

PORT AUTHORITY OF ALLEGHENY COUNTY
MINUTES OF THE REGULAR BOARD MEETING
FRIDAY, SEPTEMBER 29, 2017

The Regular Meeting of the Board of Port Authority of Allegheny County was held on Friday, September 29, 2017, at 9:30 a.m., at the Authority's Administration Offices, 345 Sixth Avenue, Pittsburgh, Pennsylvania, 15222-2527, pursuant to due public notice given as required by law.

Board Members:

Jeff Letwin, Chair
Jennifer Liptak
Ann Ogoreuc
John Tague
Rob Vescio (via phone)
Senator Brewster
Rob Kania
Michelle Zmijanac
Stephanie Turman
Joel Lennen, General Counsel

Media:

Ed Blazina, Post-Gazette
Shelby Cassesse, KDKA
Gabriella DeLuca, WPXI

Port Authority Staff:

David Donahoe, interim chief executive officer, Keith Wargo, assistant general manager Engineering and Technical Support, Jim Ritchie, Communications officer, Barry Adams, assistant general manager Human Resources, Mike Cetra, assistant general manager Legal and Corporate Services, Ed Typanski, director Grants and Capital Programs, Adam Brandolph, Public Relations representative, Melissa Rubin, Public Relations coordinator, Deborah Skillings, Community Outreach coordinator, Breen Masciotra, TOD project manager, Jeff Faddis, contract specialist Professional Services, Catherine Terrill, Professional Services Contract Specialist, Todd Stoker, director Claims, Tony Trona, director Purchasing and Materials Management, John Beeler, manager Customer Service, Amy Silbermann, data analyst, Diane Williamson, executive assistant.

Other

Carolyn Lenigan, Chandana Cherukupalli, PPT, Jim Robinson, ACTC, James Keener, Laura Wiens, PPT, Nickole Nesby, Speaker, Glenn Walsh, Greg Evashavik, Outside Counsel, Creighton Rabs, Speaker, Jonah McAllister-Erickson, Varsha Ramasubranian, Speaker, Casey Madden, Speaker, James Love, Speaker, Andrew Hussein, Speaker, Mel Parker, PPT, Christina Howell, Speaker, Adine Fells, Pittsburgh Community Reinvestment Group, Gabriel McMorland, Jordan Malloy, Speaker, Jason Beery, Speaker, Kim Dinh, Speaker, Krystle Knight, Speaker, Phyllis DiDiano, Speaker, Hana Swift, ARYSE, Madeline Franke, Speaker, Dustin Gibson, Speaker, An-Li Herring, Maryem Aslem, Speaker, Tim Joyce, Senator Brewster's Office, Peter Gilmore, Speaker.

The Chairman called the meeting to order. After the recital of the pledge of allegiance, Mr. Letwin introduced and welcomed new Board Member, Stephanie Turman. He noted that it takes a certain amount of commitment to be engaged in public transit and being on this Board, and we appreciate the fact that you are willing to make this commitment and look forward to Ms. Turman's input.

A recommendation was made for approval of the minutes of the July 28, 2017 Regular Meeting. A motion was made, seconded and unanimously passed.

The Chairman called on Mr. Donahoe for a report of the interim chief executive officer.

Mr. Donahoe reported that over the summer months, there were a number of developments.

In September, bus operator Michael Gibson, a 12-year employee, realized that a passenger who boarded the bus at the Aspinwall VA Center may actually be a patient who became disoriented. Working with police officer Dominick Ravotti and route foreman Steve Fox, the patient was carefully returned to the center for care. Although operator Gibson and Mr. Fox could not be with us today, Mr. Donahoe introduced and recognized police officer Dominick Ravotti.

The Chairman remarked that the Board really appreciates the work that our police force does and we are very grateful to have you involved in our organization and all that you do.

Mr. Donahoe continued reporting that each day operators, route foremen, traffic personnel and police officers work together to come to the aid of passengers who need a little extra care. Since the beginning of the year, the police have recorded approximately 327 such assistance calls including medical and crisis intervention. They are training for this type of response in addition to their general security and safety duties.

In terms of good news, Mr. Donahoe, along with county executive Rich Fitzgerald, participated in August in a ribbon-cutting for the new Wi-Fi service being offered in several of our light rail stations. The initiative blends nicely with the start of True Time reporting for light rail lines by the end of this year.

Mr. Donahoe continued reporting that the last few weeks became somewhat unexpectedly busy with talks around state funding and the future of the Act 89 predictable funding. Working with our team, we responded to requests for information about the impact of various funding issues. Talks continue in Harrisburg, but we need to express our thanks to the Allegheny County legislative delegation for seeking out information and for listening to us on this issue on behalf of our riders.

Mr. Donahoe announced that this month, the Authority was listed among 51 recipients of the federal No or Low Emissions project grants for 2017. The award of \$500,000, plus a local match, and 2018 bus procurement funds will allow for the purchase of our first 40-foot all-electric bus and supporting charging station. He noted that the original application was for the purchase of five all-electric vehicles, which our Operations folks believed would provide a good test for this technology. Therefore, we are pursuing other funding to try and implement the project as originally planned.

In regard to the BRT, documents were sent to the FTA in early September. As members know, this submission was at the invitation of the FTA and was to get in the queue for final consideration. The planning process continues with community meetings scheduled in McKeesport, Duquesne and Braddock starting next week and continuing through October to plan and receive feedback on service changes in those areas.

On the business side, the financial reports presented this month continue to indicate on-budget performance. The independent audit of the Authority for fiscal year 2017 is underway as we speak. We also have 27 capital projects under notices to proceed and another 22 scheduled for notice either later this year or by mid-2018.

That concluded the report of the interim chief executive officer.

Before calling for a report of the Performance Oversight Committee, Mr. Letwin announced the appointment of Ms. Michelle Zmijanac as the Chair of the Performance Oversight Committee and asked Ms. Zmijanac for a report.

Ms. Zmijanac reported that a meeting of the Performance Oversight Committee was held on Thursday, September 21, and the minutes from the previous meeting were approved by the Committee.

The financial results for the month of August 2017 were presented at the meeting. It was reported that total operating income for the month was \$742,412 over budget primarily due to higher passenger revenues; total expenses for the month were approximately \$1.44 million under budget due to lower expenses in purchased services and other expenses; and total subsidies for the month were \$225,860 ahead of budget due to higher levels of state operating assistance.

When comparing year-to-date financial data, it was reported at the meeting that total operating income compared to last fiscal year is approximately \$1.39 million higher. Ms. Zmijanac explained that this is primarily due to a one-time accounting entry related to switching from a consignment sale system.

It was also reported at the meeting that total expenses compared to last fiscal year are \$263,357 higher and total subsidies are \$3.2 million higher than last year due to higher state operating assistance and the use of preventive maintenance funding.

There were nine resolutions reviewed by the Performance Oversight Committee for consideration by the Board.

The Committee first reviewed three procurement actions and found the bids to be in accordance with the Authority's procurement policies and procedures, the prices to be fair and reasonable, and the bidders to be responsive and responsible.

The Performance Oversight Committee therefore recommended the three items outlined in the resolution for award in the total amount of \$715,368.80.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution recommended by the Performance Oversight Committee authorizes the Authority to extend and amend agreements with Greenlee Partners, LLC and Buchanan Ingersoll & Rooney PC to provide legislative consulting services.

Ms. Zmijanac explained that the Authority previously entered into agreements with the two firms for the total not-to-exceed amount of \$816,000. As the agreements will expire on September 30, 2017, and the Authority is in the process of completing a new request for proposals to solicit firms to provide

these services, the Authority has determined that it is in its best interest to extend the term of agreements on a month-to-month basis for a period not to exceed an additional six months through March 31, 2018, with an increase of \$102,000 in the total not-to-exceed amount, in order for the services to continue to be performed.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution recommended by the Performance Oversight Committee authorizes the Authority to enter into a Memorandum of Understanding with Castle Shannon Borough. As part of its Rail Crossing Upgrade project, the Authority is planning to perform certain upgrades to pavement markings, signage and audible signalization at existing rail crossings in Castle Shannon.

To assist in the timely and efficient completion of the project, representatives of the Authority have negotiated a proposed Memorandum of Understanding with Castle Shannon Borough.

This resolution authorizes the Authority to enter into the Memorandum of Understanding with Castle Shannon containing the material terms and conditions set forth in Exhibit A to the resolution.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

Ms. Zmijanac continued reporting that similar to the previous resolution, the Authority also wishes to perform certain upgrades to existing rail crossings in the Municipality of Mt. Lebanon.

To assist in the timely and efficient completion of this project, representatives of the Authority have negotiated a proposed Memorandum of Understanding with the Municipality of Mt. Lebanon.

This resolution authorizes the Authority to enter into the Memorandum of Understanding with Mt. Lebanon containing the material terms and conditions set forth in Exhibit A to the resolution.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution recommended authorizes the Authority to award a general construction contract and a plumbing construction contract for the Manchester Garage Site Improvements and Tank Replacement Project.

To perform the work, bid documents were prepared and publicly advertised and six bids were received for the general construction contract and two bids were received for the plumbing construction contract.

It has been determined that the bid of Michael Facchiano Contracting, Inc., in the amount of \$1,369,796.26, for the general construction contract and the bid of The Fourth River Company, in the amount of \$899,740.00, for the plumbing construction contract are the lowest responsive bids from responsible bidders meeting the Authority's requirements.

Ms. Zmijanac stated that the Performance Oversight Committee recommends the respective contracts be awarded to these bidders.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution recommended is authorization to enter into an agreement to provide Real Estate Consulting Services.

It was explained at the meeting that the Authority requires a contractor to provide Real Estate Consulting Services to provide expertise and technical support to the Authority for all aspects of its real estate interests.

A request for proposals was publicly advertised and three proposals were received. The proposal submitted by Interstate Acquisition Services was determined to be the highest-rated proposal for the performance of the services.

This resolution authorizes the Authority to enter into a three-year agreement with Interstate in the amount of \$1,062,000, which will be allocated on an as-needed basis through task specific work orders.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution recommended is authorization for settlement of a public liability claim.

Ms. Zmijanac stated that it was explained at the meeting that an accident occurred on January 14, 2015 involving a Port Authority bus on Fifth Avenue at Atwood Street in Oakland. The parties have reached an amicable agreement to fully and finally settle the litigation which was filed as a result of the accident.

This resolution authorizes a settlement payment in the total not-to-exceed amount of \$150,000 to fully and finally settle the litigation.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The next resolution authorizes the Authority to enter into a First Amendment to its Designated Service Agreement with Chatham University. Port Authority and Chatham have been parties to a series of agreements providing eligible Chatham students, faculty and staff with access to, and use of, the Authority's public transit system in exchange for certain fees paid by Chatham as part of the U-Pass Program. The current agreement expires on September 30, 2017.

This resolution authorizes the Authority to enter into the First Amendment with Chatham University extending the term of the Agreement for one year to October 1, 2018. The First Amendment also provides that effective November 1, 2017, Chatham will convert to a compensation method and usage of the Authority's public transit system by Chatham-issued identification card holders solely based upon card taps.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

The final resolution recommended by the Performance Oversight Committee authorizes extending and amending an agreement with Peirce Park Group, LLC to provide Chief Investment Officer Services.

In October 2013, the Authority's Board authorized the award of an agreement with Peirce Park Group, LLC for an initial three-year term for the not-to-exceed amount of \$660,000. The Agreement also contained two additional option years which could be exercised by the Authority in its sole discretion.

In September 2016, the Board approved to exercise the first option year extending the term of the Agreement until November 30, 2017 and to increase the total not-to-exceed amount of the Agreement to \$839,000.

This resolution authorizes the Authority to exercise the second option year extending the term of the Agreement to November 30, 2018 and to increase the total not-to-exceed amount of the Agreement to \$1,018,000.

On behalf of the Performance Oversight Committee, Ms. Zmijanac respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

That concluded the report of the Performance Oversight Committee.

The Chairman called on Mr. Tague for a report of the Planning and Stakeholder Relations Committee.

Mr. Tague reported that the Planning and Stakeholder Relations Committee met last week. He reported that Mr. Schenk and his group prepared a proposal seeking grant money from the FTA under the Bus and Bus Facilities Discretionary Program. Port Authority is requesting funding to purchase 10 clean diesel fuel buses in the amount of \$4.8 million. This would be an 80 percent federal and 20 percent non-federal grant.

On behalf of the Planning and Stakeholder Relations Committee, Mr. Tague respectfully requested approval of the resolution.

It was moved, seconded and unanimously agreed that the resolution be approved as presented.

That concluded the report of the Planning and Stakeholder Relations Committee.

Before beginning the Public comment period, the Chairman reminded everyone that comments are limited to a three-minute time frame so that we can allow everybody who registered to address the Board.

The first speaker, Mr. James Love, commented on the overlapping of Port Authority service with our regional partners outside Allegheny County.

The next speaker, Nickole Nesby from the City of Duquesne, thanked the Board for resolving the concerns she expressed when she spoke at the July meeting. As of September 11, our community Save-A-Lot is now a vendor to sell fare instruments. This will be very beneficial to the community.

Ms. Nesby also thanked the Board for scheduling community meetings in Braddock, Duquesne and McKeesport in October to give residents from these communities a chance voice their concerns with the BRT project.

A total of 13 speakers spoke about the implementation of the proof of payment policy on the T. A number of speakers proposed to have a customer service approach rather than a traditional policing approach. Organizations such as the Beechview Area Concerned Citizens, Women and Girls Foundation, the Hill District Consensus Group and Pennsylvania Immigration and Citizenship Coalition, to name a few, were represented at the meeting.

There being no further business to conduct. The meeting was adjourned.

The next Regular Meeting of the Board will be Friday, October 27, 2017.