



Niagara Frontier Transportation Authority
Serving the Niagara Region

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September 30, 2016

Ms. Karen McCarthy
Clerk
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: NFTA Board Minutes

Dear Ms. McCarthy:

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 August 25, 2016.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa Flynn", is written over a printed name.

Lisa Flynn
Assistant to David J. State
General Counsel

Enclosure

**NIAGARA FRONTIER TRANSPORTATION AUTHORITY
 NIAGARA FRONTIER TRANSIT METRO SYSTEM, INC.
 REGULAR BOARD MEETING
 AUGUST 25, 2016 12:30 PM
 MINUTES**

1. REGULAR BOARD MEETING - August 25, 2016 - AGENDA	
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1. **CALL TO ORDER**

A. **Meeting Called to Order**

The Chair called the meeting to order at approximately 12:36 p.m.

B. **Approval of Minutes of the NFTA Regular Board Meeting held on July 28, 2016**

It was moved by Commissioner Hughes, seconded by Commissioner Demakos, that the Minutes of the July 28, 2016 Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc., be accepted and approved.

AYES: ROCHE, DEMAKOS, GURNEY, AUL, HUGHES, PERRY

NOES: NONE

C. Executive Director Report

Executive Director Kimberley Minkel announced there will be a Public Hearing on the proposed new fare box system on August 31st at Niagara Falls City Hall and September 1st at the Erie County Buffalo Library. She stated there would be one on one scheduled discussions at 5:00 pm both days and presentations starting at 6:00 pm. She acknowledged the retirement of Terry Reinke, Manager, System Safety and Security. He helped secure over \$12 million in grant funds under the TSGP program and was integral in the NFTA being awarded the Gold Standard for safety and security on our system. She also advised the Board that the NFTA was once again participating in the United Way Day of Caring.

The Executive Director updated the Board on Lamar and advised them that the Superlative Group based in Cleveland Ohio was brought in to conduct a valuation study to identify other marketing and advertising opportunities within Metro. She stated the results of that study would be brought to the Board in the near future.

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

JULY 2016 NFTA/METRO PERFORMANCE
(\$000's)

	BUDGET	ACTUAL	VARIANCE
NET SURPLUS/(DEFICIT)	893	984	90
Revenues and Operating Assistance			(186)
Expenses			336
Non-Operating/Capital			(60)
			90
OPER REVENUES & ASST	17,799	17,613	(186)
Metro Passenger Fares - prior month adjustment and Buffalo Schools returned passes			(303)
BNIA Concessions/Commissions - increased auto rental revenue			73
All Other			44
			(186)
TOTAL OPER EXPENSES	15,344	15,008	(336)
Metro Transit Fuel/Power - lower diesel and gasoline costs			(93)
Utilities			
Metro - lower electric billings			(92)
Property Development - lower electric and gas billings at 485 Cayuga and Terminal A building			(13)
All Other			4
			(100)
Insurance & Injuries			
Metro - lower claim loss reserve appropriations			(39)
All Other			1
			(38)
General Business/Other			
BNIA - decreased parking management costs, sewer charges and advertising expenses			(41)
Central Admin - lower professional service costs and rent expense			(28)
All Other			(9)
			(77)
All Other			(28)
			(336)
NON-OPERATING/CAPITAL	(1,561)	(1,621)	(60)
Capital			
Metro			(17)
All Other			(10)
			(27)
Non-Operating			
BNIA Net Bond Debt Service			(52)
BNIA Operating Expense Reserve			19
			(33)
			(60)

NFTA/METRO
KEY ITEM REPORT
JULY 2016

(\$000 Omitted)

<u>MONTH ACTUAL TO BUDGET</u>	<u>Jul 2016</u> <u>Budget</u>	<u>Jul 2016</u> <u>Actual</u>	<u>Variance</u>	<u>%</u>
Operating Revenues	8,472	8,255	(217)	-2.6%
Operating Assistance	9,328	9,359	31	0.3%
Total Oper. Revenues & Assistance	17,799	17,613	(186)	-1.0%
Personnel Services	11,690	11,664	(26)	-0.2%
Maintenance & Repairs	1,467	1,445	(23)	-1.5%
Transit Fuel/Power	453	360	(93)	-20.4%
Utilities	494	394	(100)	-20.3%
Insurance & Injuries	332	294	(38)	-11.4%
Safety & Security	1,034	1,044	10	1.0%
General Business/Other	2,051	1,974	(77)	-3.8%
Other	(2,177)	(2,166)	11	0.5%
Total Operating Expenses	15,344	15,008	(336)	-2.2%
Operating Income/(Loss)	2,455	2,605	150	6.1%
Non-Operating/Capital	(1,561)	(1,621)	(60)	-3.8%
Net Surplus/(Deficit)	893	984	90	10.1%

NFTA/METRO YEAR TO DATE JULY 2016 PERFORMANCE
(\$000's)

	BUDGET	ACTUAL	VARIANCE
NET SURPLUS/(DEFICIT)	6,155	6,304	149
Revenues and Operating Assistance			(639)
Expenses			1,097
Non-Operating/Capital			(308)
			<u>149</u>
OPER REVENUES & ASST	72,765	72,126	(639)
Metro Passenger Fares			(502)
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses			(87)
BNIA Concessions/Commissions - decreased parking lot/ramp and ground transportation revenue, partially offset by higher auto rental revenue			(380)
NFIA Concessions/Commissions - decreased parking lot revenue			(132)
Erie County Sales Tax			(129)
Mortgage Tax			444
Federal - PM - reprogramming of federal funds			131
All Other			17
			<u>(639)</u>
TOTAL OPERATING EXPENSES	60,694	59,598	(1,097)
Personnel Services			
BNIA - higher than anticipated vacancies and decreased overtime			(153)
Central Admin - vacancies in Executive, Human Resources and Finance & Admin, and lower police overtime			(152)
All Other			32
			<u>(272)</u>
Maintenance & Repairs			
Metro - lower revenue vehicle maintenance costs, environmental costs and various rail maintenance expenses			(329)
Transportation Centers - increased materials/supplies expense and facility maintenance costs			94
BNIA - decreased automotive, janitorial and environmental expenses			(111)
All Other			17
			<u>(329)</u>
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(222)
Utilities			
Metro - lower electric and gas billings			(154)
BNIA - lower electric and gas billings, partially offset by higher water billings			(162)
Property Development - lower electric and gas billings at 247 Cayuga, 485 Cayuga and Terminal A properties			(53)
All Other			(14)
			<u>(383)</u>
All Other			109
			<u>(1,097)</u>
NON-OPERATING/CAPITAL	(5,916)	(6,224)	(308)
Capital			
Metro			(313)
Central Admin			(14)
All Other			(12)
			<u>(339)</u>
Non-Operating			
BNIA Net Bond Debt Service			(92)
BNIA Operating Expense Reserve			73
Property Development - Gain on Sale/Other			48
All Other			2
			<u>31</u>
			<u>(308)</u>

NFTA/METRO
KEY ITEM REPORT
JULY YTD 2016

(\$000 Omitted)

<u>YTD ACTUAL TO BUDGET</u>	<u>Jul 2016 YTD Budget</u>	<u>Jul 2016 YTD Actual</u>	<u>Variance</u>	<u>%</u>
Operating Revenues	35,977	34,933	(1,045)	-2.9%
Operating Assistance	36,788	37,193	405	1.1%
Total Oper. Revenues & Assistance	72,765	72,126	(639)	-0.9%
Personnel Services	46,414	46,142	(272)	-0.6%
Maintenance & Repairs	6,146	5,816	(329)	-5.4%
Transit Fuel/Power	1,690	1,468	(222)	-13.1%
Utilities	1,752	1,369	(383)	-21.8%
Insurance & Injuries	1,261	1,286	25	2.0%
Safety & Security	4,102	4,138	36	0.9%
General Business/Other	7,997	8,001	4	0.1%
Other	(8,666)	(8,623)	44	0.5%
Total Operating Expenses	60,694	59,598	(1,097)	-1.8%
Operating Income/(Loss)	12,071	12,528	457	3.8%
Non-Operating/Capital	(5,916)	(6,224)	(308)	-5.2%
Net Surplus/(Deficit)	6,155	6,304	149	2.4%

NFTA/METRO
BUSINESS CENTERS
NET SURPLUS/(DEFICIT)
JULY YTD 2016

(\$000 Omitted)

	<u>Jul 2016 YTD Budget</u>	<u>Jul 2016 YTD Actual</u>	<u>Variance</u>	<u>%</u>
NFTA				
BNIA	2,947	2,878	(69)	-2.4%
NFIA	90	(56)	(145)	-162.3%
Transportation Centers	(332)	(438)	(105)	-31.8%
Property Development	101	264	164	162.9%
NFTA Total	2,805	2,649	(156)	-5.6%
Metro	3,350	3,655	306	9.1%
NFTA/Metro	6,155	6,304	149	2.4%

JULY NFTA/METRO PERFORMANCE
FYE 2017 vs. FYE 2016
(\$000's)

	Jul 2015 Actual	Jul 2016 Actual	VARIANCE
NET SURPLUS/(DEFICIT)	1,450	984	(466)
Revenues and Operating Assistance			(233)
Expenses			7
Non-Operating/Capital			(240)
			(466)
OPER REVENUES & ASST	17,847	17,613	(233)
Metro Passenger Fares			(422)
BNIA Airport Fees & Services - higher compensatory billings based on increased expenses, ARFF building debt service costs, and increased terminal ramp fees			107
BNIA Concessions/Commissions - increased parking lot/ramp and auto rental revenues			158
State - MTOAF			(51)
State - DMTTF			375
State - Additional General Fund			(108)
State - Capital Spending			(324)
All Other			32
			(233)
TOTAL OPERATING EXPENSES	15,015	15,008	(7)
Metro Transit Fuel/Power - lower diesel costs			(201)
Utilities			
Metro - higher electric and gas billings		5	
BNIA - higher electric and water billings		35	
All Other		11	51
General Business/Other			
Metro - higher support labor costs and timing of software maintenance agreement in FYE17		138	
BNIA - higher parking management costs, partially offset by lower training expenses		18	
NFIA - lower parking management costs		(29)	
All Other		15	141
All Other			2
			(7)
NON-OPERATING/CAPITAL	(1,382)	(1,621)	(240)
Capital			
Property Development		181	
All Other		7	188
Non-Operating			
BNIA - Debt Service Entitlement Applied		(162)	
BNIA - Capital Funding Reallocation		(186)	
All Other		(80)	(428)
			(240)

NFTA/METRO
KEY ITEM REPORT
FYE 2017 vs. FYE 2016
JULY

(\$000 Omitted)

<u>MONTH PRIOR YEAR COMPARISON</u>	Jul 2015	Jul 2016	Variance	%
	<u>Actual</u>	<u>Actual</u>		
Operating Revenues	8,314	8,255	(59)	-0.7%
Operating Assistance	9,533	9,359	(174)	-1.8%
Total Oper. Revenues & Assistance	17,847	17,613	(233)	-1.3%
Personnel Services	11,634	11,664	30	0.3%
Maintenance & Repairs	1,420	1,445	25	1.7%
Transit Fuel/Power	561	360	(201)	-35.8%
Utilities	343	394	51	14.9%
Insurance & Injuries	309	294	(15)	-5.0%
Safety & Security	934	1,044	110	11.8%
General Business/Other	1,832	1,974	141	7.7%
Other	(2,018)	(2,166)	(147)	-7.3%
Total Operating Expenses	15,015	15,008	(7)	0.0%
Operating Income/(Loss)	2,832	2,605	(227)	-8.0%
Non-Operating/Capital	(1,382)	(1,621)	(240)	-17.3%
Net Surplus/(Deficit)	1,450	984	(466)	-32.1%

NFTA/METRO YEAR TO DATE JULY PERFORMANCE
 FYE 2017 vs. FYE 2016
 (\$000's)

	Jul 2015 YTD Actual	Jul 2016 YTD Actual	VARIANCE
NET SURPLUS/(DEFICIT)	8,143	6,304	(1,838)
Revenues and Operating Assistance			(393)
Expenses			(207)
Non-Operating/Capital			(1,238)
			<u>(1,838)</u>
OPER REVENUES & ASST	72,519	72,126	(393)
Metro Passenger Fares			(601)
BNIA Airport Fees & Services - higher compensatory billings based on increased expenses, ARFF building debt service costs, and increased terminal ramp fees			361
BNIA Rental Income - increased compensatory airline billings due to higher expenses			145
BNIA Concessions/Commissions - decreased parking lot/ramp, ground transportation and other miscellaneous concession revenues, partially offset by higher auto rental revenue			(195)
Mortgage Tax			381
State - MTOAF			(204)
State - DMTTF			1,498
State - Additional General Fund			(432)
State - Capital Spending			(1,294)
All Other			(52)
			<u>(393)</u>
TOTAL OPERATING EXPENSES	59,391	59,598	207
Personnel Services			
Metro - decreased overtime, partially offset by higher health insurance and workers' compensation costs			(216)
BNIA - reallocation of Bus Shelter and Facilities Maintenance labor to Engineering, partially offset by higher health insurance, workers' compensation and pension costs			(519)
Central Admin - reallocation of Bus Shelter and Facilities Maintenance labor from BNIA, increased Metro support labor and higher health insurance, workers' compensation and pension costs			1,326
All Other			4
			<u>594</u>
Metro Transit Fuel/Power - lower diesel and gasoline costs			(798)
General Business/Other			
Metro - higher support labor costs, outside service expenses and timing of software maintenance agreements in FYE17			466
All Other			8
			<u>474</u>
All Other			(64)
			<u>207</u>
NON-OPERATING/CAPITAL	(4,985)	(6,224)	(1,238)
Capital			
Metro			(139)
BNIA			132
NFIA			63
Property Development			219
All Other			(24)
			<u>251</u>
Non-Operating			
BNIA Net Bond Debt Service			(29)
BNIA - Debt Service Entitlement Applied			(648)
BNIA - Capital Funding Reallocation			(743)
All Other			(69)
			<u>(1,489)</u>

NFTA/METRO
KEY ITEM REPORT
FYE 2017 vs. FYE 2016
JULY YTD

(\$000 Omitted)

	Jul 2015	Jul 2016		
	Prior	Current		
<u>YTD PRIOR YEAR COMPARISON</u>	<u>YTD Actual</u>	<u>YTD Actual</u>	<u>Variance</u>	<u>%</u>
Operating Revenues	35,140	34,933	(207)	-0.6%
Operating Assistance	37,379	37,193	(186)	-0.5%
Total Oper. Revenues & Assistance	72,519	72,126	(393)	-0.5%
Personnel Services	45,547	46,142	594	1.3%
Maintenance & Repairs	5,681	5,816	135	2.4%
Transit Fuel/Power	2,266	1,468	(798)	-35.2%
Utilities	1,401	1,369	(32)	-2.3%
Insurance & Injuries	1,210	1,286	76	6.3%
Safety & Security	3,938	4,138	201	5.1%
General Business/Other	7,527	8,001	474	6.3%
Other	(8,180)	(8,623)	(443)	-5.4%
Total Operating Expenses	59,391	59,598	207	0.3%
Operating Income/(Loss)	13,128	12,528	(600)	-4.6%
Non-Operating/Capital	(4,985)	(6,224)	(1,238)	-24.8%
Net Surplus/(Deficit)	8,143	6,304	(1,838)	-22.6%

Corporate Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. C. (1) through 2. C. (4)
1. Authorization for Maintenance Agreement, Ventyx USA, Inc., Software Support Services, NFTA
2. Authorization for Agreement, ECC Technologies, Inc., Telecommunication Network Help Desk and Consulting Services, NFTA
3. Authorization for Lease Amendment, 2D Imaging, Inc., 247 Cayuga Road
4. Authorization for Lease Agreement, Ivergent, Inc., 247 Cayuga Road

CORPORATE:

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

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

Whereupon, it was moved by Commissioner Gurney, seconded by Commissioner Hughes, 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. (4) and dated August 25, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ROCHE, DEMAKOS, GURNEY, AUL, HUGHES, PERRY

NOES: NONE

ADOPTED

CORPORATE:

2. C. (1) 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 \$118,905.65. 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. Ventyx USA is the sole source for this proprietary software. 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 17 operating budget.

“RESOLVED, that the Board hereby authorizes the Maintenance Agreement with Ventyx USA, Inc., in the amount of \$118,905.65 as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be and are hereby authorized to execute and deliver the Maintenance Agreement with Ventyx USA, Inc., for the total amount of \$118,905.65 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. (2) Authorization for Agreement, ECC Technologies, Inc.;
Telecommunication Network Help Desk and Consulting Services,
NFTA**

RECOMMENDATION: Staff recommends that the Board authorize an Agreement with ECC Technologies Inc, for the provision of Telecommunication Network Help Desk and Consulting Services for both voice and data, for the period of October 1, 2016 – September 30, 2019, with the option to renew for four additional one-year terms. The annual cost for Help Desk Services for the first three years of the agreement is \$88,000 with an escalator of 2% for each option year. Other Consulting Services will be provided at an average hourly rate of \$138.45.

INFORMATION: Requests for Proposals were solicited in accordance with NFTA Procurement Guidelines. Three responsive proposals were received and evaluated by the selection team consisting of the Procurement Manager, IT Business Relationship Manager, Metro Equipment Engineer, Communications/Fare Collection Supervisor, and Chief, Fire Emergency Services. See attached evaluation sheet.

ECC was selected over the others based on their compliance with requirements, their wide range of expertise, excellent service they have provided in the past, and the cost savings they have achieved for the NFTA. ECC has reduced our overall telecommunications cost by 25% despite the fact that 34 new accounts and twice the number of services have been added.

ECC has been in business for over twenty (20) years. ECC's principals have 30 plus years of experience in the telecommunications and networking fields. Examples of ECC's clients include Erie and Monroe Counties, SUNY at Buffalo, R.I.T., Cornell University, Syracuse University, MOOG, Inc., City of Rochester, Mount Sinai Hospital, and the NYS Police Network. ECC holds NYS OGS Project Based IT Services Contract No. 105AA.

ECC Technologies will continue to act as our single point of contact for telecommunication services and continue to provide Telephone Administration Services including:

- Quarterly Telecommunications Steering Committee Meetings with Updated Budget Reports
- Quarterly review of all services for cost savings
- Moves, Adds & Changes Management
- Tracking and Verification of Telecom Charges
- Reconciling Telecom Billing Errors

ECC will staff a Telecom Help Desk for all NFTA related telecom service and support requests. The telecom help desk will log and track all telecom service and support requests including:

- Telephone equipment request (Phone, Cell phone, Fax, Modem or Pager)
- Telephone service requests (telephone line, cellular, pager)
- Telecom Circuit Requests (PTP T1, OPX, 2/4-wire data circuits)
- Internet service request
- Obtain appropriate NFTA management authorization(s) for service & support requests
- Alert appropriate telecom vendors, service providers and/or NFTA staff of the logged & authorized request
- Track authorized request for timely completion and resolution
- Document Telecom database for service moves, adds and changes
- Verify Billings from Service & Support Vendors
- Track, Verify and Reconcile Monthly Telecom Statements

This service will be provided at an annual cost of \$88,000 for the first 3 years. The subsequent option years will be subject to a rate adjustment of 2%.

Other services such as:

- Project planning, management and consulting services
- Cabling and wireless infrastructure
- Fiber optic technologies
- Microwave Communications
- Network services
- Telephone and Communications Systems
- Information systems services
- Video and sound systems
- Security systems

may be provided, as needed, at the an average rate of \$138.45 per hour.

FUNDING: Funding for this service has been included the NFTA operating budget.

“RESOLVED, that the Board hereby authorizes an Agreement with ECC Technologies, Inc. for Telecommunication Network Help Desk and Consulting Services for both voice and data as described herein above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair be and hereby are authorized to enter into an Agreement with ECC Technologies, Inc. for Telecommunication Network Help Desk and Consulting Services for both voice and data as described herein above; and

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

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to make payments under said Agreement and Purchase Orders, upon certification by the Chief Financial Officer or his designee, that such payments are in order.”

CORPORATE:

2. C. (3) **Authorization for Lease Amendment, 2D Imaging, Inc., 247 Cayuga Road**

RECOMMENDATION: Staff recommends that the Board authorize a Lease Amendment with 2D Imaging Inc. (Mark Roth, President) for additional leased space at 247 Cayuga Road, Cheektowaga.

INFORMATION: 2D Imaging has been a tenant at 247 Cayuga Road since 2008. Its current lease term expires on April 30, 2018. 2D Imaging has requested 284 square feet of storage space adjacent to the space it currently leases for the period commencing on September 1, 2016 and expiring on February 28, 2017. The rental rate for this storage space will be \$5 per square foot or \$710 for the six-month term. All other terms and conditions of the existing Lease Agreement will remain the same.

FUNDING: No funding is necessary.

“RESOLVED, that the Board hereby authorizes a Lease Amendment with 2D Imaging, Inc. for use of additional space at 247 Cayuga Road, as described hereinabove; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be, and each hereby is, authorized to execute and deliver said Lease Amendment with 2D Imaging, Inc., as set forth above and as negotiated; 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. (4) Authorization for Lease Agreement, Ivergent, Inc., 247 Cayuga Road

RECOMMENDATION: Staff recommends that the Board authorize a lease agreement with Ivergent, Inc. (James Ward, President) for office space at 247 Cayuga Road.

INFORMATION: Ivergent, Inc. is a telecommunications support company whose current lease at 247 Cayuga Road expires on August 31, 2016. They would like to continue to lease 491 square feet of Class B- office space. The one-year lease would commence on September 1, 2016 and expire on August 31, 2017 with Ivergent having the option to renew for three (3) additional one-year periods through August 31, 2020. The rental rate will be \$11.67 per square foot per year, or \$5,729.97 per year subject to a 3% annual escalator.

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 Chair, 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; 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. (5)
 - 1. Acquisition of Real Property, 66 Cayuga Road, Town of Cheektowaga, BNIA
 - 2. Adoption of Goal for Participation of Disadvantaged Business Enterprises, NFTA
 - 3. Authorization for Agreements, Lakestone Development, Inc. and Zoladz Construction Co., Inc., Snow Plowing and Removal Services
 - 4. Authorization for Procurement, Fortbrand Services, Inc., Glycol Recovery Vehicle, BNIA
 - 5. Authorization for Amendment to Extend Lease Agreement, United States Government, BNIA

AVIATION:

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

The Executive Director advised that Items 3. D. (1) through 3. D. (5) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

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

“RESOLVED, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 3. D. (1) through 3. D. (5) and dated August 25, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ROCHE, DEMAKOS, GURNEY, AUL, BAYNES, HUGHES, PERRY

NOES: NONE

ADOPTED

AVIATION:

3. D. (1) Acquisition of Real Property, 66 Cayuga Road, Town of Cheektowaga, BNIA

RECOMMENDATION: Staff recommends that the Board authorize (i) the purchase of property located at 66 Cayuga Road in the Town of Cheektowaga (the "Property") for a purchase price of \$220,000, which is equal to the appraised value of the Property and (ii) the execution and delivery of a purchase agreement.

INFORMATION: The Property is owned by James E. Boy. The NFTA identified that the Property is located within the Runway Protection Zone (RPZ) at the 5 end of RW 5/23 at the Buffalo Niagara International Airport (BNIA). The Property also falls within the 70 DNL noise contour and is therefore considered a nonconforming land use under FAA standards. The structure situated on the Property was originally constructed for residential use, but has since been converted to office space for Mr. Boy's architectural firm. The Property was not acquired as part of the BNIA noise program because commercial properties are not eligible to participate in federal noise programs. The Property was recently seized by the IRS for unpaid taxes and is no longer occupied by Mr. Boy's architectural firm. The IRS has not taken legal title to the Property and advised the NFTA to deal directly with Mr. Boy.

The NFTA as a condition of receiving Federal grants for BNIA improvement projects provides grant assurances regarding the use, operation and maintenance of BNIA. These grant assurances require the NFTA to take appropriate action to protect instrument and visual operations, take appropriate action to clear and remove airport hazards, prevent the establishment and creation of future airport hazards and ensure compatible land use. The FAA encourages airport operators to acquire property within the RPZ and 70 DNL. The NFTA consulted with the FAA regarding the proposed acquisition of the Property, and the FAA has expressed support for the proposed acquisition at the above-stated purchase price and confirmed that the proposed acquisition of the Property is eligible to receive grant funding. The NFTA will demolish the structure located on the Property following its acquisition. Acquisition of the Property and demolition of the structure will enable the NFTA to eliminate obstructions, prevent future hazards through uncontrolled development, ensure compatible land use and thereby ensure public and property safety.

The NFTA does not possess zoning powers and as such has no authority to restrict or control development around BNIA. Any new development of the Property may result in future hazards / obstructions and serve to increase the market value of the Property. The acquisition of the Property will allow the NFTA to comply with its federal grant assurances and remove the RPZ hazards and obstructions at the 5 end of RW 5/23, eliminate non-conforming land uses and control the development of the Property.

FUNDING: Airport Development Fund to be reimbursed by FAA Grant, which the NFTA anticipates applying for after October 1, 2016 and receiving related grant funds, if any, on or about September 30, 2017.

“RESOLVED, that the Board hereby authorizes the purchase of the Property located at 66 Cayuga Road in the Town of Cheektowaga, which is located within the Runway Protection Zone at the Buffalo Niagara International Airport for the reasons and at the purchase price set forth above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be and hereby are authorized to execute and deliver all agreements and other documents necessary to effectuate the purchase of the Property described above; and

BE IT FURTHER RESOLVED, that all such agreements and other documents 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 payment under said agreements and other documents upon certification by the Director of Aviation that such payment are in order.”

AVIATION:

3. D. (2) Adoption of Goal for Participation of Disadvantaged Business Enterprises, NFTA

RECOMMENDATION: Staff recommends the Board adopt the goal of 17% for participation by Disadvantaged Business Enterprises (DBE) on NFTA projects funded in whole or in part through grants received from the Federal Aviation Administration for the period commencing October 1, 2016 through September 30, 2019.

INFORMATION: On February 2, 1999, amendment of the Federal Regulations 49 CFR Part 26, changed the goal setting process to require that the DBE Program be narrowly tailored to reflect the percentage of local firms that are DBE's who are ready, willing and able to perform work on contracts.

Upon analysis of data obtained from the County Business Pattern (CBP) database, the City of Buffalo, and County of Erie Minority Business Involvement Programs and the New York State Unified Certification Program (NYSUCP) directory of certified disadvantaged business enterprises; staff has determined that a DBE participation goal of 17% is reasonable and achievable.

FUNDING: No funding is required.

“RESOLVED, that the Board hereby approves the adoption of a 17% goal for participation by Disadvantaged Business Enterprises (DBEs) on NFTA projects funded in whole or in part through grants received from the Federal Aviation Administration for the period commencing October 1, 2016 through September 30, 2019, as described herein.”

AVIATION:

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

RECOMMENDATION: Staff recommends that the Board authorize the following Agreements for snow plowing and removal services at the Buffalo Niagara International Airport (BNIA) for the next three (3) winter seasons with the option to renew for three (3) additional winter seasons at the sole discretion of the NFTA, commencing, in each case, on November 1, 2016:

- **Zoladz Construction Co., Inc. (Zoladz), Alden, New York** – for snow plowing and removal services for airside operations including the terminal and air cargo ramps (Area A identified below). The estimated cumulative cost for the maximum six (6) year term is \$1,456,095. The contractor is guaranteed a cumulative minimum amount of \$540,000 during the maximum six (6) year term.
- **Lakestone Development, Inc. (Lakestone), Williamsville, New York** – for snow plowing and removal services for landside operations including terminal roadways, parking lots and related walkways (Area B identified below). The estimated cumulative cost for the maximum six (6) year term is \$3,374,667. The contractor is guaranteed a cumulative minimum amount of \$138,831 during the maximum six (6) year term.

INFORMATION: Request for Proposal 4554 (RFP) was issued in accordance with the NFTA Procurement Guidelines for snow plowing and removal services at BNIA. The specifications requested proposals identify hourly equipment and operator rates to plow, stack, and remove snow for each of the following areas at BNIA. Each proponent was requested to bid on each area separately for the area(s) which they were interested in servicing. The areas to be serviced include:

- Area A – Airside ramps including terminal and cargo ramps.
- Area B – Landside including Long Term Parking Lot, Preferred Parking Lot, Economy Parking Lot, the top level of Daily/Hourly parking structure, terminal roadways, limousine lot, west end parking lot, taxi lanes, bus lanes, sidewalks on Genesee Street and Holtz Road, Maryvale Drive parking lot, Airfield Operations Center parking lot, and other designated areas.

The NFTA review team comprised of BNIA airfield staff, BNIA administrative staff, NFTA Legal Department staff, and NFTA Procurement Department staff evaluated all proposals taking into consideration qualifications and experience, technical specifications including equipment availability, cost, and diversity practices. The team estimated the seasonal cost (assuming 98.7 inches of annual snowfall) by determining the approximate number of hours and type of equipment needed to perform snow operations in each designated area.

The team ranked Zoladz of Alden, New York as the highest based on criteria established for Area A. Zoladz has been the incumbent service provider since 2013.

The team ranked Lakestone of Williamsville, New York as the highest based on criteria established for Area B. Lakestone has been the incumbent service provider in this area during the past 11 years (as well as airside operations for 8 of the past 11 years). Lakestone identified MBE participation as 2.75%, WBE participation as 2.75%, and SDVOB as 0%.

Both incumbents provided reliable service and performed in an exemplary manner during their previous contract terms with the NFTA.

FUNDING: Funding is included in the BNIA operating budget.

“RESOLVED, that the Board hereby authorizes Agreements with each of Lakestone Development Corporation and Zoladz Construction Company for snow plowing and removal services at the Buffalo Niagara International Airport as described hereinabove; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair are hereby authorized to execute an Agreement with each of Lakestone Development Corporation and Zoladz Construction Company, Inc. for snow plowing and removal services at the Buffalo Niagara International Airport 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 hereby is, authorized to make payments under said Agreements upon certification by the Director of Aviation that such payments are in order based upon receipt of all required supporting documentation.”

**RFP NO. 4554
SNOW PLOWING AND SNOW REMOVAL AT BNIA**

8/9/2016

	LAKESTONE DEVELOPMENT, INC. Williamsville, NY		LANDSCAPING & SNOWPLOWING MAINTENANCE OF BUFFALO, LLC. Cheektowaga, NY		SUBURBAN MAINTENANCE & LANDSCAPING INC. Hawthorne, NY		ZOLADZ CONSTRUCTION CO., INC. Alden, NY	
SELECTION CRITERIA	Rate on a score of 1 - 10 with 10 being the highest							
(Completed by Team)	AREA A	AREA B	AREA A	AREA B	AREA A	AREA B	AREA A	AREA B
Qualifications & Experience 35% - Demonstrated ability in the industry, references, past performance and depth of knowledge of key personnel	9.50	9.50	5.00	5.00	7.00	7.00	8.50	8.50
Technical Criteria 30%: Compliance with technical specifications, project approach, method proposed and available equipment	9.57	9.57	4.00	4.00	6.00	6.00	9.00	9.00
Cost 30%	7.51	9.38	4.94	4.67	8.43	10.00	10.00	10.00
Diversity Practices 5%	3.75	3.75	0.00	0.00	1.25	1.25	2.50	2.50
TOTAL	8.64	9.20	4.43	4.35	6.84	7.31	8.80	8.80
ESTIMATED COST								
AREA A - AIRSIDE	AREA A		AREA A		AREA A		AREA A	
Year 1	\$300,745.00		\$469,910.00		\$287,833.00		\$238,360.00	
Year 2	\$309,726.00		\$478,555.00		\$287,833.00		\$240,089.00	
Year 3	\$318,707.00		\$487,200.00		\$287,833.00		\$241,818.00	
Year 4	\$327,688.00		\$495,845.00		\$287,833.00		\$243,547.00	
Year 5	\$336,669.00		\$504,490.00		\$287,833.00		\$245,276.00	
Year 6	\$345,650.00		\$513,135.00		\$287,833.00		\$247,005.00	
TOTAL	\$1,939,185.00		\$2,949,135.00		\$1,726,998.00		\$1,456,095.00	
AREA B - LANDSIDE	AREA B		AREA B		AREA B		AREA B	
Year 1	\$532,365.00		\$1,078,860.00		\$527,526.00		\$533,531.00	
Year 2	\$546,804.00		\$1,098,755.00		\$527,526.00		\$537,510.00	
Year 3	\$561,243.00		\$1,118,650.00		\$527,526.00		\$541,489.00	
Year 4	\$570,024.00		\$1,138,545.00		\$527,526.00		\$545,468.00	
Year 5	\$578,085.00		\$1,158,440.00		\$527,526.00		\$549,447.00	
Year 6	\$586,146.00		\$1,178,335.00		\$527,526.00		\$553,426.00	
TOTAL	\$3,374,667.00		\$6,771,585.00		\$3,165,156.00		\$3,260,871.00	

Estimated annual cost is based on equipment rates and 98.7 inches of annual snow fall.

AVIATION:

3. D. (4) Authorization for Procurement, Fortbrand Services, Inc., Glycol Recovery Vehicle, BNIA

RECOMMENDATION: Staff recommends that the Board approve the procurement of a glycol recovery vehicle from Fortbrand Services, Inc., Plainview, New York for a total cost of \$393,591.00.

INFORMATION: BNIA airfield staff is responsible for providing a safe environment for aircraft pursuant to Federal Aviation Regulation Part 139, Certification of Operation. Use of glycol recovery vehicles are an integral component to the airport's environmental compliance. The glycol recovery vehicles vacuum and store the overspray of de-icing fluid from the ramp surfaces and discharge the glycol into the wetlands area for treatment. This procurement represents the planned replacement of a glycol recovery vehicle which was purchased in year 2000 and has exceeded its useful life.

Staff issued Request for Proposal (RFP) 4601 in accordance with NFTA Procurement Guidelines to procure the glycol recovery vehicle. The NFTA review team including employees from the BNIA Airfield Department and the NFTA Procurement Department evaluated proposals received from three respondents taking into consideration:

- Compliance with technical specifications and operations;
- Cost;
- Qualifications and experience including references and warranties; and
- Diversity practices.

Based on its evaluation and the fact that Fortbrand Services, Inc. has successfully supplied this equipment to many airports throughout North America, Staff recommends that the subject vehicle be purchased from Fortbrand Services, Inc.

FUNDING: 100% Passenger Facility Charges.

“RESOLVED, that the Board hereby authorizes the procurement of a glycol recovery vehicle from Fortbrand Services, Inc. at a cost of \$393,591.00 to be used at the Buffalo Niagara International Airport, as described herein above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue a Purchase Order(s) to Fortbrand Services, Inc. for the procurement of the glycol recovery vehicle to be used as described hereinabove; and

BE IT FURTHER RESOLVED, that said Purchase Order(s) 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 payment(s) under said Purchase Order upon certification by the Director of Aviation that such payment(s) are in order based upon receipt of all required supporting documentation.”

8/10/2016

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		FORTBRAND SERVICES, INC. Plainview, NY		GUTHRIE HELI-ARC INC Bergen, NY		INLAND TECHNOLOGIES, INC. Truro, Nova Scotia Canada	
SELECTION CRITERIA							
(Completed by Team)							
Technical Criteria 50%. Compliance with technical specifications, design and operating system proposed		9		3		8	
Cost 30%		10		9.76		9.38	
Qualifications & Experience 15% - Demonstrated ability in the industry, references and past performance Warranty/delivery		8		7		9.5	
Diversity Practices - 5%		0		0		0	
TOTAL		8.70		5.48		8.24	
COST							
DESCRIPTION	QUANTITY	MAKE/MODEL/PART NO.	TOTAL AMOUNT	MAKE/MODEL/PART NO.	TOTAL AMOUNT	MAKE/MODEL/PART NO.	TOTAL AMOUNT
Glycol Recovery Unit	1	Beam AB000 2016 GRV/Mack MRU 612	\$384,350.00	GRV 2100	\$403,334.00	Inland Glyvac	\$419,485.20
		Heated Hopper Floor - 01-250-05 Option	\$9,241.00				
TOTAL AMOUNT			\$393,591.00		\$403,334.00		\$419,485.20
LEAD TIME		180 Days		UNKNOWN		90 Days	

AVIATION:

3. D. (5) Authorization for Amendment to Extend Lease Agreement, United States Government, BNIA

RECOMMENDATION: Staff recommends that the Board authorize Lease Amendments with the United States Government (GSA) to extend the term of its existing lease through December 14, 2021. The GSA will continue to lease 11,492 square feet in the Buffalo Niagara International Airport (BNIA) terminal building, on behalf of the Transportation Security Administration (TSA), at a new annual rate of \$381,149.10. Additionally, staff recommends the Board authorize the granting of an option to lease an additional 303+/- square feet during the new lease term.

INFORMATION: The GSA on behalf of the TSA desires to lease 11,492 square feet of office/storage space in the BNIA terminal at an annual rate of \$381,149.10. The rental rate represents a 3% increase to the existing rate structure. The space is needed support TSA's security screening operations at BNIA. The GSA will be provided the option to lease an additional 303+/- square feet at a rental rate of \$36.05 per square foot.

FUNDING: No funding is required.

“RESOLVED, that the Board hereby authorizes the Amendment to extend the Lease with the United States Government, for the lease and use of approximately 11,492 square feet of space in the terminal building at the Buffalo Niagara International Airport for use by the Transportation Security Administration as described hereinabove; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be and hereby are authorized to execute the Amendment with the United States Government, for the lease and use of space at the Buffalo Niagara International Airport for use by the Transportation Security Administration as set forth above and as negotiated; and

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

- 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. (5)
 - 1. Authorization for Agreement, Holland, L.P., Rail System Track Geometry Inspection Analysis and Reporting, Metro
 - 2. Authorization for Agreement, Procurement of Transit Buses, Nova Bus, Metro
 - 3. Authorization for Agreement, S.W.N.G., Inc. d/b/a Swingmaster, Hi-Rail Swing Crane, Metro
 - 4. Authorization for Agreement, Grove Roofing Services, Inc., LaSalle Station Roof Replacement, LRRT
 - 5. Authorization for Agreement, IBI Group, Enhancement Services, NITTEC

SURFACE:

4. D. (i) Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (5)

The Executive Director advised that Items 4. D. (1) through 4. D. (5) have been discussed with the Board of Commissioners of the NFTA, and the Board is unanimously in favor of all subject Resolutions.

Whereupon, it was moved by Commissioner Perry, seconded by Commissioner Aul, 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. (5) and dated August 25, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: ROCHE, DEMAKOS, GURNEY, AUL, BAYNES, HUGHES, PERRY

NOES: NONE

ADOPTED

SURFACE:

4. D. (1) **Authorization for Agreement, Holland, L.P., Rail System Track Geometry Inspection Analysis and Reporting, Metro**

RECOMMENDATION: Staff recommends that the Board authorize an Agreement with Holland, L.P. for the provision of Rail System Track Geometry Inspection Analysis and Reporting for the period of September 1, 2016 through August 31, 2021, for a total cost of \$93,565.00.

INFORMATION: The Rail Geometry Inspections are conducted yearly to verify that the track gauge and alignment in the NFTA Rail System is in compliance with APTA Standards for safe reliable rail service. Requests for Proposal were solicited in accordance with NFTA Procurement Guidelines. Three contractors with the unique qualifications and equipment necessary to perform this service were contacted to provide proposals in response to this Request for Proposals. One response was received. The cost of the services in the recommended agreement are consistent with the historical annual cost for the service and is aligned with industry experience. The selection team, consisting of the General Manager Rail, Supervisor of Train Control, Manager of Rail Maintenance and Capital Projects and Assistant Procurement Manager, reviewed and scored the proposal, which is attached.

FUNDING: Funding is provided in the Metro Rail Operating Budget.

“RESOLVED, that the Board hereby authorizes an Agreement with Holland, L.P. for the Rail System Track Geometry Inspection Analysis and Reporting as described above at a cost of \$93,565.00; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be and are hereby authorized to execute and deliver an Agreement with Holland, L.P., 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.”

SURFACE:

4. D. (2) Authorization for Procurement, Transit Buses, Nova Bus, Metro

RECOMMENDATION: Staff recommends that the Board authorize the purchase of twenty-four (24) transit buses and associated training, manuals and spare components from Nova Bus of St. Eustache, Quebec and Plattsburgh, New York at a not-to-exceed cost of \$13,480,472.71.

INFORMATION: The requested transit buses will utilize both compressed natural gas and clean diesel fuels and will replace model years 2000 & 2002 transit buses that have exceeded their useful lives. Sixteen (16) of these buses will be powered by compressed natural gas with the remaining eight (8) buses powered by clean diesel fuel. This transit bus order will be placed with Nova Bus following approval by the Board due to an approximate 16-month lead time. Accordingly, these 24 transit buses are expected to be delivered in the third quarter of 2017. This procurement is necessary to maintain a sustainable regular transit bus replacement program and achieve long-term transit bus state of good repair. Over 40% of the current fleet is beyond useful age for which this program replacement systematically improves our fleet efficiently and reliability.

On June 26, 2015 the Board approved a five-year contract with Nova Bus for the purchase of transit buses. The contract provides for the purchase, from time to time, of transit buses over the term of the contract.

It is anticipated that NFTA's portion of the cost of these 24 transit buses will be paid through a combination of FY 2017/2018 budgeted funds and financing.

FUNDING: Funding will be provided as follows:

<u>Cost</u>	<u>Source</u>
\$ 509,355.00	FTA
\$ 63,669.00	NYSDOT
\$ 3,751,607.00	MRF
\$ 63,669.00	NFTA MATCH
<u>\$ 9,092,172.71</u>	NFTA - LEASE
\$13,480,472.71	

“RESOLVED, that the Board hereby authorizes the procurement of twenty-four (24) transit buses and associated training, manuals and spare components from Nova Bus at a not-to-exceed cost of \$13,480,472.71, as described above;

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Order(s) to Nova Bus for the procurement of twenty-four (24) transit buses and associated training, manuals and spare components buses 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(s) upon certification by the Director, Public Transit, that such payments are in order based upon receipt of all required supporting documentation.”

SURFACE:

4. D. (3) Authorization for Procurement, S.W.N.G., Inc. d/b/a Swingmaster, Hi-Rail Swing Crane, Metro

RECOMMENDATION: Staff recommends that the Board authorize the procurement of a new Hi-Rail Swing Crane 360 Degree Track Maintenance Vehicle and a universal mounting attachment for \$5,500.00 from S.W.N.G Inc. d/b/a Swingmaster for a total equipment purchase price of \$366,900.00.

INFORMATION: The Hi-Rail vehicle is a specialized vehicle that adapts from road to track and can be used in the tunnel; it can plow, load stone, and pick up track. The current Rail Track Maintenance Vehicle is more than 24 years old and has met its useful life expectancy. It has become undependable and expensive to maintain.

The continued use of existing attachments used to maintain and provide construction support for the rail system is made possible through the procurement of a universal mounting attachment. This attachment allows the new high rail crane to connect and operate our existing high rail crane attachments.

Requests for Proposal were solicited in accordance with NFTA Procurement Guidelines. Two (2) responsive proposals were received. The selection team consisting of the Assistant Procurement Manager, Manager Rail Maintenance and Capital Projects, Supervisor of Train Control and Rail Mechanic reviewed and scored the proposals (see attached spreadsheet).

FUNDING: This procurement is funded with 88C funds as identified in FY 16/17 budget.

“RESOLVED, that the Board hereby authorizes the procurement of a new Hi-Rail Swing Crane from S.W.N.G. d/b/a Swingmaster for a purchase price of \$366,900.00 as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue a Purchase Order to S.W.N.G. d/b/a Swingmasters for the procurement of a new Hi-Rail Swing Crane 360 Degree Track Maintenance Vehicle to be used as described hereinabove; and

BE IT FURTHER RESOLVED, that said Purchase Order 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.”

SURFACE 4. D. (3)

RFP 4588	Modern	S.W.N.G., dba,
Hi-Rail Swing Crane	Track Machinery	Swingmaster
360 Degree Track Maintenance Vehicle	Elgin , IL	Franklin Park, IL
SELECTION CRITERIA	(Rate on a score of 1 - 10)	
Technical Criteria: compliance with technical specifications. 50%	8.50	8.25
Cost. 30%	9.01	10.00
Qualifications and Experience: demonstrated ability in the industry, references, past performance, key personnel, warranty and delivery. 20%	9.25	9.25
TOTAL	8.80	8.98
COST	\$406,996	\$366,900

SURFACE:

4. D. (4) Authorization for Agreement, Grove Roofing Services, Inc., LaSalle Station Roof Replacement, LRRT

RECOMMENDATION: Staff recommends that the Board award the subject construction contract to Grove Roofing Services, Inc. for a total lump sum bid amount of \$145,600.00.

INFORMATION: The project scope of work is to replace the roof at the LaSalle Light Rail Station at 3040 Main Street, Buffalo NY. The roof is part of the original station construction, out of warranty and at the end of its useful life. Several roof leaks have developed, causing the insulation to fail in several locations.

The work includes the removal and replacement of the existing ballasted multi-tier roof system and installation with a new fully adhered Ethylene Propylene Diene Monomer (EPDM) membrane roof system. The approximate area of the multi-tier roof is 9,546 square-feet.

This project was publicly advertised in accordance with NFTA Procurement Guidelines. Four (4) sets of contract documents were distributed to potential prime bidders with four (4) responding as follows:

Company	Total Bid Amount
Grove Roofing Services, Inc. Buffalo, NY John Embow, President	\$145,600.00
Jameson Roofing Co., Inc. Dunkirk, NY John T. Farrell, President	\$164,000.00
Jos. A. Sanders & Sons, Inc. Buffalo, NY Wendy L. Sanders, President	\$168,306.00
Progressive Roofing, Inc. Buffalo, NY Stuart Jenkins, President	\$172,000.00

It has been determined that the low bidder, Grove Roofing Services, Inc., has the knowledge, understanding, and ability to successfully accomplish the work for this project.

The NFTA Affirmative Action/EEO office has been briefed on the bid results. Grove Roofing Services, Inc. identified their MWBE (Minority and Women owned Business Enterprise) participation as 19% and SDVOB (Service Disabled Veteran Owned Business) participation as 0%.”

FUNDING: Funding will be supported by account code 120000000-3188-2-9111.

NFTA 88C	100%	\$145,600.00
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“RESOLVED, that the Board hereby authorizes an Agreement with Grove Roofing Services, Inc. for the LaSalle Station roof replacement as described above and at a cost \$145,600.00; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be and are hereby authorized to execute and deliver an Agreement with Grove Roofing Services, 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, Engineering, that such payments are in order based upon receipt of all required supporting documentation.”

SURFACE:

4. D. (5) Authorization for Agreement, IBI Group, Enhancement Services, NITTEC

RECOMMENDATION: Staff recommends that the Board authorize an agreement with IBI Group to provide services to enhance the Niagara International Transportation Technology Coalition (NITTEC) Advanced Traffic Management System (ATMS) for an amount not-to-exceed \$150,000. The term of the contract shall be from Notice to Proceed until March 31, 2017.

INFORMATION: The NITTEC ATMS is used to improve traffic safety on the roadway network by reducing the number of incidents, increase the capacity of the roadway network by managing traffic congestion, and minimize the motorist frustration by providing them with traffic information. The ATMS is comprised of a variety of field devices used to continuously gather roadway/traffic information, software to receive information from the roadside devices, and a Graphical User Interface (GUI) used by the operators to interface with the system. The GUI is used to display traffic information and to manage and monitor roadway events. Traffic information is entered and maintained in the GUI for dissemination of information to the public and other agencies. The information from the GUI is also used to populate the traveler information on the NITTEC website.

The consultant will be responsible for enhancements to the Crossroads system, including Crossroads Support Maintenance, Integration Support for Expansion of I3B Data, Integration Support for Crossroads, Crossroads TRANSMIT Integration, Additional Support for Virtualization Effort, and Travel Time to Website Support. Additional tasks may be identified during the term of the contract, subject to the not-to-exceed cap.

IBI Group installed the NITTEC ATMS under a contract with the New York State Department of Transportation. The system that IBI installed includes proprietary software. In accordance with the NFTA Procurement Guidelines, this is based on single source conditions. The use of IBI Group for this effort is critical because of the proprietary nature of the software and its knowledge of the system configurations and operations.

FUNDING: Consultant funds identified specifically for Consultant services to complete the referenced tasks are included in the NITTEC SFY 2016-2017 Budget.

“RESOLVED, that the Board hereby authorizes an Agreement with IBI Group, for enhancement services to NITTEC’s Advanced Traffic Management Systems for an amount not-to-exceed \$150,000.00 as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chair, be and are hereby authorized to execute an Agreement with IBI Group as described above, for the total amount not-to-exceed \$150,000.00; 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, Public Transit that such payments are in order based upon receipt of all required supporting documentation.”

6. General Counsel Report

7. Executive Session

At approximately 1:10 p.m., it was moved by Commissioner Aul, seconded by Commissioner Gurney that the Commissioners convene in Executive Session to discuss matters regarding the ATU negotiations and the MTC lease agreements.

Following discussion, at approximately 1:40 p.m., it was moved by Commissioner Perry, seconded by Commissioner Demakos, that the Executive Session be adjourned and that the Board resume the Regular Session.

**AYES: ROCHE, DEMAKOS, GURNEY, AUL, BAYNES, HUGHES,
PERRY**

NOES: NONE

8. Adjournment

At approximately 1:41 p.m., the Chair indicated that there was no further business coming before the Board, whereupon it was moved by Commissioner Demakos, 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: ROCHE, DEMAKOS, GURNEY, AUL, BAYNES, HUGHES,
PERRY**

NOES: NONE