

**PERFORMANCE OVERSIGHT COMMITTEE MEETING**

September 16, 2021

The meeting was called to order and held virtually with the following in attendance:

Board Committee Members

*(all via TEAMS)*

Michelle Zmijanac, Chair  
Representative Austin Davis  
Representative Lori Mizgorski

Other Board Member

*(via TEAMS)*

John Tague  
Jennifer Liptak  
Stephanie Turman  
Ann Ogoreuc (In-person)  
Jessica Walls-Lavelle

1. Approval of Minutes:

The Committee approved the minutes from the July 15, 2021 Performance Oversight Committee meeting.

2. Proposed Resolution:

The Performance Oversight Committee reviewed nine resolutions for the Board's consideration.

The Committee first reviewed one procurement item and agreed to recommend that a contract be awarded to the low responsible bidder that submitted a responsive bid, Sportworks Northwest, Inc., in the estimated amount of \$113,342.40 over a two-year period.

The next resolution was seeking authorization to enter into the first amendment to a Lease Agreement with the Pennsylvania Department of Transportation and related municipal agreements for the Ross Park and Ride Expansion Project.

The Authority currently operates a 500-space park and ride lot, consisting of an upper and lower lot, on Perry Highway in Ross Township.

The Authority has leased the lower portion of the property from PENNDOT pursuant to a lease agreement entered on May 8, 2017. The Authority also utilizes the upper lot portion of the property.

The Authority has received federal Congestion Mitigation and Air Quality Improvement Program funding to build a deck structure on the lower portion of the property.

The Performance Oversight Committee agreed to recommend entering a first amendment with PENNDOT that would permit construction of the parking deck and construction of a new drainage system.

The Performance Oversight Committee also agreed to recommend entering into all other agreements that may become necessary for the completion of the project.

Port Authority's chief legal officer, Mr. Michael Cetra, presented two resolutions seeking authorization for settlement of two public liability claims.

The first claim involved a Port Authority bus and an individual, Mr. Anthony Cancelliere, who was attempting to get into his parked vehicle when the right rear door hatch of the bus came open and struck the vehicle.

Mr. Cancelliere submitted a personal injury claim seeking monetary recovery for the damages he allegedly sustained as a result of the accident.

The Performance Oversight Committee agreed to recommend a settlement payment in the total not-to-exceed amount of \$125,000 to fully and finally settle the claim with no admission of fault by the Authority.

The second claim involved a Port Authority bus and two privately-owned and operated automobiles on May 30, 2017.

The bus was traveling down Center Avenue when a hydraulic line on the bus ruptured and leaked hydraulic fluid on the roadway. Mr. Joseph Nucci was sitting in his automobile at a red light when a second privately-owned automobile lost control on the leaked hydraulic fluid and struck his vehicle.

Mr. Nucci, along with his wife, Eva Nucci, submitted a personal injury claim seeking monetary recovery for the damages he allegedly sustained as the result of the accident.

The Performance Oversight Committee agreed to recommend a settlement payment in the total not-to-exceed amount of \$175,000 to fully and finally settle the claim with no admission of fault by the Authority.

The next resolution was seeking authorization to award a construction contract.

It was reported that the Authority is engaged in the design and construction of the central business district tunnel plinth rehabilitation project.

The bid of Golden Triangle Construction Co., Inc., is the lowest responsive bid from a responsible bidder among the bids received for the contract.

The Performance Oversight Committee agreed to recommend awarding the contract to Golden Triangle Construction Co., Inc., in the amount of \$19,280,546.00, subject to successful completion of the pre-award requirements.

The next resolution was seeking authorization to amend the general heavy highway and electrical ancillary services contracts.

It was reported that in March 2019, contracts were awarded to Michael Facchiano Contracting, Inc., for the general heavy highway construction contract and T.S.B., Inc., d/b/a Schultheis Electric was awarded the electrical construction contract.

Services are identified and issued on an individual basis for a total amount not to exceed the amounts of the contracts over a three-year period.

It was noted at the meeting that no change orders have been issued to date for the contracts and the services have been completed in a satisfactory manner.

The Authority has determined it is in its best interest to increase the total not to exceed amounts of the contracts by \$500,000 each to ensure adequate funding for the services is maintained.

The Performance Oversight Committee agreed to recommend authorizing amendments to increase the total not-to-exceed amount of the General Heavy Highway contract with Michael Facchiano Contracting to \$4,148,803.00 and increase the total not-to-exceed amount of the Electric Construction Contract with T.S.B., Inc., d/b/a Schultheis Electric to \$3,827,034.00.

The next resolution was seeking authorization to award general and electrical construction contracts for the LRT High Platform Station Improvements Project.

The improvements will include 18 high platform stations along the Red, Blue and Silver Light Rail System lines.

The bid of P.J. Dick Incorporated for the General Construction Contract and Merit Electrical Group, Inc., for the electrical construction contract are the lowest responsive bids from responsible bidders meeting the Authority's specifications for the project.

The Performance Oversight Committee agreed to recommend awarding the General Construction Contract to P.J. Dick Incorporated, in the amount of \$8,729,009.55, and the Electrical Construction Contract to Merit Electrical Group, Inc., in the amount of \$2,042,700.00 for completion of the project.

The next resolution was seeking authorization to enter into agreements with a pool of firms to provide bus rapid transit construction management services.

The proposals submitted by CDR Maguire, Inc. and Hill International, Inc., have been determined to be the highest-rated proposals for the performance of services.

The Performance Oversight Committee agreed to recommend entering into agreements with CDR Maguire, Inc. and Hill International, Inc., in a total not-to-exceed amount of \$17,000,000, which would be allocated on an as-needed basis through task specific work orders.

The final resolution presented was seeking authorization to enter into designated service agreements with the participants of the University Pass Program.

As part of the University Pass Program with the University of Pittsburgh, Carnegie Mellon University and Chatham University, the Authority provides eligible students, faculty, and staff with use of its transit system in exchange for 50 percent of the Authority's base fare per card tap, or \$1.25, via university-issued identification cards compatible with the Authority's smart card system.

As the current agreements are set to expire on September 30,2021, the Authority has reached new agreements in principle with the universities for a five-year period.

The agreements provide that each university pay the Authority a fee of 60 percent of the Authority's current base fare per card tap, or \$1.65, with three percent rate escalators in each subsequent agreement year, and that each university coordinate with the Authority to convert to primarily utilizing the newly launched mobile ticketing services.

The Performance Oversight Committee agreed to recommend entering into the new agreements with the universities for the five-year period.

With no further business, the meeting was adjourned.