order based upon receipt of all required supporting documentation.”

**CORPORATE:**

2. C. (6) **Authorization for Lease Amendment, KLW Appraisal Group, 247 Cayuga Road**

**RECOMMENDATION:** Staff recommends that the Board authorize a Lease Amendment with KLW Appraisal Group (Gregory Klauk, President) providing for additional office space at 247 Cayuga Road.

**INFORMATION:** KLW has been a tenant at 247 Cayuga Road since 1997. It is currently leasing approximately 2,950 square feet of Class B office space at a rental rate of \$12.59 per square foot annually. KLW is interested in leasing an additional 1,073 square feet of adjacent office space at a rental rate of \$12.59 per square foot, annually, bringing KLW's total square footage to 4,023. This will increase KLW's monthly rent payment from \$3,095.04 to \$4,220.80. All other terms and conditions of the lease will remain the same.

**FUNDING:** No funding is necessary

**“RESOLVED,** that the Board hereby authorizes an Amendment to the Lease Agreement with KLW Appraisal Group providing for the lease of additional 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 an Amendment to the Lease Agreement with KLW Appraisal Group, on the terms and conditions set forth above, among others; and

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

**CORPORATE:**

2. C. (7) **Authorization For Lease Agreement, Integrated Deicing Services, LLC, 247 Cayuga Road**

**RECOMMENDATION:** Staff recommends that the Board authorize a two-year Lease Agreement with Integrated Deicing Services, LLC (“IDS”) for office space at 247 Cayuga Road.

**INFORMATION:** IDS has been leasing 772 square feet of Class C office space at 247 Cayuga Road since 2009, which space supports the deicing services IDS provides to airlines operating at Buffalo Niagara International Airport. The current rental rate under the lease that will expire on August 31, 2015 is \$10.43 per square foot, annually. A new two-year Lease Agreement will commence September 1, 2015 at a rental rate of \$10.75 per square foot annually, with a 3% annual escalator.

**FUNDING:** No funding is necessary.

**“RESOLVED,** that the Board hereby authorizes a two-year Lease Agreement with Integrated Deicing Services, LLC. for 772 square feet of 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 and deliver a Lease Agreement with Integrated Deicing Services, LLC for 772 square feet of space on the terms and conditions set forth above, among others; and

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

CORPORATE 2. C. (7)

**CORPORATE:**

2. C. (8) **Authorization for Lease Agreement, Ivergent, Inc., 247 Cayuga Road**

**RECOMMENDATION:** Staff recommends that the Board authorize a one year Lease Agreement with Ivergent, Inc. (James Ward, President), for office space at 247 Cayuga Road.

**INFORMATION:** Ivergent, Inc. is a telecommunications support company that is interested in relocating from Lawrence Bell Drive in Williamsville. It proposes to lease 491 square feet of Class B office space at 247 Cayuga Road. The one-year lease will commence on September 1, 2015 and expire on August 31, 2016. The rental rate will be \$11.33 per square foot, annually, or \$5,563.03 total for the year, which is based, in part, on market rate, view, exposure and proximity to an entrance door.

**FUNDING:** No funding is necessary.

**“RESOLVED,** that the Board hereby authorizes a one year Lease Agreement with Ivergent, Inc. for 491 square feet of 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 and deliver a Lease Agreement with Ivergent, Inc. for 491 square feet of space on the terms and conditions as set forth above, among others; and

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

**CORPORATE:**

2. C. (9) **Authorization for Lease Agreement, Olson Brothers Marine, Inc., 901 Fuhrmann Blvd.**

**RECOMMENDATION:** Staff recommends that the Board authorize a lease agreement (the Lease) between the Niagara Frontier Transportation Authority and Olson Brothers Marine, Inc. (Olson) for interior and exterior space located at 901 Fuhrmann Boulevard, Buffalo, New York (the Property).

**INFORMATION:** Olson is a marine repair and storage business that is in need of more space than it currently occupies at 947 Fuhrmann Boulevard. The premises subject to the Lease will include that certain blue maintenance building (the Building) located on the Property as well as the front lot area situated between the Building and Fuhrmann Boulevard (the Front Lot).

The Lease will:

- (1) be for a term of one year commencing on September 1, 2015 and expiring on August 31, 2016, unless earlier terminated in accordance with the terms of the Lease (the Term);
- (2) reflect an annual rent equal to \$46,000.00, payable monthly, plus a security deposit equal to one month's rent;
- (3) require Olson to accept the Front Lot in "as is" condition and undertake, at its sole cost and expense, any prep work that may be necessary or desirable in order to use the Front Lot; and
- (4) assign all responsibility for any necessary security including, but not limited to, video cameras and secure fencing to Olson, at its sole cost and expense.

**FUNDING:** No funding is necessary.

**"RESOLVED**, that the Board hereby authorizes a one year Lease Agreement with Olson Brothers Marine, Inc. for use of space at 901 Fuhrmann Boulevard as described above; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be, and hereby are, authorized to execute and deliver a Lease Agreement with Olson Brothers Marine, Inc. for use of space at 901 Fuhrmann Boulevard on the terms and conditions as set forth above, among others; and

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

**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 Agreement, Penn Power Systems, Inspection and Maintenance of Emergency Generator Systems, BNIA and NFIA
  
- 2. Authorization for Agreement, Resetarits Construction Corporation and DiDonato Associates, Engineering and Architecture, P.C., Construction and Construction Monitoring, ARFF Facility, 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 Perry, seconded by Commissioner Durand, 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 September 24, 2015 as set forth herein, be and hereby are accepted and approved in their entirety.”

**AYES: DEMAKOS, BAYNES, DURAND, GURNEY, HUGHES, PERRY, WILCOX**

**NOES: NONE**

**ADOPTED**

**AVIATION:**

3. D. (1) **Authorization for Agreement, Penn Power Systems, Inspection and Maintenance of Emergency Generator Systems, BNIA and NFIA**

**RECOMMENDATION:** Staff recommends that the Board authorize an agreement with Penn Power Systems, Buffalo, New York, for scheduled inspections, preventative maintenance, and emergency repair services for 13 emergency generators and 1 fire pump located at the Buffalo Niagara International Airport (BNIA) and the Niagara Falls International Airport (NFIA). The term of service is 3 years with an option to extend for 2 additional one-year periods at the sole discretion of the NFTA. The total estimated value of the contract is \$108,898, which is comprised of (i) \$53,018 in fixed preventative maintenance costs and (ii) \$55,880 in estimated non-preventative repair costs. The estimated cost components is based on the estimated number of hours of service *multiplied by* the applicable hourly wage rate (including overtime, emergency and holiday wage rates).

**INFORMATION:** Maintenance of the emergency power generator system requires the service of a contractor who possesses the expertise and equipment to work with high voltage electricity and specialized control systems.

Staff issued RFP 4511 in accordance with NFTA procurement guidelines seeking proposals for maintenance services including inspections and specific preventative maintenance tasks on an annual and semi-annual basis as applicable. Additionally, the contractor will be required to perform non-routine maintenance and repairs on an "as needed" basis. The respondents were provided with an annual estimate of 127 hours per year for non-preventative maintenance repair services.

An Evaluation Team consisting of members of the NFTA Procurement Department, BNIA Airfield Department, and BNIA Electrical Department reviewed all responses from prospective contractors. The team ranked Penn Power Systems, Buffalo, New York with the highest rating. Penn Power Systems has been the incumbent service provider since year 2011 and has performed very satisfactory service to date.

The estimated cost of services for the 5 year contract term is \$108,898 including \$22,321 in year one, \$21,107 in year two, \$21,501 in year 3, \$21,820 in year 4, and \$22,149 in year 5.

**FUNDING:** Funding is included in the BNIA and NFIA operating budgets.

**"RESOLVED,** that the Board authorizes an Agreement with Penn Power Systems for the inspection and maintenance of emergency generator systems at the Buffalo Niagara International Airport and at the Niagara Falls International Airport as described above; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute and deliver an Agreement with Penn Power Systems with the terms and conditions as set forth above and as negotiated; 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 is hereby authorized to make payments upon the terms of the Agreement upon certification by the Director, Aviation, that such payments are in order based upon receipt of all required supporting documentation.”

**RFP NO. 4511  
EMERGENCY GENERATOR INSPECTION AND MAINTENANCE**

RFP DOCUMENTS REQUIRED (Completed by Procurement)	FM GENERATOR Canton, MA	PENN POWER SYSTEMS Buffalo, NY	SIEMENS INDUSTRY, INC. Amherst, NY
Cover Letter	X	X	X
Description of Services	X	X	X
Firm, Mgmt & Staff Qualifications	X	X	X
References	X	X	X
Itemized Cost Proposal	X	X	X
M/WBE Forms	X	X	X
Non-Collusive Certification	X	X	X
Disclosure of Prior Non-Rep Determinations	X	X	X
Bidder's/Proposer's Affirmation & Certification	X	X	X
Proposal Submittal Form	X	X	X
Acknowledgment of Addenda	X	X	X
Warranty Information	X	X	X
Proof of Insurance	X	X	X
Contractor Certification Form ST-220-TD	X	X	X
<b>SELECTION CRITERIA</b> (Completed by Team)			
Technical - Compliance with Technical Specifications, Project Approach, Method Proposed, Emergency Call-in Procedures 40%	8.00	9.00	8.00
Cost 40%	9.91	10.00	7.04
Qualifications & Experience - Demonstrated Ability in the Industry, References, Past Performance, Depth of Knowledge of Key Personnel 20%	7.00	9.00	8.00
<b>TOTAL</b>	<b>8.56</b>	<b>9.40</b>	<b>7.62</b>
<b>COST</b>			
<b>PREVENTATIVE MAINTENANCE AND REPAIR COSTS</b>			
Year 1*	\$13,420.00	\$11,653.00	\$18,924.00
Year 2	\$10,025.00	\$10,185.00	\$13,533.00
Year 3	\$10,025.00	\$10,325.00	\$13,902.00
Year 4	\$10,025.00	\$10,390.00	\$14,280.00
Year 5	\$10,025.00	\$10,465.00	\$14,671.00
<b>Total</b>	<b>\$53,520.00</b>	<b>\$53,018.00</b>	<b>\$75,310.00</b>
* Year 1 includes the cost of a four (4) hour load bank test.			

**RFP NO. 4511  
EMERGENCY GENERATOR INSPECTION AND MAINTENANCE**

<b>ESTIMATED NON-PREVENTATIVE MAINTENANCE AND REPAIR COSTS</b>			
Year 1	\$11,430.00	\$10,668.00	\$15,240.00
Year 2	\$11,430.00	\$10,922.00	\$15,621.00
Year 3	\$11,430.00	\$11,176.00	\$16,129.00
Year 4	\$11,430.00	\$11,430.00	\$16,637.00
Year 5	\$11,430.00	\$11,684.00	\$17,145.00
<b>Total</b>	<b>\$57,150.00</b>	<b>\$55,880.00</b>	<b>\$80,772.00</b>
<b>GRAND TOTAL</b>	<b>\$110,670.00</b>	<b>\$108,898.00</b>	<b>\$156,082.00</b>
<b>OTHER HOURLY RATE SCHEDULE</b>			
	<b>Hourly Rate</b>	<b>Hourly Rate</b>	<b>Hourly Rate</b>
Overtime Hourly Rate	\$135.00	\$132.00	\$160 BNIA /NFIA
Emergency Hourly Rate	\$135.00	\$176.00	\$160 BNIA /NFIA
Holiday Rate	\$150.00	\$198.00	\$190 BNIA / \$160 NFIA

**AVIATION:**

3. D. (2) **Authorization for Agreement, Resetarits Construction Corporation and DiDonato Associates, Engineering and Architecture, P.C., Construction and Construction Monitoring, ARFF Facility, BNIA**

**RECOMMENDATION:** Staff recommends that the Board award the subject construction contract to Resetarits Construction Corporation for the total bid amount of \$8,969,000.00, and the construction monitoring contract to DiDonato Associates, Engineering and Architecture, P.C for a cost plus fixed fee amount not-to-exceed \$595,933.00.

**INFORMATION:** This project provides a new facility to house firefighters and equipment. The BNIA Master Plan identified the existing Air Rescue Fire Fighting Facility (ARFF) as inefficient space not meeting ARFF personnel and equipment needs. The Master Plan recommended the facility be replaced in accordance with FAA Advisory Circular 150/5210-15A, Aircraft Rescue and Firefighting Station Building Design.

**Construction:**

The new ARFF facility provides the following:

- A new 24,500 square foot building, including a high bay firefighting apparatus/fire rescue vehicle storage garage, administration offices, dormitories, kitchen/dayroom, locker/shower rooms, training room, dispatch room, conference room, and communication room.
- Gas, water, sewer, and electric service utilities, including an emergency generator.
- New concrete driveway aprons connecting the adjacent airport service road and vehicle storage garage.
- A new vehicle access road, providing a direct connection to the airport's runways and taxiways.
- New sidewalks, fencing, and landscaping
- Facility access controls.
- Construction Safety Phasing Plans (CSPP).
- Storm Water Pollution Prevention Plans (SWPPP)

The project was publicly advertised in accordance with the FAA and NFTA Procurement Guidelines. Seven (7) sets of contract documents were distributed to potential prime bidders with four (4) bidders responding as follows:

<b>Bidder</b>	<b>Total Bid Amount</b>
Resetarits Construction Corporation Buffalo, NY David W. Resetarits, President	\$8,969,000.00
LeChase Construction Rochester, NY Ronald F. Balcerzak, Vice President	\$9,400,000.00
Mark Cerrone, Inc. Niagara Falls, NY	\$10,247,000.00

Stephanie Churakos, President & Treasurer	
Picone Construction Corporation Clarence, NY Anthony J. Picone, President	\$10,972,000.00

Analysis of the bids confirm that the low bidder, Resetarits Construction Corporation, demonstrated the knowledge, understanding, and ability to successfully complete the construction work.

Resetarits Construction Corporation proposes a 32% MWBE participation, exceeding the project goal of 30% MWBE. The NFTA Affirmative Action/EEO office has been briefed on the bid results.

Construction Monitoring:

Construction monitoring scope of services include the following items:

- Full time inspection
- Material testing
- Contract document interpretation
- Project schedule review
- Maintenance of records
- Progress payment review
- Contract specified professional services
- Subcontractor/supplier review
- Progress reporting
- Commissioning
- As-built drawing preparation
- Project closeout

The construction monitoring consultant selection process was initiated by publicly soliciting qualification based Requests for Proposals (RFP) pursuant to FAA and NFTA procurement guidelines from interested consulting teams. The proposals were evaluated on scope of work, implementation plan, communication, proposed personnel, management approach, organization of project personnel, similar project past accomplishments, client relationships, and past favorable work products.

The evaluation committee consisted of the Resident Engineer, Manager of Construction, and Project Manager. The committee ranked, DiDonato Associates, Engineering and Architecture, P.C., as the highest qualified technical proposer. The following, in descending order of evaluation, are the rankings of the respondents.

DiDonato Associates, Engineering and Architecture, P.C. Buffalo, New York John DiDonato, P.E., Senior Vice President
C&S Companies Buffalo, New York Lowell Dewey, P.E., Regional Office Manager

Liro Engineers, Inc. Buffalo, New York Robert Kreuzer, Vice President
Cannon Design Grand Island, New York Gustavo Lima, Project Principal
AECOM (formerly URS Architecture & Engineering - New York, P.C.) Buffalo, New York Herbert Guenther, AIA ,Project Manager

DiDonato proposes meeting the 30% MWBE goal by assigning sub-consultant Watts Architecture and Engineering, P.C to assist with on-site inspections.

The Construction Monitoring negotiation results are as follows:

Construction Monitoring	
Engineer's Estimate	\$546,730.00
Consultant's Proposal	\$624,728.00
Negotiated Cost	\$595,933.00

**FUNDING:** FAA Regional Office approved and sent to FAA in Washington on or about September 1, 2015. The likelihood that FAA funding will be denied is remote, although eligible project costs may increase or decrease.

		Construction	Construction Monitoring
Future PFC	67.74%	\$6,075,600.60	\$403,685.01
Airport Development Fund	32.26%	\$2,893,399.40	\$192,247.99
TOTAL		\$8,969,000.00	\$595,933.00

**“RESOLVED,** that the Board hereby authorizes an Agreement with Resetarits Construction Corporation for the construction of the new ARFF facility at the Buffalo Niagara International Airport and with DiDonato Associates, Engineering and Architecture, P.C. for the construction monitoring of the project as described hereinabove; 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 Resetarits Construction Corporation for the construction of the new ARFF facility at the Buffalo Niagara International Airport and with DiDonato Associates, Engineering and Architecture, P.C. for the construction monitoring of the project as described hereinabove; 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 is hereby authorized to make payments under said Agreement 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. (12)
1. Authorization to Adopt and Submit NFTA Title VI Program
2. Authorization for College/University Transit Pass Agreement Fee Reallocation, Erie Community College, Metro
3. Authorization for Agreement, Hatch Mott MacDonald, Supplement No. 2 Design Services, Fastener & Pad Replacement Phase 8, LRRT
4. Authorization for Change Order 32, AnsaldoBreda, Inc., LRV Midlife Rebuild Project, LRRT
5. Authorization for Supplemental Agreement No. 15, CH2M Hill New York, Inc., LRV Midlife Rebuild, LRRT
6. Authorization for Procurement, Tolar Manufacturing Co., Bus Shelter Replacements and Replacement Parts, Metro
7. Authorization for Agreement, Clever Devices, Ltd., Bus Mobile Router (Gateway) Devices, Metro
8. Authorization for Support Agreement, Xerox, ORBCAD Systems, Metro
9. Authorization for Agreement, City of Buffalo, Traffic On Main Street Project – 500 Block, Metro
10. Authorization for Agreement, Schindler Elevator Corporation, Escalator Replacement – Delavan Station, LRRT
11. Authorization for Supplemental Agreement No. 1, Cambridge Systematics, Consulting Services for Regional Modeling Support, GBNRTC
12. Authorization for Agreement, Cambridge Systematics, Consulting Services for Regional Model Update, GBNRTC

**SURFACE:**

4. D. (i) **Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (12)**

The Executive Director advised that Items 4. D. (1) through 4. D. (12) 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. (12) and dated September 24, 2015 as set forth herein, be and hereby are accepted and approved in their entirety.”

**AYES: DEMAKOS, BAYNES, DURAND\*, GURNEY, HUGHES, PERRY\*, WILCOX**

**ABSTENTION: DURAND [\*Item 4. D. 2 only]  
PERRY [\*Item 4. D. 9 only]**

**NOES: NONE**

**ADOPTED**

SURFACE 4. D. (i) • PAGE -i-

**SURFACE:**

4. D. (1) **Authorization to Adopt the NFTA Title VI Program – 2015 Update and Submit the Same to the Federal Transit Administration (FTA)**

**RECOMMENDATION:** Staff recommends that the Board authorize:

(1) the adoption of the Niagara Frontier Transportation Authority (NFTA) Title VI Program – 2015 Update, which is based on a review of the analysis of the monitoring program of service standards and policies; and

(2) the submission of such updated program to the Federal Transit Administration (FTA). The Executive Summary of such updated program is attached hereto and a full copy of such updated Title VI Program has been made available to the Board for review prior to this meeting.

**INFORMATION:** As a federally-funded and regulated transit provider, through the FTA, the NFTA has a responsibility to adhere to the letter and spirit of Title VI of the Civil Rights Act of 1964 as well as the policies set forth in the Executive Order on Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations (1994).

The FTA requires that each recipient of FTA funding prepare an update to its Title VI Program, in order to evidence its compliance with the Department of Transportation's Title VI regulations, and submit such updated Title VI Program, together with the analysis of the monitoring program of service standards and policies, to its FTA regional civil rights officer once every three years or as otherwise required by the FTA. Each recipient of FTA funding is required to have its board of directors (or other applicable governing body) approve the adoption of such updated plan and authorize its submission to the FTA.

The NFTA Title VI Program – 2015 Update addresses, in detail, the NFTA's compliance with the following legal requirements imposed by Title VI of the Civil Rights Act of 1964: (i) notification to beneficiaries of protection under Title VI, (ii) procedures for investigating and tracking complaints as well as related complaint forms, (iii) documentation and recordkeeping with respect to Title VI investigations, complaints and lawsuits, (iv) promoting early and continuous inclusive public participation opportunities, (v) meaningful access to LEP individuals, (vi) minority representation on planning and advisory boards, (vii) sub-recipient assistance and oversight, (viii) determination with regard to site of location of facilities, (ix) system-wide service standards and policies, (x) collection and reporting of demographic data, (xi) monitoring programs of transit service, and (xii) evaluation of service and fare changes. The NFTA Title VI Program – 2015 Update also reflects certain statistics and maps relating to, among other things, ethnicity and household income trends, minority concentrations, passenger loads and on-time data.

Staff proposes to submit the NFTA Title VI Program – 2015 Update, in its entirety, in compliance with FTA Circular 4702.1B (October 1, 2012), promptly following the Board's authorization.

SURFACE 4. D. (1)

**FUNDING**: No funding is required.

**“RESOLVED**, that the Board hereby adopts the NFTA Title VI Program – 2015 Update described above and authorizes a copy of the full report to be submitted to the FTA.”

SURFACE 4. D. (1)

**Executive Summary**  
**of**  
**Updated Title VI Program**  
**(2015)**

The Niagara Frontier Transportation Authority (NFTA) is a regional multi-modal transportation agency responsible for air and surface transportation for Erie and Niagara Counties in Western New York. The cities of Buffalo and Niagara Falls are the urban core of the region.

NFTA is committed to ensuring that no person is excluded from participation in or denied the benefits of, or be subject to discrimination in the receipt of its services on the basis of race, color or national origin as protected by Title VI of the Civil Rights Act of 1964, as amended.

According to the 2010 Census, 1,133,509 people reside within the two-county region. The Federal Transit Administration requires that all recipients of federal transit funding submit a compliance report every three years as outlined in the Federal Transit 's October 2012 Circular 4702.1B (Title VI Requirements and Guidelines for Federal Transit Administration Recipients). Additionally, this circular contains other requirements for those transit agencies that provide service within urbanized areas with over 200,000 in population, such as the Buffalo-Niagara area. This 2015 report adheres to the prescriptive Federal processes and requirements for the development of a Title VI program.

As the following 2015 Title VI Program shows, the NFTA has a fair distribution of transit services for the various populations in its service area. NFTA serves a wide range of geographic disparity, including Census Tracts with higher populations of minorities, elderly, LEP, and low-income populations to ensure that no group be excluded from transit services. NFTA firmly believes in the goals and objectives of Title VI and has developed this Title VI program to comply with the mandates.

**SURFACE:**

4. D. (2) **Authorization for College/University Transit Pass Agreement Fee Reallocation, Erie Community College, Metro**

**RECOMMENDATION:** Staff recommends that the Board authorize an Amendment to the fee structure for the three-year College/University Pass Agreement with Erie Community College (ECC) for academic years 2015 through 2018.

**INFORMATION:** On June 25 2015, the Board approved a three-year College/University Transit Pass Agreement with Erie Community College that entitled all registered undergraduate students who are paying ECC's transportation fee unlimited access to Metro's fixed-route service for academic years 2015 through 2018. The Agreement reflected the following fee structure: Year 1 - \$47, Year 2 - \$48 and Year 3 - \$49, for a three year average of \$48.

ECC has requested a revision to the fee structure as follows: Year 1 - \$44, Year 2 - \$50 and Year 3 - \$50. The requested change in the fee structure is due to the fact that ECC's Board of Trustees already approved the tuition and fee schedule earlier this year, which included a \$44 per student transit pass fee for 2015-2016. Such rate was approved by ECC's Board of Trustees in a pro forma manner based on the per pass rate in place during the last year of the 2012-2015 agreement. The average price per student pass over the next three years will continue to be \$48, as originally agreed upon.

**FUNDING:** No funding required.

**“RESOLVED,** that the Board hereby authorizes changes to the fee structure reflected in the College/University Transit Pass Agreement with Erie Community College 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 and deliver the College/University Transit Pass Agreement with Erie Community College with the revised fee structure described above; and

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

**SURFACE:**

4. D. (3) **Authorization for Agreement, Hatch Mott MacDonald, Supplement No. 2 Design Services, Fastener & Pad Replacement (Phase 8), LRRT**

**RECOMMENDATION:** Staff recommends that the Board award the subject design services contract, Supplement No. 2, to the term consultant Hatch Mott MacDonald for the lump sum amount of \$71,794. The total cost of design services for this project, Supplement No. 1 together with Supplement No. 2, is \$146,959.

**INFORMATION:** This project is a continuation of the previous outbound Track 2 rail and rail fasteners replacement work (Phase 7). Track 2 fasteners and rail useful life has been reduced due to corrosion from substances, such as salt, picked up by railcars on the mall and dropped in the tunnel. This project concentrates on the Business Center prioritized area, beginning south of Humboldt Hospital Station and continuing beyond Humboldt Hospital crossover entry switch and turnout.

Supplement No. 1 scope of design services provided for the survey and inspection of the existing rail, pad and fastener condition, floating concrete pad integrity, and crossover switch condition. Also included were construction phasing alternatives and order of magnitude project construction costs. As a result of the survey and inspection, major project items were identified. The following are the estimated quantities for this project:

- 992 direct fixation fastener and pad assemblies
- 520 feet of rail
- 49 floating concrete pad replacements
- 45 floating concrete pad refurbishments
- Stray current testing

Supplement No. 2 includes the finalization of the scope of work and provides for the development of construction bid documents, drawings, and specifications for the major product items identified above. The design services also includes the re-design of the floating concrete pad configuration and the reinforcing steel within the pad. In order to minimize single tracking requirements, the project construction is scheduled to be continuous 24/7.

The results of negotiation are as follows:

Initial Proposal	\$82,889.00
Engineers Estimate	\$76,186.00
Negotiated Amount	\$71,794.00

Frandina Engineering and Land Surveying, P.C. proposed to provide staffing that is expected to satisfy a 16% MWBE participation rate.

**FUNDING:** Funding is provided through the Metro Replacement Fund.

**“RESOLVED**, that the Board hereby authorizes an Agreement with Hatch Mott MacDonald for the Supplemental No. 2 Design Services as described above; and

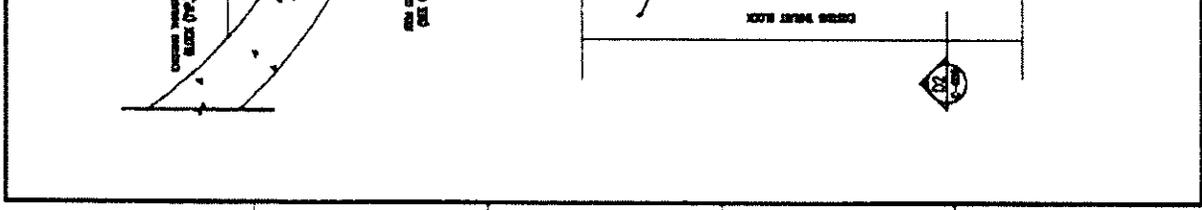
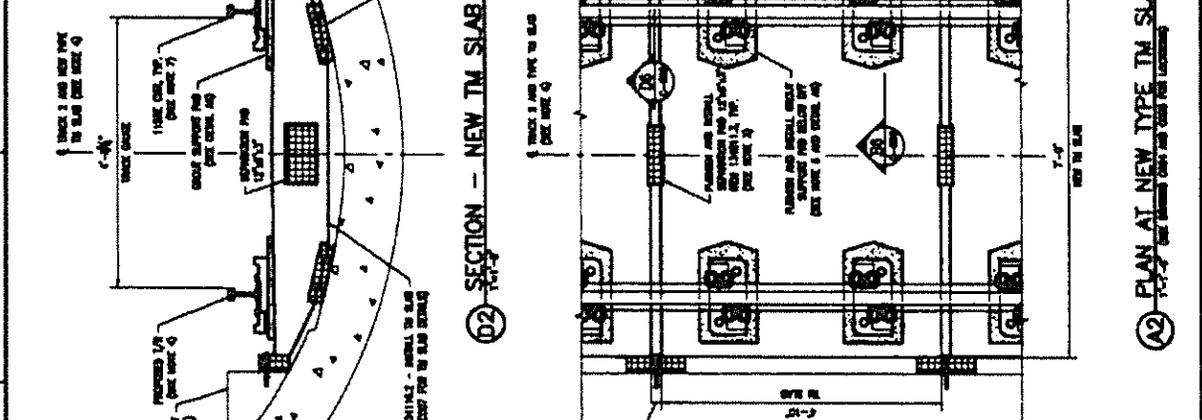
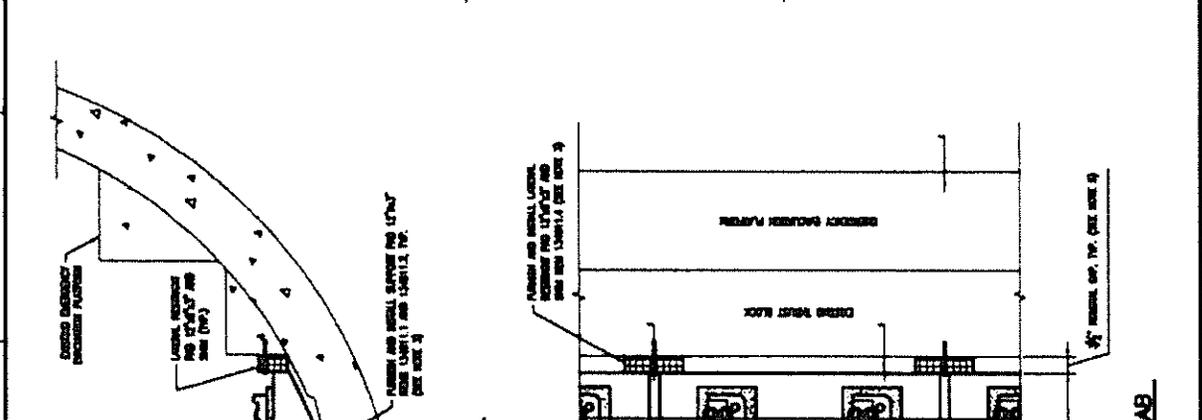
**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be, and hereby are, authorized to execute and deliver an Agreement with Hatch Mott MacDonald for the Supplemental No. 2 Design Services on the terms set forth above, among others; and

**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

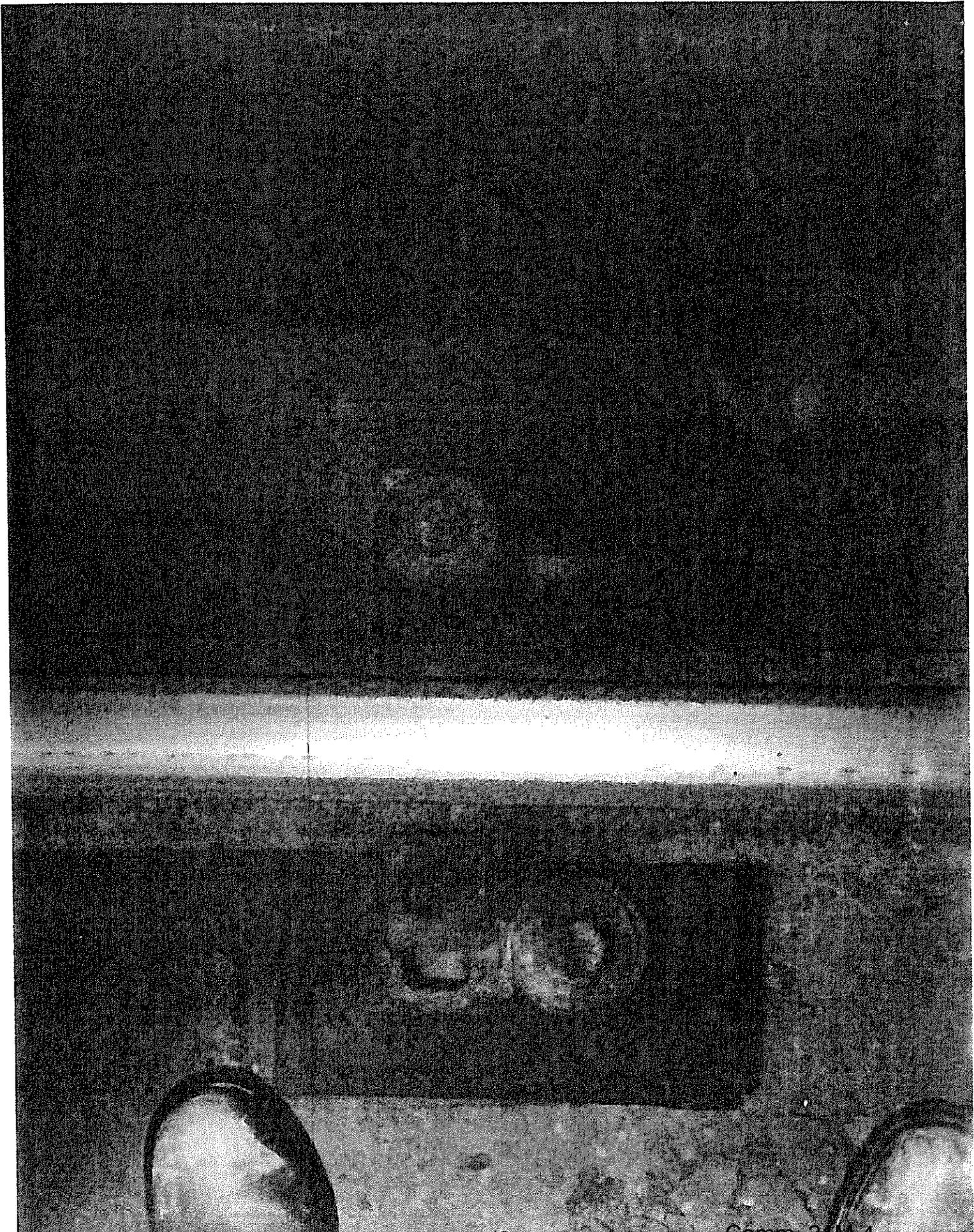
**BE IT FURTHER RESOLVED**, that the Chief Financial Officer, be and he is hereby authorized to make payments under said Agreement upon certification by the Director, Engineering, that such payments are in order based upon receipt of all required supporting documentation.”

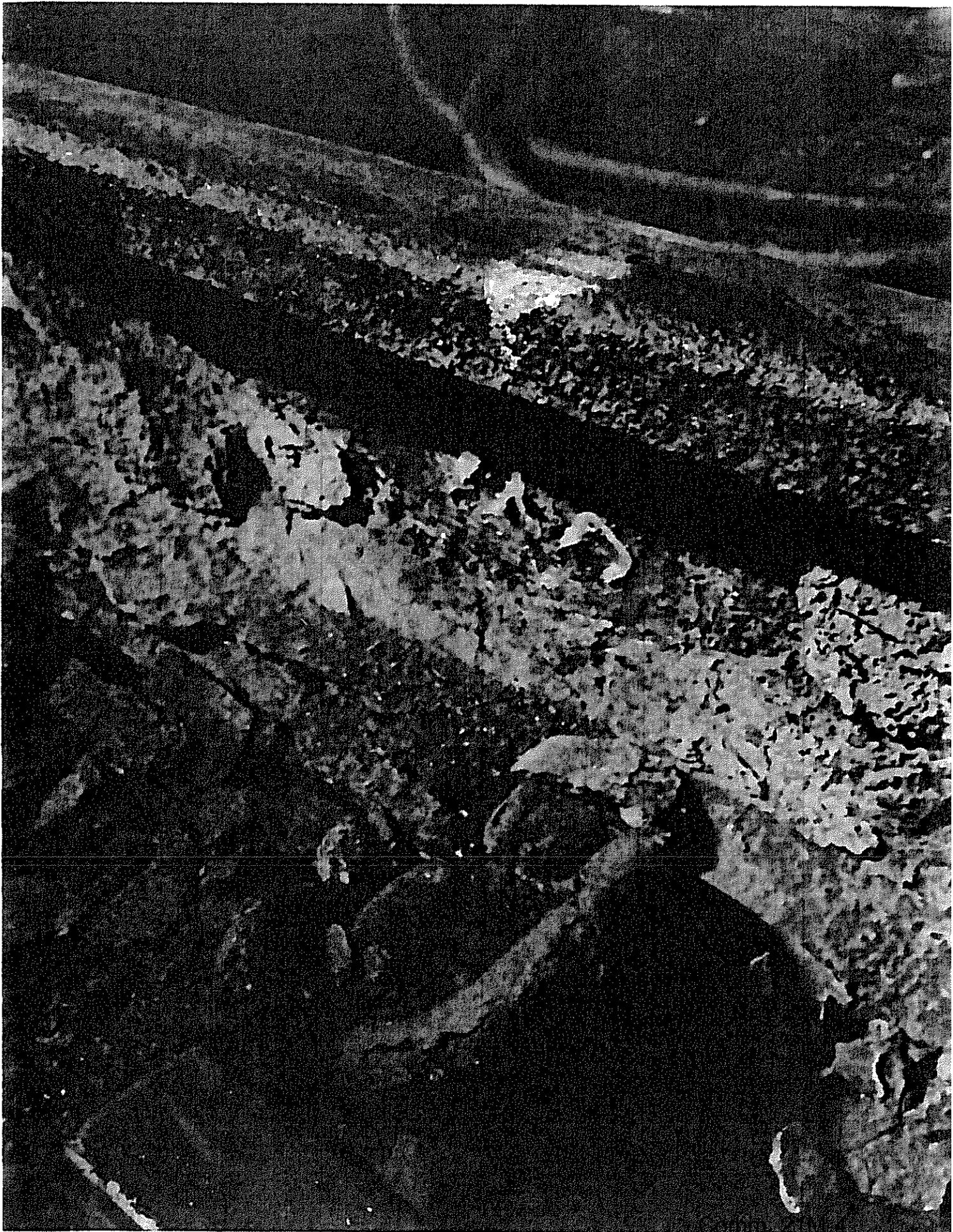
**NOTES:**

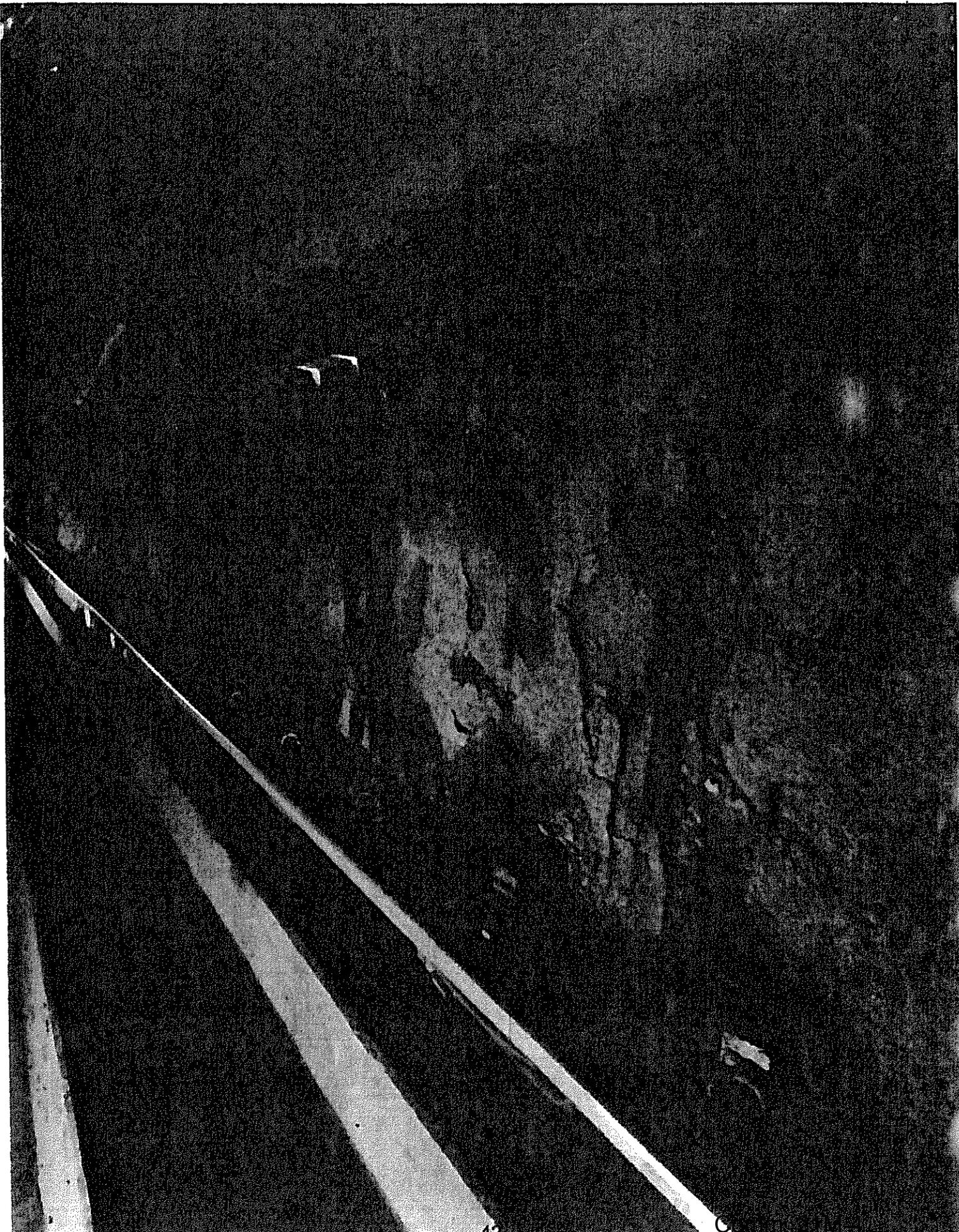
1. SEE GENERAL NOTE OF NEW TM SLAB AND THREAT BLOCK VIEWS GENERALLY FROM 3.3" TO 4.0" FROM EXISTING TO NEW LATERAL RESTRAINT AND THE THREAT BLOCK. SEE SPECIFICATIONS FOR APPLICABLE REQUIREMENTS.
2. SURFACE OF NEW GROUT SUPPORT PAD TO BE LEVEL. CHECK PRO DIMENSIONS AND VERIFY IT TO 3" TO ADJUST EXISTING PROFILE.
3. SPACING, LAYOUT, NUMBER AND SPACING FROM THE SUBGRADE PAD AS SPECIFIED IN SECTION 1.3.1.1.
4. INSTALL TYPE III SLAB AND GFR TO EXISTING EXISTING TRACK 3 ALIGNMENT AND PROFILE. SEE SPECIFICATIONS OF EXISTING GFR.
5. USE NEW TYPE III FIELD REINFORCEMENT IS REQUIRED. ADJUST UP TO THE CONDITIONS AND THE INSTALLATION REQUIREMENTS.
6. INCLUDE GROUT FOR GROUT SUPPORT PAD WITH NEW 3#11SLAB.
7. SEE DIMENSION ONLY FOR SCHEDULE OF RAIL REINFORCEMENT AND SLAB.

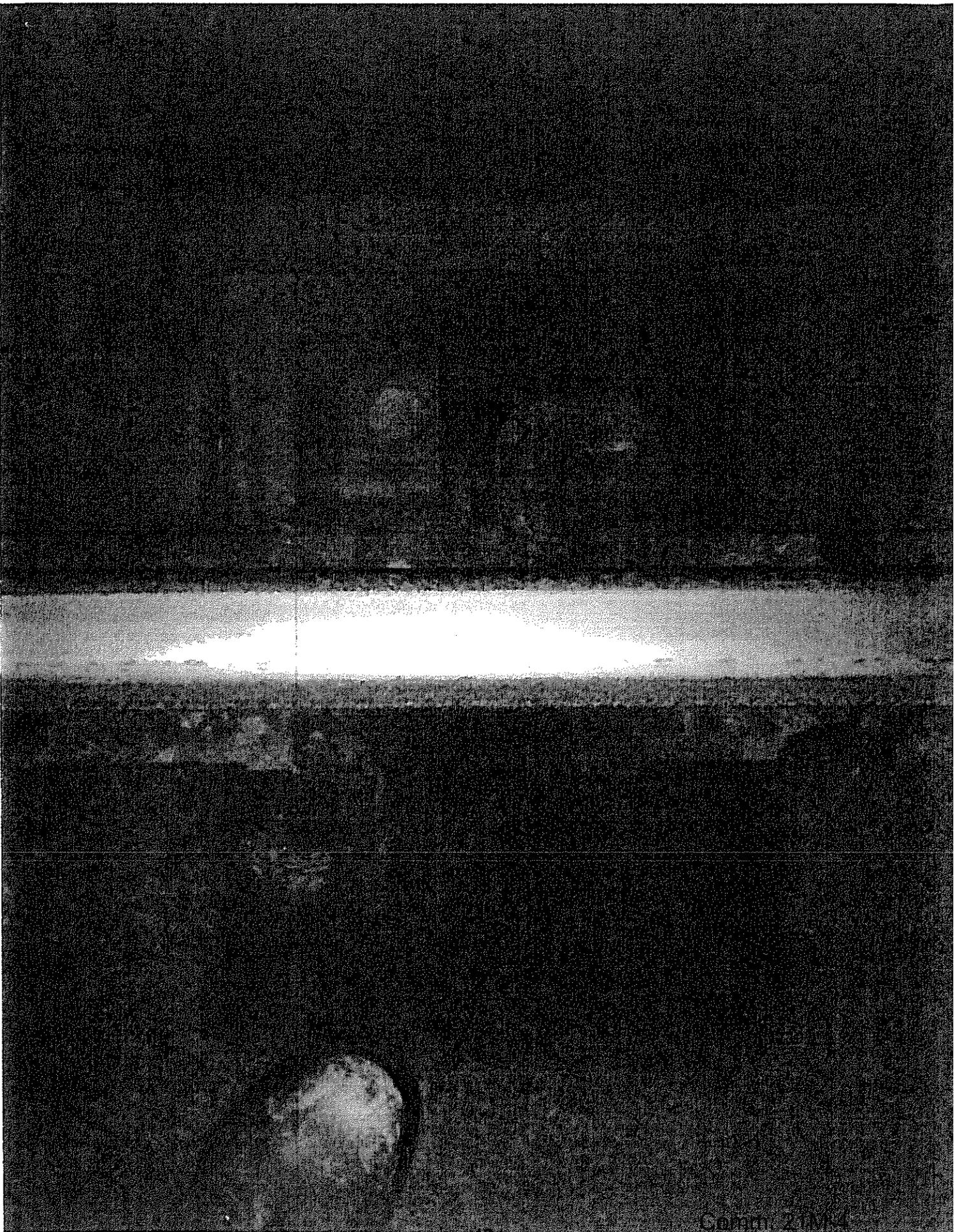


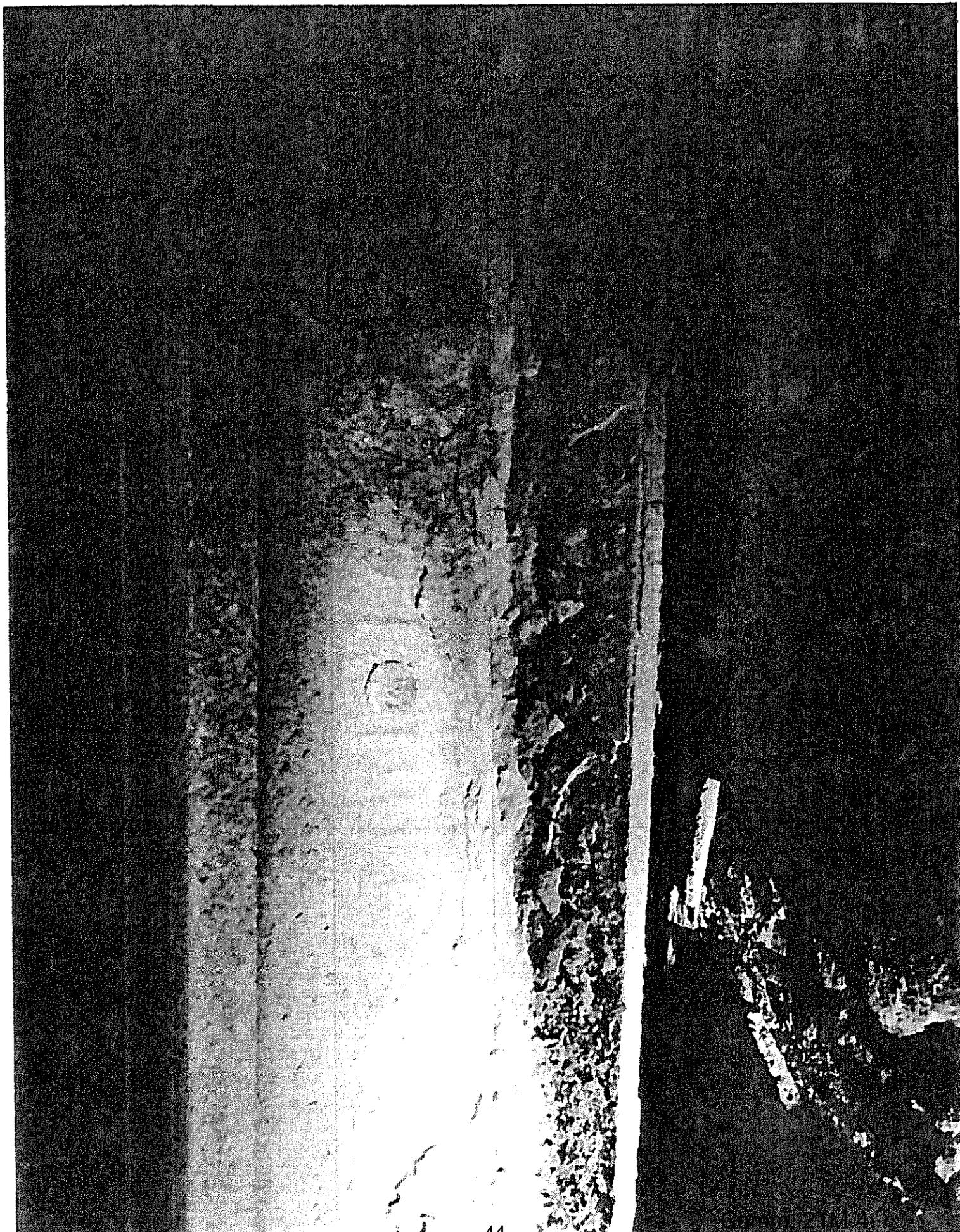












**SURFACE:**

4. D. (4) **Authorization for Change Order No. 32, AnsaldoBreda, Inc., LRV Midlife Rebuild Project, LRRT**

**RECOMMENDATION:** Staff recommends that the Board approve Change Order No. 32 in the not-to-exceed amount of \$2,991,415.56 to the subject contract. This will result in an amended contract value of \$36,202,845.03.

**INFORMATION:** Change Order No. 32 consists of one Proposed Change Order (PCO) as described below:

**PCO #66 Paint Abatement related costs and Contract time extension**

In late March 2015, during the light rail vehicle rebuilding process, it was discovered that the paint on the original Light Rail Vehicles (LRV) contained lead. All production activities on the cars that had paint containing lead were halted by ABI, while the rebuilding process of newly painted LRVs continued at a slower pace.

This Change Order provides for the clean-up of dust containing lead which was released during the paint removal/grinding operation which is located in the LRV manufacturing area, the investigation and development of a paint abatement plan, the abatement of paint containing lead on the remaining 14 LRVs to the extent necessary to safely progress the rebuild process, as well as all necessary safeguards, and all personnel and environmental monitoring and testing required to ensure the proper abatement of the paint consistent with all applicable Federal, state, local regulations and industry standards. The cost of the entire paint abatement effort is in the not-to-exceed amount of \$2,991,415.56 which includes an allowance budget of \$286,139.30 that can only be expended with prior NFTA approval. ABI will also be granted a 381 calendar day contract time extension due to the abatement effort.

**FUNDING:** The total amount of Change Order No. 32 is in the not-to-exceed amount of 2,991,415.56. Cost associated with Change Order No. 32 are contained in the following:

Consolidated Funding Application (CFA)	\$780,000.00
88C/Metro Reserve	\$2,211,415.56

**“RESOLVED,** that the Board hereby authorizes Change Order No. 32 to the existing Agreement with AnsaldoBreda, Inc. for paint abatement related costs as described above and for a cost not-to-exceed \$2,991,415.56; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute Change Order No. 32 to the existing Agreement with AnsaldoBreda, Inc. as described above; and

SURFACE 4. D. (4)

**BE IT FURTHER RESOLVED**, that said Change Order No. 32 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 is hereby authorized to make payments under said Supplement No. 1 upon certification by the Director, Engineering, that such payments are in order.”

SURFACE 4. D. (4)

**SURFACE:**

4. D. (5) **Authorization for Supplemental Agreement No. 15, CH2M Hill New York, Inc., LRV Midlife Rebuild Project, LRRT**

**RECOMMENDATION:** Staff recommends that the Board authorize Supplemental Agreement No. 15 as a \$1,039,919.30 increase to CH2M Hill New York, Inc.'s contract for Construction Monitoring Services associated with the LRV Midlife Rebuild Project, resulting in a revised not to exceed contract total of \$6,791,220.83.

**INFORMATION:** The requested additional Construction Monitoring Services are a result of the following:

- The Contractor, Ansaldobreda, Inc. (A.B.I.) is 13 months behind the current contract completion date of December 31, 2015, due to non-paint abatement related delays.
- The unanticipated presence of paint containing lead on the original LRVs and the associated required abatement will add an additional 13 months to the current contract schedule.

**FUNDING:** Consistent with previously approved CO #27, ABI is required to fund the following additional Construction Monitoring cost due to non-paint abatement related delays as follows:

October 1, 2015 – December 31, 2015:	\$130,900.35
January 1, 2016 – January 31, 2017:	\$456,832.56

The NFTA will utilize 88C funds for the additional 13 month schedule delay (February 1, 2017, through March 31, 2018) associated with the required paint abatement: \$452,186.39

**“RESOLVED**, that the Board hereby authorizes Supplemental Agreement No. 15 to the existing Agreement with CH2M Hill 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 Supplemental Agreement No. 15 to the existing Agreement with CH2M Hill as described above; and

**BE IT FURTHER RESOLVED**, that said Supplemental Agreement No. 15 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 is hereby authorized to make payments under said Supplemental Agreement No. 15 upon certification by the Director, Engineering, that such payments are in order.”

SURFACE 4. D. (5)

**SURFACE:**

**4. D. (6) Authorization for Procurement, Tolar Manufacturing Co., Bus Shelter Replacements and Replacement Parts, Metro**

**RECOMMENDATION:** Staff recommends that the Board authorize the procurement of prefabricated bus shelter replacements and replacement parts from Tolar Manufacturing Co., Inc., of Corona, California, for a term of three years commencing October 1, 2015, with two one-year renewal options,. The estimated replacement cost during the three-year term will range from \$252,000 to \$504,000 depending on the actual number of bus shelters replaced, which is estimated to be 10 to 20 shelters per year.

**INFORMATION:** Surface Transportation operations provide bus shelters to protect patrons from the weather elements while waiting for bus service. Staff anticipates that it will add or replace 10 to 20 shelters per year depending on the availability of federal grant funds each year.

RFP No. 4463 was advertised in accordance with NFTA procurement guidelines. There were two respondents with cost proposals within the competitive range. An evaluation team consisting of the Assistant Procurement Manager, Deputy Director of Public Transit, Manager of Facilities & Property, and Sr. Bus Shelter Technician evaluated the proposals. Each respondent presented an initial proposal, value engineering options, and a best and final offer. The RFP provides flexibility to procure an undefined quantity of shelters or enhancements during each year of the term. Replacements will occur on an as-needed basis as determined by the appropriate Metro personnel.

**FUNDING:** Funding is provided 80% FTA, 10% NYSDOT, and 10% NFTA.

**“RESOLVED,** that the Board hereby authorizes the procurement of prefabricated bus shelter replacements and replacement parts from Tolar Manufacturing Co. as described above; and

**BE IT FURTHER RESOLVED,** that the Manager, Procurement, be, and hereby is, authorized to issue Purchase Orders to Tolar Manufacturing Co. for the procurement of prefabricated bus shelter replacements and replacement parts to be used as described hereinabove; and

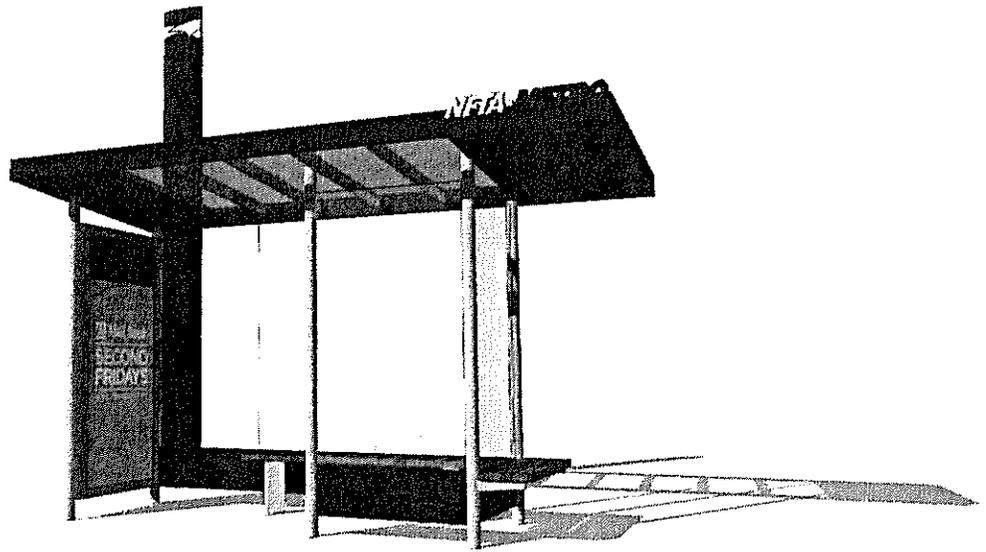
**BE IT FURTHER RESOLVED,** that said Purchase Orders shall include such additional terms, conditions and safeguards to the Authority as deemed appropriate by the General Counsel; and

**BE IT FURTHER RESOLVED,** that the Chief Financial Officer, be and he is hereby authorized to make payments under said Purchase Order upon certification by the Director, Public Transit, that such payments are in order based upon receipt of all required supporting documentation.”

**RFP NO. 4463**  
**PRE-FABRICATED BUS SHELTER EVALUATION FORM**

RFP DOCUMENTS REQUIRED (Completed by Procurement)	BRASCO INTERNATIONAL INC. Madison Heights, MI	LNI CUSTOM MANUFACTURING Hawthorne, CA	TOLAR MANUFACTURING COMPANY, INC.** Corona, CA
Cover Letter	X	X	X
Description of Services	X	X	X
Firm, Mgmt & Staff Qualifications	X	X	X
References	X	X	X
Itemized Cost Proposal	X	X	X
Disclosure of Prior Non-Rep Determinations	X	X	X
Bidder's/Proposer's Affirmation & Certification	X	X	X
Non-Collusive Certification	X	X	X
Certificate Regarding Lobbying	X	X	X
Buy America Certificate	X	X	X
Contact Information	X	X	X
Contractor Certification Form ST-220-TD (if over \$100,000)	X	X	X
Acknowledgment of Addenda	X	X	X
Technical Submittals	X	X	X
Proof of Proven On-Time Track Records	X	X	X
Warranty	X	X	X
<b>SELECTION CRITERIA</b> (Completed by Team)	Rate on a score of 1 - 10 with 10 being the highest		
Compliance with Technical Specification, Project Approach, Methods, Design 50%	8	5.00	9.00
Cost 30%	8.18	2.58	10.00
Qualifications & Experience - Demonstrated Ability in the Industry, References, Past Performance, Depth of knowledge of key personnel in critical areas, proven track record of on-time deliveries, warranty 20%	6	7.00	7.00
<b>TOTAL</b>	<b>7.66</b>	<b>4.67</b>	<b>8.90</b>
<b>ESTIMATED COST</b>	<b>BRASCO INTERNATIONAL INC.</b> Madison Heights, MI	<b>LNI CUSTOM MANUFACTURING</b> Hawthorne, CA	<b>TOLAR MANUFACTURING</b> COMPANY, INC. Corona, CA
YEAR 1*	\$243,770.00	\$781,211.72	\$213,580.00
YEAR 2	\$236,600.00	\$751,978.40	\$196,025.00
YEAR 3	\$241,420.00	\$751,978.40	\$196,025.00
YEAR 4	\$246,230.00	\$790,827.42	\$196,025.00
YEAR 5	\$251,065.00	\$790,827.42	\$196,025.00
<b>GRAND TOTAL</b>	<b>\$1,219,085.00</b>	<b>\$3,866,823.36</b>	<b>\$997,680.00</b>

**NOTES:**  
\* The first year includes a one-time expense to purchase a prototype of the Advertising Bus Shelter.  
\*\* Tolar's pricing assumes a min. order of 7 units at a time, excluding replacement parts.



**SURFACE:**

**4. D. (7) Authorization for Agreement, Clever Devices, Ltd., Bus Mobile Router (Gateways) Devices, Metro**

**RECOMMENDATION:** Staff recommends that the Board:

- (1) award the subject contract for the purchase of mobile routers to Clever Devices Ltd. for a do-not-exceed amount equal to \$847,386.13; and
- (2) authorize Niagara Frontier Transit Metro System, Inc. (Metro) to borrow a principal amount equal to \$664,000.000 from the Niagara International Transportation Technology Coalition (NITTEC) on the terms set forth below, which amount will be used to pay a portion of the cost of the mobile routers to be purchased from Clever Devices Ltd.

**INFORMATION:** The purpose of this project is to equip a minimum of 325 Metro buses with a mobile router (gateway) to support cellular phone service, and 802.11n Wi-Fi communications. At the NFTA's sole option, an additional 75 mobile router (gateway) devices can be purchased to bring the total quantity to 400 devices. The routers will be installed by NFTA personnel.

The mobile router is necessary for the Fare Collection System, customer Wi-Fi, bus garage Wi-Fi, and other future on-board bus systems such as Computer-Aided Dispatch/Automatic Vehicle Locator (CAD/AVL), vehicle diagnostic system, automatic passenger counter, video surveillance system, and radio communication.

**Mobile Routers:** The bus mobile routers will be configured to operate over a secure virtual private network. This network will have sufficient bandwidth to provide real-time information for the systems listed above. Buses providing onboard customer Wi-Fi will be configured to operate over another secure virtual private network that will be separate from the bus operation network. The NFTA will be installing the mobile router (gateway) devices.

Requests for proposals were publicly advertised on December 15, 2014 pursuant to FTA and NFTA procurement guidelines. On February 10, 2015, the NFTA received proposals from five companies.

The mobile router evaluation committee, consisting of Sr. Project Manager, IT Manager, Finance Manager, and Equipment Engineer, evaluated proposals based on experience, cost, and technical criteria. The committee ranked the respondents in the following descending order of selection:

- Clever Devices Ltd.
- Xerox Transport Solutions, Inc.
- Island Tech Services, LLC
- Corporate Computer Solutions, Inc.
- Single Point Communications

Based on the evaluations of the proposals, the evaluation committee determined that the proposals of Corporate Computer Solutions, Inc. and Single Point Communications fell outside of the competitive range. Clever Devices Ltd., Xerox Transport Solutions, Inc. and Island Tech

Services, LLC were invited to present their proposal to the evaluation committee and submit a Best and Final Offer (BAFO).

Based on the RFP criteria and the BAFO, the committee ranked these respondents in the following descending order:

- Clever Devices Ltd.
- Xerox Transport Solutions, Inc.
- Island Tech Services, LLC

The negotiated cost for the highest ranked proposer is shown below:

	Initial Proposal	BAFO Proposal
Engineer's Estimate	\$939,000.00	\$939,000.00
Clever Devices Ltd.	\$964,637.25	\$847,386.13

The BAFO proposal from Clever Devices is valid until December 31, 2015, and the pricing shall remain in effect for a period of 180 days from the execution and delivery of the contract. Delivery of the routers is anticipated to be six (6) weeks following the date the purchase order is issued to Clever Devices Ltd.

The NFTA Affirmative Action/EEO office has been briefed on the proposal results and concurs with Staff's recommendation for Board approval.

NITTEC Term Loan: Metro's loan application was approved by the NITTEC Board of Directors on or about August 4, 2015 and will be subject to the following terms:

Principal	\$664,000.00
Term	4 years
Maturity Date	December 2019
Interest Rate	1.6% per annum, no compounding
Repayment	4 equal annual installments of principal and interest

Disbursement of the loan proceeds will be made from NITTEC's Revolving Loan Fund and will be contingent upon the execution and delivery of a loan agreement (NITTEC Loan Agreement) that reflects the foregoing terms.

**FUNDING:** This project will be funded 78.3% from the NITTEC revolving loan fund and 21.7% by NFTA funds. Account codes for this project will be established promptly following the Board's approval.

**Clever Devices Ltd. Purchase Agreement**

**“RESOLVED**, that the Board hereby authorizes an Agreement with Clever Devices, Ltd. for the purchase mobile router (gateway) devices as described above; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be, and hereby are, authorized to execute and deliver the Clever Devices, Ltd. on the terms set forth above, among others; 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 hereby is, authorized to make payments under said Agreement upon certification by the Director, Engineering, that such payments are in order based upon receipt of all required supporting documentation.”

**NITTEC Loan Agreement**

**“RESOLVED**, that the Board hereby authorizes Metro to borrow a principal amount equal to \$664,000.00 from NITTEC on the terms set forth above; and

**BE IT FURTHER RESOLVED**, that the Executive Director, her designee and/or the Chairman, be, and hereby are, authorized to execute and deliver the NITTEC loan agreement on the terms set forth above and such additional terms, conditions and safeguards to the Authority, if any, as deemed appropriate by the General Counsel; and

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer, be, and he hereby is, authorized to make payments under said NITTEC Loan Agreement in accordance therewith.”



**nittec**  
Travel Smart

Niagara International Transportation Technology Coalition    www.nittec.org  
83 Oak Street Buffalo NY 14203    TEL 716.847.2450    FAX 716.847.2803

August 4, 2015

Thomas George, Director Public Transit  
181 Ellicott Street  
Buffalo, NY 14203

Dear Mr. George:

The NFTA's application for a NITTEC Revolving Loan Funding for procurement and installation of 400 mobile routers for Metro Bus Fleet was approved by the NITTEC Board of Directors on August 4, 2015. Based on the application filed, the NFTA has been authorized to borrow \$664,000.00 for a term of 48 months with annual repayments at a rate of 1.60%.

The release of funds under this program is contingent upon completion and approval of the complete and fully executed Loan Agreement.

Your continued participation in the Coalition and advancement of our collective mission is appreciated.

Sincerely,

Athena M. Hutchins, P.E.  
Executive Director

Buffalo & Fort Erie Public Bridge Authority  
City of Buffalo  
City of Niagara Falls, New York  
City of Niagara Falls, Ontario  
Erie County

Ministry of Transportation Ontario  
New York State Department of Transportation  
New York State Thruway Authority  
Niagara County  
Niagara Falls Bridge Commission

Niagara Frontier Transportation Authority  
Niagara Region  
The Niagara Parks Commission  
Town of Fort Erie

**SURFACE:**

4. D. (8) **Authorization for Support Agreement, Xerox, ORBCAD Systems, Metro**

**RECOMMENDATION:** Staff recommends that the Board authorize an ORBCAD Support Agreement with Xerox of Columbia, MD in the amount of \$520,290.00 for the period of October 1, 2015 through August 31<sup>st</sup>, 2020.

**INFORMATION:** NFT Metro currently uses the ORBCAD system to monitor, control and operate Metro Bus and Metrolink service including voice, data and location communication for our bus fleet. In an effort to maintain an efficiently operating system, an agreement is necessary for Xerox to support this system.

This system was competitively procured in 2009 and utilizes proprietary software thus making this a validated single source procurement.

The term of this agreement will be three years with the option of two one year extensions to be exercised at the discretion of the NFTA.

**FUNDING:** Funding is provided through Metro's operating budget; account 4000145800368.

**"RESOLVED,** that the Board hereby authorizes a Support Agreement with Xerox for the ORBCAD systems used by Metro Bus and Metrolink 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 and deliver a Support Agreement with Xerox for the total amount of \$520,290.00 as described above; and

**BE IT FURTHER RESOLVED,** that said Support 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 is hereby authorized to make payments under said Agreement upon certification by the Director, Public Transit that such payments are in order based upon receipt of all required supporting documentation."

**SURFACE:**

**4. D. (9) Authorization for Agreement, City of Buffalo, Traffic on Main Street Project – 500 Block, Metro**

**RECOMMENDATION:** Staff recommends that the Board authorize an Agreement between Metro and the City of Buffalo to allow opening of the 500 Block of Main Street to vehicular traffic on Metro's transit easement.

**INFORMATION:** NFTA Metro has been working with the City of Buffalo (COB) on the design and construction of Main Street improvements on the 500 block, which is nearing completion. These improvements are similar to those previously completed on the 600 Block of Main Street, which include provisions for the sharing of the trackbed with vehicular traffic and light rail vehicles. Provisions for maintaining rail schedules and safe operations has been integrated into the project systems, components and configurations in accordance with Metro's requirements.

Opening of the 500 Block of Main Street to comingling vehicular traffic is addressed through a comprehensive safety analysis by completing a System Modification Process in conformance with the New York State Public Safety Transportation Board (PTSB) and the Federal Transit Administration (FTA). Final testing verification for safety assurance of the modified train control system to ensure safe operations prior to cars sharing the right of way is included in the process. Based on the results of the safety analysis, NFTA Metro confirmed Standard Operating Procedures, Operations Orders and Rulebook developed to operate on the 600 Block of Main Street are consistent with introducing vehicles to this section of Main Street.

NFTA Metro has previously completed training of rail operators, supervisors, controllers and management to allow comingled operation of rail vehicles and motor vehicles on Main Street. In addition, the City has agreed to include the following previously developed provisions for the 500 Block in the agreement with the NFTA for the 600 Block of Main Street as well:

- Indemnification by the City running to Metro and the NFTA for accidents involving automobile or bicycle traffic;
- Recognition that Metro's operations have priority over all other traffic on Main Street and provisions to ensure that any unreasonable delay of rail service is abated. For example, the City has agreed that in the event at any time that Metro's rail service is delayed by five minutes or more, Metro reserves the right to temporarily close the 500 and/or 600 Block of Main Street to traffic and/or prohibit left hand turns from Main Street and/or right hand turns from cross streets until the delay has been abated, or take such other action as, in Metro's discretion, is necessary to ensure priority for Metro's Light Rail vehicles;
- Maintain the permanent Safety, Operations and Maintenance Committee with representation from the City, NFTA and Buffalo Police, which will meet periodically to review and address any safety, traffic flow and LRRT scheduling issues in addition to any other operational/maintenance issues;
- Promulgation and enactment of a City ordinance to regulate motor vehicle traffic on the 500 Block (including the establishment of a speed limit of no more than 15 miles per hour, and

SURFACE 4. D. (9)

height and weight restrictions), and requiring that any towing operators the City uses on Main Street will receive training from Metro regarding operations near the catenary poles and wires;

- Acknowledgment that traffic signals will continue to provide Metro's rail vehicles with preemptive passage along Main Street;
- Acknowledgment that Metro shall have the right to remove any vehicle that is impeding Metro's service or presenting a safety issue with regard to the operation of rail service;
- Designation of operation and maintenance responsibilities for highway gates, wayside signals and cross street traffic signals;
- Acknowledgment of Metro's right and ability to close either/both the 500 and 600 Blocks of Main Street for scheduled maintenance, emergency maintenance and emergency services;
- Delineation of responsibilities regarding disabled vehicles and removal of ice and snow;
- Prohibition of automobile/bicycle traffic on either/both the 500 and 600 Blocks in the event of future single tracking;
- Delineation of operation and maintenance responsibilities for infrastructure and the removal of litter/trash; and
- Delineation of responsibilities for capital maintenance and associated expenses;

**FUNDING:** No funding is required.

**"RESOLVED,** that the Board hereby authorizes an Agreement with the City of Buffalo to allow the opening of the 500 Block of Main Street to vehicular traffic on Metro's transit easement as described hereinabove."

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be, and hereby are, authorized to execute and deliver an Agreement with the City of Buffalo 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. (10) **Authorization for Agreement, Schindler Elevator Corporation, Escalator Replacement – Delavan Station, LRRT**

**RECOMMENDATION:** Staff recommends that the Board authorize an Agreement with Schindler Elevator Corporation for the replacement of Escalator No. 3 and No. 4 at the LRRT Delavan Station for the lump sum amount of \$3,030,519.00.

**INFORMATION:** The scope of work for this contract is to replace the above escalators with a new design. The existing escalators will be removed to the support trusses. The trusses will be re-used to support the new escalator. The new escalators will consist of all mechanical components, controllers, and wiring. The NFTA will retain any useable parts from the removed escalators for spare parts for the remaining escalators of the same design.

In addition, the contract provides, at the sole option of the NFTA and as funds are available, to annually replace two escalators per year for four additional years for a total of ten escalators over a five year period.

Requests for proposals were publically advertised on April 27, 2015 pursuant to NFTA procurement guidelines. On June 11, 2015, proposals from two companies were received.

The escalator replacement RFP committee; consisting of Sr. Project Manager, Construction Manager, Finance Manager, Rail General Manager, Manager Rail Facilities and Power Department Supervisor; evaluated proposals based on the equipment operating experience, cost, and technical criteria. The committee evaluated and ranked each respondents' initial proposal in the following descending order of selection:

- Schindler Elevator Corporation
- Kone Elevator and Escalators, Inc.

Based on the evaluations of the proposals, the committee determined that both Schindler Elevator Corporation and Kone Elevator and Escalators, Inc. fell within the competitive range. Both companies were invited to present their proposal to the committee and submit a Best and Final Offer (BAFO).

Upon final evaluation of the BAFO, the committee ranked the respondents in the following descending order of selection:

- Schindler Elevator Corporation
- Kone Elevator and Escalators, Inc.

The results of the proposal process are shown below:

	Initial Proposal	BAFO Proposal
Engineer's Estimate	\$3,5620,380.00	\$3,560,380.00
Schindler Elevator Corporation	\$3,402,656.00	\$3,030,519.00

The NFTA Affirmative Action/EEO office has been briefed on the proposal results. Due to the specialized nature of the work and the legal requirement for certified workers, a waiver from the MWBE participation will be requested.

**FUNDING:** Funding source for this project is found in pending account No. 12-0000000-3188-2-9376 and is as follows:

88C, 100% \$3,030,519.00

**“RESOLVED,** that the Board hereby authorizes an Agreement with Schindler Elevator Corporation, for the replacement of Escalator No. 3 and No. 4 at the LRRT Delavan Station as described above and for a cost of \$3,030,519.00; 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 Schindler Elevator Corporation for the total amount of \$3,030,519.00; 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 is hereby authorized to make payments under said Agreement upon certification by the Director, Engineering, that such payments are in order.”

**SURFACE:**

4. D. (11) **Authorization for Supplemental Agreement No. 1, Cambridge Systematics, Consulting Services for Regional Modeling Support, GBNRTC**

**RECOMMENDATION:** Staff recommends that the Board authorize Supplement No. 1 to the existing Agreement with Cambridge Systematics, Inc, in an amount not-to-exceed \$96,275.00.

**INFORMATION:** The Greater Buffalo-Niagara Regional Transportation Council is the designated Metropolitan Planning Organization (MPO) and is responsible for conducting a coordinated multimodal transportation planning process in the Buffalo-Niagara region. A substantial number of studies and work initiatives are included in the work program for the GBNRTC and member agencies. Ability to respond to these study needs is dependent on effective deployment of GBNRTC modeling tools. Recognizing demographic changes to the region in recent years GBNRTC will perform a more in depth update of the regional demographics for use in the regional model effort as well as development of the metropolitan transportation plan and other transportation studies. GBNRTC does not have staff capabilities in this area and will utilize the technical resources reflected in this planning support contract to accomplish the work. Estimated costs to complete this effort exceed the existing contract value of \$125,000.00. This supplement will increase the contract's total value by \$96,275.00 and authorize completion of the following scope of work:

Task 1: Demographic and Economic Data Collection

Task 2: Developing Demographic/Land-Use Tool

Task 3: Base Year and Tool Validation

Task 4: Demographic and Economic Analysis and Projections (2015, 2030, 2040, and 2050)

**PROCUREMENT:** The existing contract was publicly advertised in accordance with NFTA Procurement Guidelines and included a scope of work that reflects support in these programmatic areas.

**FUNDING:** Funding for this effort has been made available to GBNRTC from USDOT metropolitan transportation planning funds. As host agency, GBNRTC contracts are administered by NFTA. No costs to NFTA are incurred.

**“RESOLVED,** that the Board hereby authorizes Supplement No. 1 to the existing Agreement with Cambridge Systematics, Inc. for consulting services as described above and for a cost not-to-exceed \$96,275.00; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute and deliver Supplement No. 1 to the existing Agreement with Cambridge Systematics, Inc. as described above; and

SURFACE 4. D. (11)

**BE IT FURTHER RESOLVED**, that said Supplement 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 he is hereby authorized to make payments under said Supplement No. 1 upon certification by the Director, Public Transit, that such payments are in order based upon receipt of all required supporting documentation.”

**SURFACE:**

4. D. (12) **Authorization for Agreement, Cambridge Systematics, Consulting Services for Regional Model Update, GBNRTC**

**RECOMMENDATION:** Staff recommends that the Board authorize an Agreement for consulting services with Cambridge Systematics, Inc. in an amount not-to-exceed \$314,255.00.

**INFORMATION:** The Greater Buffalo-Niagara Regional Transportation Council is the designated Metropolitan Planning Organization (MPO) and is responsible for conducting a coordinated multimodal transportation planning process in the Buffalo-Niagara region. A substantial number of studies and work initiatives are included in the work program for the GBNRTC and member agencies. These include studies of regionwide, corridor, and more localized impacts to the region's transportation system. Ability to respond to these study needs is dependant on effective deployment of GBNRTC modeling tools such as the regional TransCAD travel model, operational simulation capabilities. An update to the Regional Travel Model at this time will incorporate new data and significantly update the Transit and the Truck table components.

**PROCUREMENT:** The contract was publicly advertised in accordance with NFTA Procurement Guidelines. Two firms submitted proposals that were reviewed and determined to be acceptable, per the terms of the RFP. Proposals were reviewed by representatives of GBNRTC, the Niagara Frontier Transportation Authority, and the New York State Department of Transportation. This review was based on criteria that included: qualifications, technical criteria, and cost. The results of the proposal review are shown below:

<b><u>FIRM</u></b>	<b><u>PROPOSAL REVIEW TOTAL</u></b>
Cambridge Systematics (Cambridge, Massachusetts)	94
RSG Inc. (White River Junction, Vermont)	86

**FUNDING:** Funding for this effort has been made available to GBNRTC from USDOT metropolitan transportation planning funds. As host agency, GBNRTC contracts are administered by NFTA. No costs to NFTA are incurred.

**“RESOLVED,** that the Board hereby authorizes an Agreement with Cambridge Systematics, Inc. for consulting services as described above and for a cost not-to-exceed \$314,255.00; and

**BE IT FURTHER RESOLVED,** that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute and deliver an Agreement with Cambridge Systematics, Inc. 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 is hereby authorized to make payments under said Agreement upon certification by the Director, Public Transit, that such payments are in order based upon receipt of all required supporting documentation.”

## 7.0 Cost Proposal

This cost proposal represents our best estimate for the conduct of the Regional Model Upgrade. A total cost of \$314,255 is proposed to complete the work plan described in the technical proposal.

Our proposed budget includes ample time for advisory staff, as well as significant time allocated to the project management team. Our cost estimate demonstrates that John Lewis, the project manager will be actively involved in technical work throughout the course of the project. A strong team of travel modelers also is allocated to support project work, with each identified to help with tasks where specific skills will be most useful. The cost proposal summary is shown in Table 7.1.

**Table 7.1 Cost Proposal Summary**

<b>Task</b>	<b>Hours</b>	<b>Total Cost</b>
1 - Refine Model TAZs and Transportation Network	128	\$25,552
2 - Incorporate Land Use and Socioeconomic Data	120	\$23,038
3 - Utilize ATRI GPS Data to Update Truck Model	208	\$37,947
4 - Utilize TRANSEARCH Data to Update Truck Model	260	\$52,983
5 - Update External Auto Trip Models	124	\$22,701
6 - Re-Calibrate Work Trip Destination Choice Models	244	\$40,869
5 - Update Mode Choice/Transit Assignment Components	452	\$71,299
5 - Model System Validation	200	\$39,866
<b>Total</b>	<b>1,736</b>	<b>\$314,255</b>

Please note that our cost proposal is flexible, and that we are willing to work with NFTA and GBNRTC to adjust the proposed cost and scope of services to best fit the needs of the study. A detailed cost estimate sheet is shown in Table 7.2.



6. General Counsel Report

The General Counsel advised the Board that the trial in the matter of Likos v. NFTA is currently underway. The General Counsel advised that Jury Selection was last Thursday with the trial going on this week and into next week. The General Counsel advised that a verdict is anticipated the week after next.

7. Executive Session

Secretary Demakos advised that the Board had an Executive Session immediately following the Aviation Committee Meeting earlier today regarding a property issue. Secretary Demakos advised that there was no action taken as a result of the discussions in Executive Session.

8. Adjournment

At approximately 1:20 p.m., the Secretary Demakos indicated that there was no further business coming before the Board, whereupon it was moved by Commissioner Wilcox, 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: DEMAKOS, BAYNES, DURAND, GURNEY, HUGHES,  
PERRY, WILCOX**

**NOES: NONE**