



Niagara Frontier Transportation Authority
Serving Buffalo Niagara

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March 25, 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 February 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
FEBRUARY 25, 2016 12:30 PM
MINUTES**

1. REGULAR BOARD MEETING - February 25, 2016 - MINUTES	
A. APPROVAL OF MINUTES (January 28, 2016 Regular Meeting)	
B. EXECUTIVE DIRECTOR'S REPORT	2
2. NFTA CORPORATE REPORT	4
A. Audit and Governance Committee Report (Howard Zemsky - Chairman Zemsky called in for the meeting but there were complications with the Boardroom telephone system and he was unable to connect.)	
B. Consolidated Financial (John Cox)	
C. Corporate Resolutions (Kim Minkel)	
1) Authorization for Agreement, Lawson System Upgrade, NFTA	15
2) Authorization for Lease Agreement, Cabrera Services, Inc., 247 Cayuga Road	16
3) Authorization for Lease Agreement, Queen City Coral, LLC, 247 Cayuga Road	17
3. AVIATION BUSINESS GROUP REPORT	18
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, Vehicle Maintenance Services for Parking Operations, BNIA and NFIA	21
2) Authorization for License Agreement, WNY Freedom Lounge, Inc., Military Courtesy Room, BNIA	24
3) Authorization for License Agreement, Northeast Chapter of the American Association of Airport Executives (NEC/AAAE), BNIA	25
4) Approval of Tariffs, NFIA	26
4. SURFACE TRANSPORTATION BUSINESS GROUP REPORT	27
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 for Waiver of Competitive Process Requirement Contained in the NFTA's Procurement Guidelines, ICF International, "Beyond Traffic: The Smart City Challenge", NITTEC	30
2) Authorization for Procurement, Stingray Manufacturing, Aqueous Parts Washer, Metro	32
5. GENERAL COUNSEL REPORT (Dave State)	
6. EXECUTIVE SESSION	
7. ADJOURNMENT	34

1. CALL TO ORDER

A. Meeting Called to Order

The Vice Chairman called the meeting to order at approximately 12:30 p.m.

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

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

**AYES: SLOMA, DEMAKOS, DURAND, ANSARI, GURNEY,
HICKS, HUGHES, PERRY**

NOES: NONE

C. Executive Director Report

Executive Director Kimberley Minkel advised the Board that a revised budget will be presented at the March meeting along with a five year capital and operating plan that includes additional adjustments in transit fuel/power and sales tax based on the weakened Canadian dollar. She notified the Board that a new police exam would soon be conducted and applications are due by April 29, 2016. She also reminded the Board to respond to the Safety and Service Awards luncheon being held on April 10th and the tour of the DL&W property scheduled for March 2nd.

She also acknowledged Pascal Cohen, Senior Manager Aviation for his efforts in securing direct west coast service that includes Jet Blue direct service to LAX and Southwest direct service from Buffalo to Denver.

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

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

	BUDGET	ACTUAL	VARIANCE
NET SURPLUS/(DEFICIT)	(1,789)	(1,084)	705
Revenues and Operating Assistance			(154)
Expenses			660
Non-Operating/Capital			198
			705
OPER REVENUES & ASST	17,240	17,086	(154)
Metro Passenger Fares - lower university pass revenue			(78)
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses			(56)
BNIA Rental Income - decreased compensatory airline billings due to lower expenses, partially offset by higher overnight gate parking fees			(45)
BNIA Concessions/Commissions - decreased parking lot/ramp revenue			(103)
NFIA Concessions/Commissions - decreased parking lot revenue			(37)
Erie County Sales Tax			105
Mortgage Tax			133
Federal - PM - reprogramming of federal funds			(49)
All Other			(23)
			(154)
TOTAL OPER EXPENSES	16,350	15,690	(660)
Personnel Services			
Metro - higher than anticipated vacancies and lower overtime, partially offset by higher health insurance costs			(129)
BNIA - increased overtime and health insurance costs			74
Central Admin - higher police, engineering and Metro support overtime, MIS and engineering consultant fees, health insurance costs, partially offset by vacancies in Executive, Public Affairs and Metro support branches			175
All Other			24
			145
Maintenance & Repairs			
Metro - lower revenue vehicle maintenance costs and various rail maintenance expenses			(159)
BNIA - lower snowplowing, automotive and environmental expenses			(147)
NFIA - higher facility maintenance expenses			22
Property Development - increased service costs at our 485 Cayuga Property			24
All Other			10
			(249)
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(164)
Utilities			
Metro - lower electric and gas billings			(117)
BNIA - lower electric and gas billings			(87)
Property Development - lower electric and gas billings at 247 and 485 Cayuga locations			(27)
All Other			(17)
			(248)
General Business/Other			
BNIA - lower parking management costs and water/sewer charges			(119)
All Other			2
			(117)
All Other			(27)
			(660)
NON-OPERATING/CAPITAL	(2,678)	(2,480)	198
Capital			
Metro			802
BNIA			242
Property Development			275
All Other			32
			1,351
Non-Operating			
Metro MRF Reserve Funding/Other			(1,229)
BNIA Net Bond Debt Service			33
BNIA Operating Expense Reserve			39
All Other			4
			(1,153)
			198

NFTA/METRO
KEY ITEM REPORT
JANUARY 2016

(\$000 Omitted)

<u>MONTH ACTUAL TO BUDGET</u>	<u>Jan 2016</u>	<u>Jan 2016</u>	<u>Variance</u>	<u>%</u>
	<u>Budget</u>	<u>Actual</u>		
Operating Revenues	7,982	7,655	(326)	-4.1%
Operating Assistance	9,258	9,431	173	1.9%
Total Oper. Revenues & Assistance	17,240	17,086	(154)	-0.9%
Personnel Services	12,188	12,333	145	1.2%
Maintenance & Repairs	1,780	1,530	(249)	-14.0%
Transit Fuel/Power	515	350	(164)	-32.0%
Utilities	673	425	(248)	-36.8%
Insurance & Injuries	363	319	(45)	-12.3%
Safety & Security	1,031	1,212	181	17.6%
General Business/Other	1,972	1,855	(117)	-5.9%
Other	(2,171)	(2,334)	(163)	-7.5%
Total Operating Expenses	16,350	15,690	(660)	-4.0%
Operating Income/(Loss)	890	1,396	507	57.0%
Non-Operating/Capital	(2,678)	(2,480)	198	7.4%
Net Surplus/(Deficit)	(1,789)	(1,084)	705	39.4%

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

	BUDGET	ACTUAL	VARIANCE
NET SURPLUS/(DEFICIT)	8,423	12,751	4,328
Revenues and Operating Assistance			(932)
Expenses			3,838
Non-Operating/Capital			1,423
			<u>4,328</u>
OPER REVENUES & ASST	179,827	178,894	(932)
Metro Passenger Fares - lower university pass revenue			(264)
Metro Other Operating Revenues - advertising income above minimum annual guarantee			131
Transportation Centers Rental Income - holdover rents from our MTC tenants			180
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses and capital expenditures			(380)
BNIA Rental Income - higher overnight gate parking fees, partially offset by decreased compensatory airline billings due to lower expenses			126
BNIA Concessions/Commissions - decreased parking lot/ramp and auto rental revenue, partially offset by higher retail stores and other miscellaneous concession revenues			(911)
BNIA Resales & Rebillings - adjustment to electric usage billings due to prior period overbillings to terminal tenants			(421)
NFIA Concessions/Commissions - decreased parking lot revenue			(74)
Property Development Rental Income - increased rents from our 247 Cayuga, 485 Cayuga and Terminal A properties			316
Erie County Sales Tax			(501)
Mortgage Tax			1,217
Federal - PM - reprogramming of federal funds			(299)
All Other			(52)
			<u>(932)</u>
TOTAL OPERATING EXPENSES	155,230	151,392	(3,838)
Personnel Services			
Metro - higher than anticipated vacancies and lower instruction labor, partially offset by higher overtime and health insurance costs			(1,216)
Transportation Centers - vacancy at MTC and decreased overtime			(28)
BNIA - higher than anticipated vacancies and decreased overtime			(127)
Central Admin - vacancies in Executive, General Counsel, Public Affairs and Metro support branches and lower police overtime			(175)
All Other			(12)
			<u>(1,559)</u>
Maintenance & Repairs			
Metro - higher revenue vehicle maintenance costs and facility expenses, partially offset by lower environmental costs and various rail maintenance expenses			355
Transportation Centers - increased facility maintenance costs and materials/supplies expense at MTC, partially offset by lower service costs			210
BNIA - decreased major facility repairs, snowplowing, automotive and environmental expenses			(989)
Property Development - increased service costs at our 485 Cayuga Property			110
Central Admin - timing of MIS software and maintenance agreements			130
All Other - increased facility maintenance and service costs at NFIA			80
			<u>(105)</u>
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(581)
Utilities			
Metro - lower electric and gas billings			(258)
Transportation Centers - lower electric and gas billings at MTC			(83)
BNIA - lower electric, gas and telephone billings			(398)
Property Development - lower electric billings at 247 and 485 Cayuga locations			(74)
All Other - lower electric and gas billings at NFIA			(47)
			<u>(861)</u>
Insurance & Injuries			
Metro - lower claim loss reserve appropriations and insurance premiums			(627)
BNIA - decreased insurance premiums and claim losses			(30)
All Other			(1)
			<u>(658)</u>
All Other			(75)
			<u>(3,838)</u>
NON-OPERATING/CAPITAL	(16,173)	(14,751)	1,423
Capital			
Metro			1,687
BNIA			483
NFIA			(37)
Property Development			121
Central Admin			460
All Other			(22)
			<u>2,692</u>
Non-Operating			
Metro MRF Reserve Funding/Other			(1,798)
BNIA Operating Expense Reserve			314
BNIA - Debt Service Entitlement Applied			230
All Other			(15)
			<u>(1,269)</u>
			<u>1,423</u>

NFTA/METRO
KEY ITEM REPORT
JANUARY YTD 2016

(\$000 Omitted)

<u>YTD ACTUAL TO BUDGET</u>	<u>Jan 2016 YTD Budget</u>	<u>Jan 2016 YTD Actual</u>	<u>Variance</u>	<u>%</u>
Operating Revenues	86,852	85,631	(1,220)	-1.4%
Operating Assistance	92,975	93,263	288	0.3%
Total Oper. Revenues & Assistance	179,827	178,894	(932)	-0.5%
Personnel Services	117,916	116,357	(1,559)	-1.3%
Maintenance & Repairs	15,637	15,532	(105)	-0.7%
Transit Fuel/Power	5,461	4,880	(581)	-10.6%
Utilities	4,394	3,534	(861)	-19.6%
Insurance & Injuries	3,634	2,977	(658)	-18.1%
Safety & Security	10,197	10,424	227	2.2%
General Business/Other	19,677	19,280	(397)	-2.0%
Other	(21,687)	(21,591)	96	0.4%
Total Operating Expenses	155,230	151,392	(3,838)	-2.5%
Operating Income/(Loss)	24,597	27,502	2,905	11.8%
Non-Operating/Capital	(16,173)	(14,751)	1,423	8.8%
Net Surplus/(Deficit)	8,423	12,751	4,328	51.4%

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

(\$000 Omitted)

	<u>Jan 2016 YTD Budget</u>	<u>Jan 2016 YTD Actual</u>	<u>Variance</u>	<u>%</u>
NFTA				
BNIA	6,370	7,859	1,489	23.4%
NFIA	(821)	(989)	(168)	-20.4%
Transportation Centers	(1,094)	(1,191)	(98)	-8.9%
Property Development	(361)	176	537	148.9%
NFTA Total	4,095	5,855	1,761	43.0%
Metro	4,329	6,896	2,567	59.3%
NFTA/Metro	8,423	12,751	4,328	51.4%

JANUARY NFTA/METRO PERFORMANCE
 FYE 2016 vs. FYE 2015
 (\$000's)

	Jan 2015 Actual	Jan 2016 Actual	VARIANCE
NET SURPLUS/(DEFICIT)	(1,011)	(1,084)	(72)
Revenues and Operating Assistance			223
Expenses			770
Non-Operating/Capital			(1,065)
			<u>(72)</u>
OPER REVENUES & ASST	16,863	17,086	223
Metro Passenger Fares			(57)
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses and bond debt service costs, a capped reimbursement of NFIA's net deficit, and decreased air cargo fees			(134)
BNIA Concessions/Commissions - decreased parking lot/ramp revenue, partially offset by higher ground transportation revenue			(82)
NFIA Concessions/Commissions - decreased parking lot revenue			(43)
Erie County Sales Tax			206
Mortgage Tax			136
Local - 88c Funds			(228)
State - MTOAF			(176)
State - Additional General Fund			391
State - Capital Spending			324
Federal - PM - reprogramming of federal funds			(49)
All Other			(64)
			<u>223</u>
TOTAL OPERATING EXPENSES	16,460	15,690	(770)
Personnel Services			
Metro - lower overtime and instruction labor costs			(63)
BNIA - higher overtime and health insurance costs			90
Central Admin - higher health insurance costs, police, engineering and Metro support overtime and MIS and engineering consultant fees			226
All Other			17
			<u>270</u>
Maintenance & Repairs			
Metro - lower revenue vehicle maintenance costs, partially offset by higher rail escalator maintenance expenses			(34)
BNIA - decreased facility maintenance costs, snowplowing, automotive and environmental expenses			(195)
NFIA - increased facility maintenance expenses			39
All Other			2
			<u>(187)</u>
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(134)
Utilities			
Metro - lower electric and gas billings			(76)
BNIA - lower electric and gas billings			(68)
All Other			(15)
			<u>(159)</u>
Insurance & Injuries			
Metro - lower reserve appropriations as two major accidents occurred in January 2015			(422)
All Other			(5)
			<u>(427)</u>
General Business/Other			
Metro - higher support labor costs and general office expenses			113
BNIA - lower parking management costs and water/sewer charges			(176)
All Other			20
			<u>(43)</u>
All Other			(91)
			<u>(770)</u>
NON-OPERATING/CAPITAL	(1,415)	(2,480)	(1,065)
Capital			
Metro			(955)
Transportation Centers			(53)
BNIA			39
Property Development			50
All Other			8
			<u>(911)</u>
Non-Operating			
Metro MRF Reserve Funding/Other			(33)
BNIA Net Bond Debt Service			(89)
BNIA - Capital Funding Reallocation			105
NFIA Seneca Proceeds			(117)
All Other			(20)
			<u>(154)</u>

NFTA/METRO
KEY ITEM REPORT
FYE 2016 vs. FYE 2015
JANUARY

(\$000 Omitted)

<u>MONTH PRIOR YEAR COMPARISON</u>	Jan 2015	Jan 2016	Variance	%
	<u>Actual</u>	<u>Actual</u>		
Operating Revenues	7,997	7,655	(341)	-4.3%
Operating Assistance	8,866	9,431	564	6.4%
Total Oper. Revenues & Assistance	16,863	17,086	223	1.3%
Personnel Services	12,062	12,333	270	2.2%
Maintenance & Repairs	1,718	1,530	(187)	-10.9%
Transit Fuel/Power	485	350	(134)	-27.7%
Utilities	584	425	(159)	-27.2%
Insurance & Injuries	745	319	(427)	-57.3%
Safety & Security	1,031	1,212	181	17.5%
General Business/Other	1,898	1,855	(43)	-2.3%
Other	(2,063)	(2,334)	(271)	-13.1%
Total Operating Expenses	16,460	15,690	(770)	-4.7%
Operating Income/(Loss)	403	1,396	993	246.2%
Non-Operating/Capital	(1,415)	(2,480)	(1,065)	-75.3%
Net Surplus/(Deficit)	(1,011)	(1,084)	(72)	-7.2%

NFTA/METRO YEAR TO DATE JANUARY PERFORMANCE
FYE 2016 vs. FYE 2015
(\$000's)

	Jan 2015 YTD Actual	Jan 2016 YTD Actual	VARIANCE
NET SURPLUS/(DEFICIT)	7,076	12,751	5,675
Revenues and Operating Assistance			2,754
Expenses			1,510
Non-Operating/Capital			1,411
			5,675
OPER REVENUES & ASST	176,140	178,894	2,754
Metro Passenger Fares			242
Transportation Centers Rental Income - holdover rents from our MTC tenants			236
BNIA Airport Fees & Services - lower compensatory billings based on decreased expenses, bond debt service costs and capital expenditures, a capped reimbursement of NFIA's net deficit, and decreased terminal ramp fees			(806)
BNIA Rental Income - increased compensatory airline billings due to lower PFC credit, higher overnight gate parking fees and rebillings adjustment in FYE16			894
BNIA Concessions/Commissions - decreased parking lot/ramp revenue, partially offset by higher auto rental, retail stores and other miscellaneous concession revenues			(424)
BNIA Resales & Rebillings - FYE16 adjustment to electric usage billings due to prior period overbillings to terminal tenants			(397)
Boat Harbor Fees - NFTA no longer operates this property			(1,255)
Boat Harbor Retail Sales - gasoline sales discontinued as NFTA no longer operates this property			(404)
Erie County Sales Tax			468
Mortgage Tax			1,464
Local - 88c Funds			(2,284)
State - MTOAF			(1,757)
State - Additional General Fund			3,914
State - Capital Spending			3,236
Federal - PM - reprogramming of federal funds			(299)
Federal - JARC			(158)
All Other			84
			2,754
TOTAL OPERATING EXPENSES	152,902	151,392	(1,510)
Personnel Services			
Metro - higher overtime and health insurance costs			689
BNIA - increased health insurance costs			75
NFIA - lower overtime costs			(25)
Property Development - Boat Harbor no longer operated by NFTA			(344)
Central Admin - higher health insurance costs, Metro support overtime, MIS and engineering consultant fees and human resources temporary help			578
All Other			(23)
			950
Maintenance & Repairs			
Metro - increased revenue vehicle maintenance costs, facility and rail escalator maintenance expenses			546
Transportation Centers - increased facility maintenance costs and materials/supplies expense at MTC			225
BNIA - decreased facility maintenance costs, snowplowing, automotive and environmental expenses			(920)
NFIA - higher facility maintenance costs, major facility repairs and materials/supplies/services costs			137
Central Admin - timing of MIS software and maintenance agreements			198
All Other			(61)
			124
Metro Transit Fuel/Power - lower diesel, gasoline and rail traction costs			(1,452)
Utilities			
Metro - decreased electric and gas billings			(260)
Transportation Centers - lower electric and gas billings at MTC			(42)
BNIA - decreased electric and gas billings			(321)
Property Development - no further utility billings at Boat Harbor, and lower gas billings at our 485 Cayuga property			(88)
All Other			(30)
			(741)
Insurance & Injuries			
Metro - lower claim loss reserve appropriations			(347)
Property Development - lower insurance premiums on our current properties and nc Boat Harbor insurance premiums as the property is not operated by NFTA			(62)
All Other			25
			(384)
All Other			(6)
			(1,510)
NON-OPERATING/CAPITAL	(16,161)	(14,751)	1,411
Capital			
Metro			(1,204)
Transportation Centers			(115)
Property Development			265
Central Admin			213
All Other			(45)
			(886)
Non-Operating			
Metro MRF Reserve Funding/Other			811
BNIA Net Bond Debt Service			(852)
BNIA - Debt Service Entitlement Applied			(137)
BNIA - Capital Funding Reallocation			1,052
NFIA Debt Service			1,441
All Other			(18)
			2,297
			1,411

NFTA/METRO
KEY ITEM REPORT
FYE 2016 vs. FYE 2015
JANUARY YTD

(\$000 Omitted)

	Jan 2015	Jan 2016	<u>Variance</u>	<u>%</u>
	<u>Prior</u>	<u>Current</u>		
<u>YTD PRIOR YEAR COMPARISON</u>	<u>YTD Actual</u>	<u>YTD Actual</u>		
Operating Revenues	87,344	85,631	(1,713)	-2.0%
Operating Assistance	88,796	93,263	4,467	5.0%
Total Oper. Revenues & Assistance	176,140	178,894	2,754	1.6%
Personnel Services	115,407	116,357	950	0.8%
Maintenance & Repairs	15,408	15,532	124	0.8%
Transit Fuel/Power	6,332	4,880	(1,452)	-22.9%
Utilities	4,275	3,534	(741)	-17.3%
Insurance & Injuries	3,361	2,977	(384)	-11.4%
Safety & Security	9,935	10,424	488	4.9%
General Business/Other	18,977	19,280	303	1.6%
Other	(20,794)	(21,591)	(798)	-3.8%
Total Operating Expenses	152,902	151,392	(1,510)	-1.0%
Operating Income/(Loss)	23,238	27,502	4,264	18.4%
Non-Operating/Capital	(16,161)	(14,751)	1,411	8.7%
Net Surplus/(Deficit)	7,076	12,751	5,675	80.2%

Corporate Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Corporate Resolutions 2. C. (1) through 2. C. (3)
- 1. Authorization for Agreement, Infor, Inc., Lawson System Upgrade, NFTA
- 2. Authorization for Lease Agreement, Cabrera Services, Inc., 247 Cayuga Road
- 3. Authorization for Lease Agreement, Queen City Coral, LLC, 247 Cayuga Road

CORPORATE:

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

The Executive Director advised that Items 2. C. (1) through 2. C. (3) 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 Demakos, 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. (3) and dated February 25, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: SLOMA, DEMAKOS, DURAND, ANSARI, GURNEY, HICKS, HUGHES, PERRY

NOES: NONE

ADOPTED

CORPORATE:

2. C. (1) **Authorization for Agreement, Infor, Inc., Lawson System Upgrade, NFTA**

RECOMMENDATION: Staff recommends that the Board authorize the NFTA to accept the proposal submitted by Infor, Inc., headquartered in New York to upgrade its current version of (i) Lawson System Foundation 9.0.1 and (ii) Lawson Environment 9.0.1 to the upgraded version Lawson HCM Global Human Resources and Payroll subscriptions to be hosted in the Infor Cloud environment. The agreement that will memorialize the Infor proposal will have a term of five (5) years and reflect an annual fee of \$216,000.00; however, travel-related expenses incurred by Infor personnel in connection with the agreement will be an additional cost, which is estimated not to exceed \$10,000.00 over the five year term.

INFORMATION: Our present Lawson system has outdated functionality such as not supporting any internet browser other than Internet Explorer version 9 which Microsoft has already announced end of support. Additionally support for the system has become increasingly complex. This upgrade will move the Lawson system to the latest version and be hosted in Infor Inc.'s Cloud environment with Amazon Web Services. This will provide higher reliability, full backup, disaster recovery, and less support required by NFTA personnel and no longer require the 3rd party managed services we currently employ, which will result in annual savings of at least \$136,316.65 per year.

This is a sole source procurement of a proprietary system upgrade.

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

“RESOLVED, that the Board hereby authorizes an Agreement with Infor, Inc. for the upgrade of the Lawson HR/Payroll system currently used by the NFTA; 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 Infor, Inc. for the total amount of \$1,080,000.00 plus travel-related expenses, as described hereinabove; 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 Financial Officer, that such payments are in order based upon receipt of all required supporting documentation.”

CORPORATE:

2. C. (2) **Authorization for Lease Agreement, Cabrera Services, Inc., 247 Cayuga Road**

RECOMMENDATION: Staff recommends that the Board authorize a three-year Lease Agreement with Cabrera Services, Inc. (Lorenzo Cabrera, CEO) for office space at 247 Cayuga Road.

INFORMATION: Cabrera is an environmental consulting firm headquartered in Connecticut that has been leasing office space at 247 Cayuga Road since 2012. Cabrera is currently leasing 944 square feet of Class B- office space at \$11.67 per square foot but expressed an interest in upgrading and expanding. This new Lease Agreement will include 1,848 square feet of Class B office space. The initial rent will be \$12.38 per square foot, which is the equivalent of \$22,878.24 per year. This rental rate reflects Cabrera's upgrade to Class B office space. The rental rate will be subject to an annual escalator of three percent (3%). The three-year lease term will commence March 1, 2016 and expire on February 28, 2019.

“RESOLVED, that the Board hereby authorizes a Lease Agreement with Cabrera Services, Inc. for use 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 a Lease Agreement with Cabrera Services, Inc. with terms and conditions as set forth above and as negotiated; and

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

CORPORATE:

2. C. (3) **Authorization for Lease Agreement, Queen City Coral, LLC, 247 Cayuga Road**

RECOMMENDATION: Staff recommends that the Board authorize a Lease Agreement with Queen City Coral LLC (Kathryn Essner and Thomas Garlock, Founders) for space at 247 Cayuga Road.

INFORMATION: Queen City Coral is a new business that grows coral to be used in salt water fish tanks. This Lease Agreement will include 3,337 square feet of Class C+ warehouse space. The initial rent will be \$7.35 per square foot, which is the equivalent of \$24,526.95 per year with an annual escalator of three percent (3%). The one-year lease term will commence March 1, 2016 and expire on February 28, 2017 unless Queen City Coral exercises its option to renew for up to four (4) additional one-year periods covering March 1, 2017 through February 28, 2021. The exercise by Queen City Coral of each such option to renew shall be subject to the approval of the NFTA in its sole discretion.

“RESOLVED, that the Board hereby authorizes a Lease Agreement with Queen City Coral, LLC for use 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 a Lease Agreement with Queen City Coral, LLC with terms and conditions as set forth above and as negotiated; and

BE IT FURTHER RESOLVED, that said Lease Agreement shall include such other 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. (4)
1. Authorization for Agreement, DeLacy Ford, Inc., Vehicle Maintenance Services for Parking Operations, BNIA and NFIA
2. Authorization for License Agreement, WNY Freedom Lounge, Inc., Military Courtesy Room, BNIA
3. Authorization for License Agreement, Northeast Chapter of the American Association of Airport Executives (NEC/AAAE), BNIA
4. Approval of Tariffs, NFIA

AVIATION:

3. D. (i) Niagara Frontier Transportation Authority, Acceptance of Aviation Resolutions 3. D. (1) through 3. D. (4)

The Executive Director advised that Items 3. D. (1) through 3. D. (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 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. (4) and dated February 25, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: SLOMA, DEMAKOS, DURAND, ANSARI, GURNEY, HICKS, HUGHES, PERRY

NOES: NONE

ADOPTED

AVIATION:

3. D. (1) **Authorization for Agreement, DeLacy Ford, Inc., Vehicle Maintenance Services for Parking Operations, BNIA and NFIA**

RECOMMENDATION: Staff recommends that the Board authorize an Agreement with DeLacy Ford, Inc., Elma, New York for vehicle maintenance services for the parking operations at the Buffalo Niagara International Airport (BNIA) and the Niagara Falls International Airport (NFIA). The initial term is 3 years commencing March 1, 2016 with the option to renew for 2 additional one-year periods at the sole discretion of the NFTA. The annual cost of vehicle maintenance is estimated at \$150,000 to \$175,000 and payment would be made for actual services provided at agreed upon contractual rates.

INFORMATION: BNIA and NFIA provide parking accommodations to travelers and airport employees. Shuttle service is provided to transport people from/to the long term parking lots to/from the terminal building. Shuttle service is continuously provided on a 24/7 basis. Currently, there are 18 shuttle vans and 3 service vehicles used in the airport parking operations. Each shuttle van drives approximately 40,000 to 45,000 miles per year within the parking lots. Since they are predominately driven on roadways on airport property, there is a high degree of maintenance required due to high idling time, frequent braking, constant tire wear, and general overall abuse from constant "parking lot mileage." Vehicle safety and reliability are integral components for efficient parking operations and service. The current shuttle service is provided by SP Plus (formerly Standard Parking, Inc.) under a management agreement with the NFTA. SP Plus coordinates parking vehicle maintenance within the scope of its agreement.

A Request for Proposal No. 4541 (RFP) was issued in accordance with NFTA Procurement guidelines seeking proposals to provide parking vehicle maintenance. The RFP identified scheduled maintenance and safety inspections within the specified scope of services including requirements for ASE mechanic certifications. The NFTA review team including BNIA Administration staff, BNIA Mechanic Supervisor, SP Plus General Manager, and NFTA Procurement staff evaluated the proposals taking into consideration:

- Technical criteria including compliance with technical specifications, reporting, and project approach,
- Cost, and
- Qualifications and experience.

The team determined that DeLacy Ford, Inc. ranked the highest and possesses the qualifications and resources required to perform the services. Staff estimates the annual cost of vehicle maintenance will range between \$150,000 and \$175,000.

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

“RESOLVED, that the Board hereby authorizes an Agreement with DeLacy Ford, Inc. for vehicle maintenance services for the parking operations at the Buffalo Niagara International Airport and the Niagara Falls International Airport at a cost as described above; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and are hereby authorized to execute and deliver an Agreement with DeLacy Ford, Inc. as described above; and

BE IT FURTHER RESOLVED, that said Agreement shall include such other 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 of Aviation that such payments are in order based upon receipt of all required supporting documentation.”

RFP 4541 Vehicle Maintenance Service	DeLacy Elma, NY	Emerling Ford Inc. Springville, NY
SELECTION CRITERIA	(Rate on a score of 1 - 10)	
Compliance with technical specifications. 40%	9.00	9.00
Cost. 40%	10.00	6.80
Qualifications and Experience: Demonstrated ability, past performance, management and references. 20%	9.00	9.00
TOTAL	9.40	8.12
COST FOR BASIC SERVICES		
Safety and Equipment Inspections 6000 mi or 60 days	\$53.84	\$79.95
OEM Recommended Services 3000 mi or 12 mo	\$40.21	\$99.95
Hourly Labor Rate	\$53.84	\$79.95
Parts Discount off List	38.6%	38.0%

AVIATION:

3. D. (2) **Authorization for License Agreement, WNY Freedom Lounge, Inc.,
Military Courtesy Room, BNIA**

RECOMMENDATION: Staff recommends the Board approve a fee-free month-to-month License Agreement with the soon-to-be-formed 501(c)(3) not-for-profit corporation, WNY Freedom Lounge, Inc. ("Licensee"), for approximately 495 square feet of space in the baggage claim area at the Buffalo Niagara International Airport ("BNIA") to be used as a military courtesy room.

INFORMATION: Licensee desires to establish and operate a military courtesy room at BNIA for the use of military personnel and their families when traveling. The military courtesy room will provide a quiet and private area for military personnel to gather with their families and friends. The term of the License Agreement will be month to month and the Licensee will pay its pro-rata share of utilities. This is surplus space which was previously utilized as an airline baggage claim office. The room has been vacant for approximately two years due to the recent airline mergers. The License Agreement will require Licensee to procure insurance and defend and indemnify the NFTA against claims and losses resulting from Licensee's use of the premises. The NFTA will have the right to terminate the License Agreement upon thirty days written notice in the event that the premises are needed for aeronautical use or a fair market rent opportunity arises. The NFTA reviewed the terms of the proposed License Agreement with the FAA, and the FAA did not take issue with the terms.

The contribution of the premises at BNIA and the establishment of the military courtesy lounge enhances the public acceptance of BNIA and serves a community purpose without adversely affecting the operations of BNIA.

FUNDING: No funding is required.

"RESOLVED, that the Board hereby authorizes a License Agreement with WNY Freedom Lounge, Inc., for use of space in the baggage claim area at the Buffalo Niagara International Airport, as described hereinabove; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute and deliver a License Agreement with the WNY Freedom Lounge, Inc. as set forth above and as negotiated; and

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

AVIATION:

3. D. (3) **Authorization for License Agreement, Northeast Chapter of the American Association of Airport Executives (NEC/AAAE), BNIA**

RECOMMENDATION: Staff recommends the Board approve a License Agreement with the Northeast Chapter of the American Association of Airport Executives (NEC/AAAE) for the use of a surplus parking lot on Cayuga Road to conduct a Snow Plow Rodeo as part of the 50th Anniversary of the International Aviation Snow Symposium (“Snow Symposium”) to be held April 23-27, 2016 at the Buffalo Niagara Convention Center.

INFORMATION: The Buffalo Niagara International Airport is the host airport for the 50th Anniversary of the Snow Symposium. The Snow Symposium is a widely attended national event that brings together airport personnel and snow removal equipment manufacturers to exchange ideas on enhancing safety at airports during winter operations, the latest snow removal techniques, strategies, and the display of state of the art snow removal equipment. The event also features basic and advanced snow academy training classes that serve to fulfill the winter operations training requirements of airport snow operators.

The NEC/AAAE desires to coordinate and conduct a Snow Plow Rodeo on April 27, 2016 as the final event of the Snow Symposium. The first 50 drivers to sign up will compete by displaying their skills as an operator on a course set up by NEC/AAAE on NFTA property and using NFTA snow removal equipment. The participants will be required to sign a release and must participate in a safety and course briefing to be provided by NEC/AAAE. The NEC/AAAE will provide insurance for the event and the License Agreement will include a provision that requires the NEC/AAAE to defend and indemnify the NFTA from and against all claims, costs, and damages that may result from the conduct of the Snow Plow Rodeo.

FUNDING: No funding is required.

“RESOLVED, that the Board hereby authorizes a License Agreement with the Northeast Chapter of the American Association of Airport Executives for use of a surplus parking lot on Cayuga Road at the Buffalo Niagara International Airport as described hereinabove; and

BE IT FURTHER RESOLVED, that the Executive Director, her designee and/or the Chairman, be and hereby are authorized to execute a License Agreement with the Northeast Chapter of the American Association of Airport Executives as set forth above and as negotiated; and

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

AVIATION:

3. D. (4) Approval of Tariffs, NFIA

RECOMMENDATION: Staff recommends that the Board approve the following tariffs at the Niagara Falls International Airport (NFIA) effective April 1, 2016:

- Landing fee tariff for scheduled passenger air carriers, air cargo carriers, and charter operators will increase to the rate of \$1.49 per 1,000 pounds of Gross Certified Take-off Weight, (GCTOW). The current rate is \$1.35 per 1,000 pounds of GCTOW.
- Terminal Use Fee will increase to \$115 or \$1.15 per one-way seat (whichever is greater) per operation. The current rate is \$100 or \$1.00 per one-way seat.

INFORMATION: The NFIA tariff has not changed since April 1, 2014. The estimated financial impact of the proposed tariff revisions will increase NFIA revenues by \$38,000 during the upcoming fiscal year. The estimated cost per enplanement for the scheduled passenger air carriers will increase from \$2.63 to \$2.95 which remains a very competitive rate.

FUNDING: No funding required.

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

BE IT FURTHER RESOLVED, that the above stated rates shall be effective April 1, 2016.”

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

Surface Transportation Resolutions

- i. Niagara Frontier Transportation Authority, Acceptance of Surface Transportation Resolutions 4. D. (1) through 4. D. (2)
1. Authorization for Waiver of Competitive Process Requirement Contained in the NFTA's Procurement Guidelines, ICF International, "Beyond Traffic: The Smart City Challenge", NITTEC
2. Authorization for Procurement, Stingray Manufacturing, Aqueous Parts Washer, Metro

SURFACE:

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

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

Whereupon, it was moved by Commissioner Hicks, seconded by Commissioner Gurney, that the following Resolution be adopted:

“**RESOLVED**, that the Resolutions of the Niagara Frontier Transportation Authority, identified as numbers 4. D. (1) through 4. D. (2) and dated February 25, 2016 as set forth herein, be and hereby are accepted and approved in their entirety.”

AYES: SLOMA, DEMAKOS, DURAND, ANSARI, GURNEY, HICKS, HUGHES, PERRY

NOES: NONE

ADOPTED

SURFACE:

5. D. (1) **Authorization for Waiver of Competitive Process Requirement Contained in the NFTA's Procurement Guidelines, ICF International, "Beyond Traffic: The Smart City Challenge", NITTEC**

RECOMMENDATION: NITTEC staff recommends that the Board authorize a one-time waiver of the competitive process requirement contained in the NFTA's Procurement Guidelines (the "Guidelines") so that NITTEC may engage ICF International, Inc. ("ICF"), a professional services consultant, on or before March 12, 2016, to aid NITTEC in developing the technical narrative of the proposed vision and goals it submitted to the USDOT in connection with the Smart City Challenge Notice of Funding Opportunity ("NOFO"). The requested waiver is in the best interests of NITTEC and necessitated on the basis of expediency, as more fully described below.

INFORMATION: By way of background, on December 7, 2015, the U.S. Department of Transportation ("USDOT") issued a NOFO titled "Beyond Traffic: The Smart City Challenge." The NOFO provides for up to \$40 million in federal funding for one mid-sized U.S. city with a population of 200,000 to 850,000 people to aid the city in addressing the challenges it faces as a result of rapid population increases and/or rapidly growing demands on its public transportation system.

The New York State Department of Transportation ("NYSDOT"), pursuant to a competitively bid contract, tasked ICF with providing professional consulting services directly related to (i) preparing the form of application / submission to be used by regional partners to respond to the NOFO and (ii) assisting regional partners during the initial concept stage of the Smart City Challenge process.

On February 4, 2016, in response to the NOFO, NITTEC submitted its application based on a technical narrative of the proposed vision and goals for the City of Buffalo. The USDOT will evaluate the applications it receives from mid-sized cities across the nation based on the technical merit criteria set forth in the NOFO and select five (5) finalists to receive \$100,000.00 to be used to support their respective Smart City Challenge concept development and planning activities.

On or about March 12, 2016, the USDOT intends to invite the five (5) Smart City Challenge finalists to apply for the \$40 million of federal funding referenced in the NOFO, which must be used to implement its Smart City Challenge concept. NITTEC has been advised that the five (5) finalists will be required to submit their respective applications in early to mid-May 2016. The USDOT will evaluate those applications and award up to \$40 million in federal funding to the one mid-sized city whose Smart City Challenge concept reflects the most bold, data-driven ideas to improve lives by making transportation safer, easier and more reliable.

If NITTEC is notified that it has been selected as one of the five finalists, time will be of the essence and specialized knowledge will be critical. Accordingly, pursuant to Article 24(B) and Article 18(C) of the Guidelines, NITTEC hereby provides the following details regarding this request for the Board's approval to waive, in this single instance only, the competitive process requirement contained in the Guidelines on the basis of expediency in the best interest of NITTEC:

SURFACE 5. D. (1)

(i) Objective and Rationale: The objective is to retain ICF by no later than mid-March 2016 for the purpose of aiding NITTEC in efficiently and effectively utilizing the \$100,000.00 in federal funding it may receive to support the development and planning activities associated with its Smart City Challenge concept. The rationale for the expedience is the short timeframe (only 60 calendar days) given by the USDOT to submit reasonably detailed, data-driven development and planning activities necessary to implement NITTEC's Smart City Challenge concept.

(ii) Course of Action: NITTEC's anticipated course of action will be to (1) approach ICF to determine its willingness and ability to provide professional consulting services to NITTEC, (2) negotiate the terms and conditions of a mutually beneficial consulting agreement, (3) review, in detail, the Smart City Challenge concept submitted to the USDOT by NITTEC on February 4, 2016, (4) discuss potential development and planning activities and the costs associated therewith, (5) select the best development and planning activities based on, among other things, key data points, degree of innovation and cost, and (6) document the development and planning activities selected for inclusion in NITTEC's submission to the USDOT by early to mid-May 2016.

(iii) Justification and Anticipated Benefit: The justification for this waiver request is two-fold: (1) ICF's specialized knowledge with respect to the NOFO including, without limitation, its direct involvement in preparing the form of application and assisting the NYSDOT and regional partners during the initial concept stage of the Smart City Challenge process and (2) the short 60-day timeframe within which NITTEC will be required to retain ICF and identify, evaluate, select and document in reasonable detail all development and planning activities necessary to implement its Smart City Challenge concept.

(iv) Best Interests of NITTEC. NITTEC believes that waiving the competitive process requirement imposed by the Guidelines in this particular instance is in the best interests of NITTEC because (1) ICF has the necessary specialized expertise, (2) ICF has a historical relationship with transportation industry participants, (3) ICF is best-suited to provide the professional services needed by NITTEC given the complex nature of the task and the short timeframe for completing it and (4) ICF's prior involvement in the Smart City Challenge process will be an advantage to NITTEC and better position it to succeed.

FUNDING: \$100,000.00 in federal funding to be awarded to each of the five (5) finalists selected by the USDOT.

“RESOLVED, that the Board hereby finds that a waiver of the competitive process requirement contained in the NFTA's Procurement Guidelines is in the best interests of NITTEC and necessitated on the basis of expediency in the particular instance described herein; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes a one-time waiver of the competitive process requirement contained in the NFTA's Procurement Guidelines in the particular instance described herein.

SURFACE 5. D. (1)

SURFACE:

4. D. (2) **Authorization for Procurement, Stingray Manufacturing, Aqueous Parts Washer, Metro**

RECOMMENDATION: Staff recommends that the Board approve the purchase of a replacement parts washer for \$116,022.00 from Stingray Manufacturing of St. Louis, MO.

INFORMATION: Metro rebuilds engines for revenue vehicles. The rebuild process requires parts as large as an engine be cleaned before rebuilding. The requested parts washer, which was selected from two proposals received in response to Request for Proposal 4552 issued in accordance with NFTA Procurement Guidelines, will replace the existing machine with one that has a 3,000 lb. capacity and utilizes an aqueous cleaning solution. The existing parts washer is over 20 years old, has exceeded its useful life and can no longer be repaired or maintained.

FUNDING: Funding for this project is provided by Acquire Miscellaneous Equipment FYE16, project # 23346, Account Code 12000003209.

“RESOLVED, that the Board hereby authorizes the procurement of an aqueous parts washer from Stingray Manufacturing at a cost of \$116,022.00, as described above; and

BE IT FURTHER RESOLVED, that the Manager, Procurement, be and she is hereby authorized to issue Purchase Order(s) to Stingray Manufacturing for the procurement of the parts washer 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 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.”

RFP NO. 4552
 AQUEOUS PARTS WASHER

2/4/2016

	GRAYMILLS CORPORATION Chicago, IL	STINGRAY MANUFACTURING St. Louis, MO
SELECTION CRITERIA (Completed by Team)		
Compliance with technical specifications 50% Cost. 30%	9.00 4.99	9.00 10.00
Qualifications & Experience 20% - Demonstrated ability in the industry, References, Past performance, Depth of knowledge of key personnel in critical areas	9.00 7.80	9.00 9.30
TOTAL		
COST	\$232,650.00	\$116,022.00
TOTAL	\$232,650.00	\$116,022.00

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

At approximately 12:55 p.m., the Vice Chairman indicated that there was no further business coming before the Board, whereupon it was moved by Commissioner Gurney seconded by Commissioner Demakos and unanimously approved that the Regular Meeting of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc. be adjourned.

**AYES: SLOMA, DEMAKOS, DURAND, ANSARI, GURNEY,
HICKS, HUGHES, PERRY**

NOES: NONE