

PERFORMANCE OVERSIGHT COMMITTEE MEETING

November 14, 2019

The meeting was called to order at 9:00 a.m. in Port Authority's Neal H. Holmes Board Room located on the fifth floor of the Heinz 57 Center with the following in attendance:

Board Committee Members

Michelle Zmijanac, Chair
Representative Lori Mizgorski
Jeff Letwin

Other Board Member

John Tague
Ann Ogoreuc

1. Approval of Minutes:

The Committee approved the minutes from the October 17, 2019 Performance Oversight Committee meeting.

2. Proposed Resolutions:

There were eight resolutions reviewed by the Performance Oversight Committee.

Mr. Trona presented six procurement items and the Committee determined the bids to be in accordance with the Authority's procurement policies and procedures, the prices to be fair and reasonable, the bidders to be responsible and the bids responsive.

The Performance Oversight Committee agreed to recommend for award the six items for the total amount of approximately \$29.3 million.

Mr. Wargo presented the next resolution seeking authorization to award a construction contract for Mechanical Improvements at the Operations Control Center, South Hills Village Rail Center and the Manchester Garage. He reported that bid documents were prepared and publicly advertised and three bids were received for the contract.

After review of the bids by staff and counsel, it has been determined that the bid of Lugaila Mechanical, Inc., is the lowest responsive bid from a responsible bidder and the bid price is fair and reasonable.

The Performance Oversight Committee agreed to recommend awarding the contract to Lugaila Mechanical, Inc., in the amount of \$640,000, subject to completing all pre-award requirements.

Mr. Wargo presented the next resolution seeking authorization to amend the agreement with AECOM Technical Services, Inc., for Bus Rapid Transit Phase III Engineering Services.

Mr. Wargo explained that in July 2018, the Board authorized the award of an agreement to provide Management and Engineering Services to complete the design of the BRT

Project to 60 percent. Additional services, including completion of the final design for the BRT Project to 100 percent, were also included in the agreement.

Mr. Wargo stated that the services have been successfully completed though the 60 percent completion level and a favorable rating was received from the FTA on an application made for a federal grants application.

The Performance Oversight Committee has determined that it is in its best interest to advance the BRT design to the 100 percent level in anticipation of receiving grant funding and advancing the project to construction and agreed to recommend an amendment to the agreement to exercise the option with AECOM for completion of the design for the project to 100 percent and increasing the previously authorized total not-to-exceed amount from \$10,500,000 to \$18,000,000.

Ms. Colon presented the next resolution seeking authorization to enter into agreements with a pool of firms to provide temporary technical and clerical support services on an as needed basis for employee long-term absences, vacancies and additional workload. Request for proposals for the services was publicly advertised and seven proposals were received for both services.

It was determined that the five proposers listed in the resolution were the proposers with the highest-rated proposals to perform the services under both categories.

The Performance Oversight Committee agreed to recommend entering into agreements with the five firms listed on the resolution for a total not-to-exceed amount of \$1,000,000 for both categories, for a three-year period with the option to extend the term of the agreements up to an additional two years at the sole discretion of the Authority.

Mr. Cetra presented the next resolution seeking authorization to extend and amend the agreement with UPMC Benefit Management Services, d/b/a UPMC Work Partners to provide managed care services.

Mr. Cetra explained that in January 2015, the Board authorized the award of the agreement to UPMC Work Partners to provide these services for an initial five-year term at a total not-to-exceed amount of \$3,500,000. The agreement also contains two additional option years to be exercised by the Authority in its sole discretion. To date, the services performed by UPMC have been satisfactory and in compliance with the agreement.

The Performance Oversight Committee agreed to recommend exercising the first option year to extend the agreement through January 31, 2021, with no increase in the previously authorized total not-to-exceed amount.

Mr. Cetra presented the next resolution seeking authorization to extend and amend the agreements with a pool of law firms to provide legal services.

Mr. Cetra reported that in September 2014, the Authority's Board authorized the Authority to enter into agreements with the identified firms in the Board packet in the designated fields of law, shown on Exhibit A to the Resolution, for a five-year period with the option to extend the term of each agreement up to three additional years at the sole discretion of the Authority.

The initial term of the agreements is set to expire on December 31, 2019, and to ensure that critical legal services and representation of the Authority in various active legal matters continues, the Performance Oversight Committee agreed to recommend extending the agreements for one additional year through December 31, 2020.

Mr. Cetra presented the next resolution seeking authorization for settlement of a public liability claim. He reported that an accident occurred on January 1, 2015 on Fifth Avenue in Oakland when an operator was attempting to drop off passengers at a bus stop. This caused a passenger to be injured. A personal injury claim was then submitted to the Authority.

The parties have reach an amicable agreement to fully and finally settle the claim in the total amount of \$130,000, subject to approval by the Board.

The Performance Oversight Committee agreed to recommend authorizing a settlement payment in the amount of \$130,000 to fully and finally settle the claim through a release form approved by counsel.

Mr. Cetra presented the final resolution seeking authorization to settle a property damage claim. He reported that on August 5, 2018, a freight train owned and operated by Norfolk Southern Railway Company derailed and several double-stacked train cars fell onto Port Authority's light rail track located near the Authority's Station Square Station causing significant property damage.

The Performance Oversight Committee agreed to recommend authorizing the Authority to fully and finally settle the claim with Norfolk Southern Railway Company for the total amount of \$2,560,964.52 payable to the Authority through a release form approved by counsel.

3. Rail Transit Safety Review Program Presentation:

PennDot representatives provided the Committee an overview and summary of Pennsylvania's Rail Transit Safety Review Program and an update on ongoing safety oversight activities at Port Authority over the past year. The activities include oversight of Port Authority's light rail system, busways and the Monongahela Incline.

With no further business, the meeting was adjourned.