

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF COMMISSIONERS OF
ROCHESTER-GENESEE REGIONAL TRANSPORTATION AUTHORITY
AND ITS SUBSIDIARIES
September 10, 2020**

A. Roll Call and Determination of Quorum

The meeting was called to order at 12:05pm by Chairman Donald Jeffries who determined that a quorum was present.

Present on Roll Call:

➤ County of Monroe	Don Jeffries	=	15 votes
City of Rochester	William Ansbro	=	2 votes
➤ City of Rochester	Jerdine Johnson	=	2 votes
➤ City of Rochester	William McDonald	=	2 votes
➤ County of Ontario	Geoff Astles	=	3 votes
County of Orleans	James R. Bensley	=	1 vote
➤ County of Seneca	Edward W. White	=	1 vote
➤ County of Wayne	Michael P. Jankowski	=	3 votes
➤ County of Wyoming	Rich Kosmerl	=	1 vote
Amalgamated Transit Union	Jacques Chapman	=	<u>0 votes</u>

Total Votes Possible	30
Total Votes Present	27
Votes Needed for Quorum	16

Others Present:

Scott Adair, Chief Financial Officer
Kirk Bethel, Manager of Customer Service
David Belaskas, Director of Engineering & Facilities Management
Tom Brede, Public Information Officer
Mike Burns, Director of Accounting Services
Bill Carpenter, Chief Executive Officer
Mark Contestable, Senior Project Manager
Kelly Davidson, Recruitment Manager
Daniel DeLaus, Chief Legal Counsel
Chris Dobson, VP of Transportation Services
Chris Doran, Client Relationship Manager
Renee Elwood, Director of Well-Being & Inclusion
Caitlin Farley, Retirement and Benefits Specialist
Eric Farr, Manager of Capital Planning
Justin Feasel, Manager of Purchasing & Project Management
Lea Goodness, Director of Scheduling
Amy Gould, Chief People Officer

Krystal Hall, Director of People Performance & Development
Brandon Hettler, Technical Support Administrator II
Laura Kenyon, Director of Communications & Customer Engagement
Rich Kirkland, Facilities Manager
Ryan Lokken, Manager of Maintenance Support Operations
Chris Mahood, Director of Information Technology
Dave Masten, Manager of Loss Prevention
Jamie Mott, Director of Paratransit Services
Sharon Muir-Eddy, Director of Budget
Kelly Parisi, Executive Assistant to the CEO
Earl Pearson, Mobility Services Manager
Aracelis Perez-Diaz, Customer Relationship Marketing Specialist
Jason Smalling, Senior Budget Analyst
Janet Snyder, Labor Relations Director
Jim Stack, Executive Director GTC
Dawn Sywulski, Manager of Contract Administration
Miguel Velazquez, Chief Operating Officer

B. Adoption of the Agenda

On motion of Commissioner Astles, seconded by Commissioner Jankowski, the Agenda was unanimously adopted.

C. Approval of Minutes

On motion of Commissioner McDonald, seconded by Commissioner Kosmerl, the following minutes were unanimously approved.

- RGRTA Audit Committee Meeting Minutes of August 4, 2020
- RGRTA Governance Committee Meeting Minutes of August 6, 2020
- Quarterly Board Meeting Minutes of August 6, 2020

D. CEO Report

Bill Carpenter, Chief Executive Officer, presented the CEO Report including presentations from Mike Burns, Director of Accounting Services on the TOPS Highlight and Rusty Korth, VP of Maintenance on the RTS Electric Bus Program. The power point presentations are attached to these Minutes.

Questions/Comments regarding the presentation on the RTS Electric Bus Program:

- *Commissioner Kosmerl asked what the expected battery life is on the Electric buses. Rusty Korth, VP of Maintenance, responded that the batteries are warrantied for 12*

years and the vendor fully expects that they will last for 12 years as long as we follow good charging practices.

- *Commissioner McDonald what is the range of the electric bus compared to a diesel bus. Rusty Korth, VP of Maintenance, stated that a diesel bus can travel 500 miles on a full tank of diesel fuel, generally, the furthest our buses travel in a day is 260 miles. The current electric buses anticipate up to about 200 miles and we expect future buses that are ordered will be able to travel farther as advancements are made in the battery technology.*
- *Commissioner Chapman asked how long it will take for the batteries to charge once they are depleted. Rusty Korth, VP of Maintenance, responded that it will take 3-4 hours to charge to full capacity.*

On motion of Commissioner Astles, seconded by Commissioner McDonald, the CEO Report was accepted by unanimous vote.

E. Financial Report

Scott Adair, Chief Financial Officer, presented the financial report, a copy of which is attached to these Minutes.

On motion of Commissioner Kosmerl, seconded by Commissioner Astles, the Financial Report was accepted by unanimous vote.

F. Student Transportation with Rochester City School District

Bill Carpenter, Chief Executive Officer, presented three scenarios to the Board, along with Managements recommendations on how to proceed with the Rochester City School District, a copy of which is attached to these Minutes.

- *Chairman Jeffries commented that he likes Option C and would like to open it up to the other commissioners for comment.*
- *Commissioner Astles stated that Option C is the only option that seems to make any sense at this point as far as timing. He mentioned that he feels that we need to stress upon the school district that they should pay for what funds are past due.*
- *Commissioner McDonald stated that he supports Option C and he wants to know if this option will incur overtime. Bill Carpenter, CEO, responded that we noticed those overtime charges in March, April and May due to flexing our workforce while we had folks out on leave.*
- *Commissioner Kosmerl stated that the school district is only 10% of our work and I want to make sure that we do not spend CARES funding on the school district and forget about our other 90%. I think we should utilize our current resources and do part of Reimagine and use the CARES funding to start hiring new folks for the school district. I know there are issues with doing this, but I don't want us to overlook our other customers.*
- *Commissioner Astles stated that the school district and the community need to realize there are consequences for putting us in this position. If we make Reimagine whole and the School District whole, we are doing all the heavy lifting. How long can we carry this on our own*

before we just can't do it any longer? How much of that fund balance will we have to use if this continues beyond January? Bill Carpenter, CEO, stated that he will not answer that now but there will be a lot of variables that will play into this not just the School District starting in January.

- *Commissioner Johnson stated that our kids are already behind and RCSD has a big gap in the budget and that is why we are not getting any money. In addition, we must be patient as it is important for our kids to get an education.*
- *Commissioner Jankowski stated that we do need to exercise patience and we also have to impress upon them that the current situation is not going to be sustainable. Until then we need to recognize the historic moment, we are in and let things go for a bit longer.*
- *Commissioner Chapman stated that going with Option C is the best thing for the workforce.*

G. Consent Resolutions

Consent Resolutions GTCS 1-2020 up to and including RGRTA 41-2020 were presented with questions and comments following the respective resolution, these Resolutions below, a copy of which are attached to these Minutes:

Resolution Authorizing GTCS, Inc. to Execute a Contract for Professional Services to be rendered to the Genesee Transportation Council for the I-490 Integrated Corridor Management (ICM) Plan, GTCS 1-2020

- *Commissioner McDonald asked what this resolution is all about. Jim Stack, Executive Director, the Plan will look at the entire 490 corridor from LeRoy to Victor with NYSDOT, Monroe County, Ontario County and the Thruway Authority focusing on the technologies that will be needed and how they will be integrated.*

Resolution Amending RGRTA 1-2020 Amending RGRTA 23-2019 Establishing the Guaranteed Maximum Price for the Design Build Contract and Authorizing a Contract Amendment with The Pike Company for Design Build Services for the RTS Advanced Environmental Service Building (AESB) Project, RGRTA 38-2020

- *Commissioner Kosmerl asked why the \$63,000 that is being requested for touchless fixtures, why can't the money be taken out of the contingency fees. Scott Adair, CFO, we are close to exhausting those contingency dollars so in fairness to the project we thought it would be appropriate to ask for additional funds.*

Resolution Amending RGRTA 24-2019 Authorizing a Contract with Popli Design Group for Owner's Representative and Commissioning Services for the RTS Advanced Environmental Service Building (AESB) Project, RGRTA 39-2020

- *Commissioner McDonald was not sure why they need more hours since they have been working through COVID-19. Scott Adair, CFO, because a significant number of our employees were working from home, and we needed to contract out additional hours of services to accommodate our immediate needs on-site.*

Resolution Authorizing the Award of a Contract for the Provision of Diesel Fuel, RGRTA 40-2020

- *Commissioner McDonald for clarification the mark up, is that the total cost or in addition. Scott Adair, CFO, this is for the transportation of the diesel fuel to our facility. The cost difference is about \$1,500 from our old vendor.*

Resolution Authorizing the Settlement of Litigation, RGRTA 41-2020

Resolutions GTCS1-2020 up to and including RGRTA 41-2020 were moved by a motion from Commissioner Kosmerl seconded by Commissioner Astles and were unanimously approved.

H. Calendar

Chairman Jeffries stated that the next meeting is October 1st. Bill Carpenter, CEO, stated that at the next meeting we will be asking for approval of our Title VI Program.

I. Adjournment

There being no further matters on the adopted Agenda, the quarterly meeting was adjourned on motion of Commissioner Astles, seconded by Commissioner McDonald at 1:27pm.

Respectfully submitted,

Edward W. White, Esq., Secretary

Posted Date: September 24, 2020

CEO Report

Presented by: Bill Carpenter, CEO

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Chief Executive Officer Report

- [TOPS Highlight](#)
- Project Highlight
- Miscellaneous

TOPS Highlight

*Presented by: Michael Burns
Director of Accounting Services*

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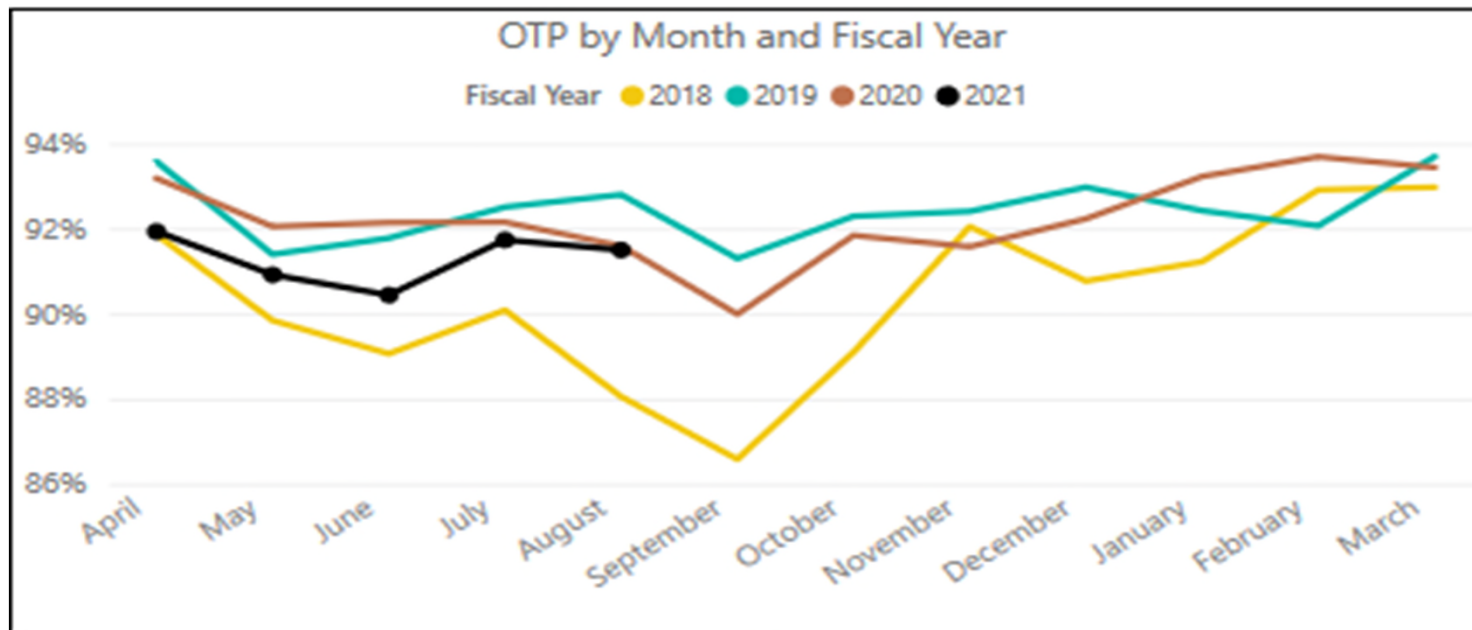
Q2 Scorecard

- As you know, we will resume reporting our TOPS score in Q2
- To that end....
 - Our on-board customer survey was conducted last month, with topline results showing an NPS of 46%

 TOPS TRANSIT ORGANIZATION PERFORMANCE SCORECARD 2020-2021 • SECOND QUARTER		
KEY RESULT AREAS	SUCCESS INDICATORS	GOAL POINTS
Financial Sustainability	<ul style="list-style-type: none"> • End of Year Net Income 	20
Customer Satisfaction	<ul style="list-style-type: none"> • Net Promoter Score (RTS in Monroe) • Customer Satisfaction (RTS Access and Regionals) 	30
Service Quality	<ul style="list-style-type: none"> • On-time Performance • Mobile Ticketing • All Day Half Fares: Seniors/Disabled • Free Veterans Fare 	40
Employee Engagement	<ul style="list-style-type: none"> • Employee Survey & Satisfaction Score 	10
		GOAL 100

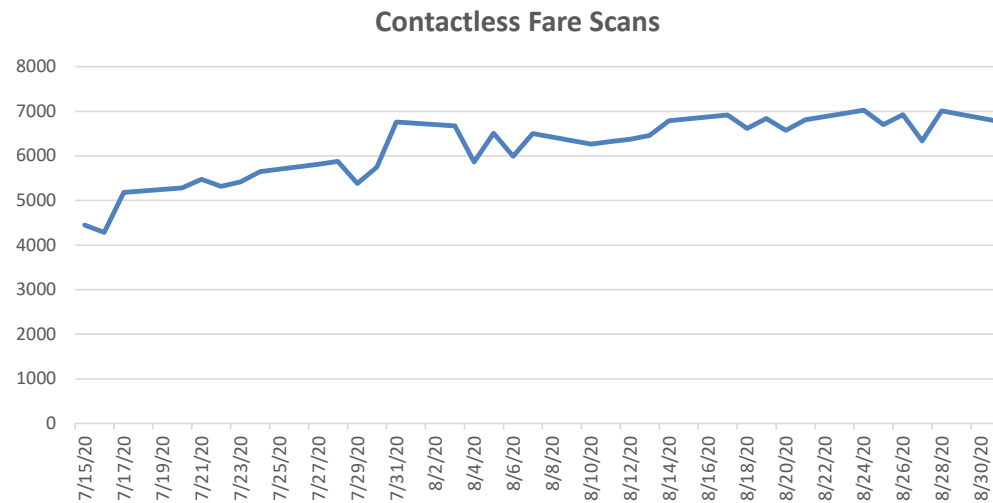
OTP-RTS Monroe: Since July 15

- Since front door boarding and fare collection resumed, OTP has been 91.52%



Mobile Ticketing-Contactless Fare Scans*

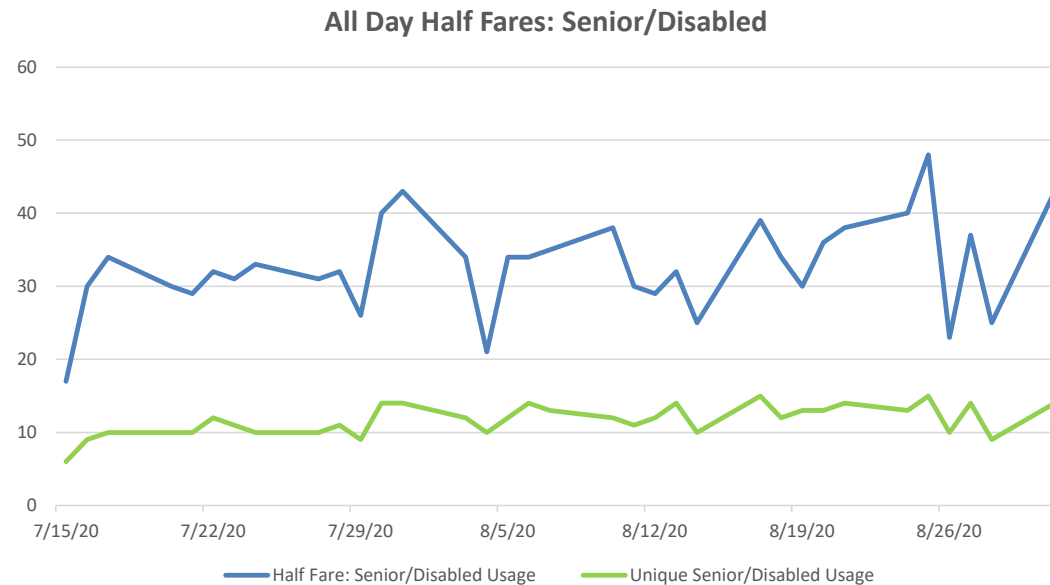
- Launched on July 15th
- Provided touchless fare payment option
- 6,182 contactless fare scans/day since launch



* Information as of 8/31/2020

All Day Half Fares-Senior/Disabled*

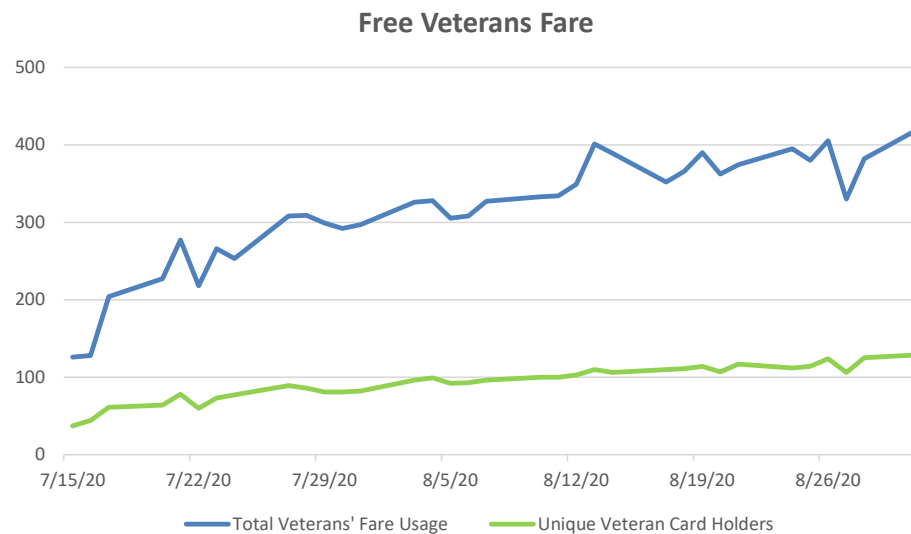
- 1,277 total half fare rides provided to senior/disabled customers



* Information as of 8/31/2020

Free Veterans Fare*

- 384 Veterans Passes issued by Veterans Outreach Center
- 271 in use by customers
- 13,305 total rides provided with passes



* Information as of 8/31/2020

Chief Executive Officer Report

- TOPS Highlight
- Project Highlight
- Miscellaneous

RTS Electric Bus Program Update

*Presented by: Rusty Korth
VP of Maintenance*

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Introduction

- **Summary of our Electric Bus Journey**
- **Covid-19 Schedule Impacts**
- **Operational Preparation and Deployment Schedule**
- **Next Steps**

Phase 1: 20 Battery Electric Buses

Phase 1A: RGRTA is utilizing competitive CMAQ (2017) and Low-No funding (2018) plus VW funding for a total of **10** battery electric buses, chargers and charging infrastructure

Phase 1B: VW funding will be leveraged to support the next **10** for a total of **20**. Will also require a transformer upgrade (2021).

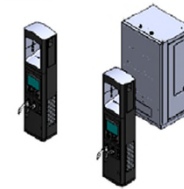


NYSERDA



evconnect

200 KW charging cabinet flexed between 2 dispensers



BTCPower
WWW.BTCPower.COM



BLACK & VEATCH

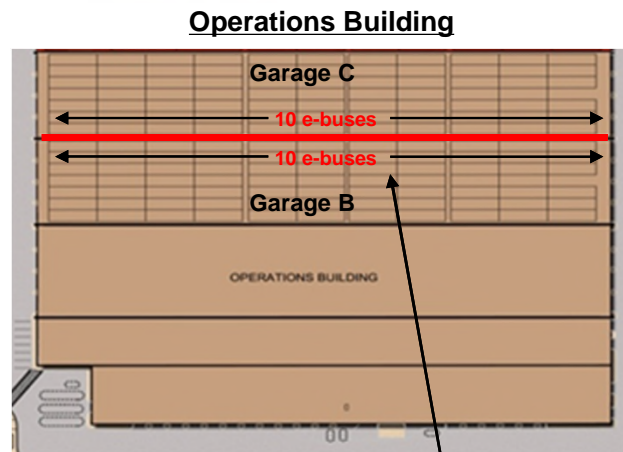


NEW YORK
STATE OF
OPPORTUNITY.

NY Power
Authority



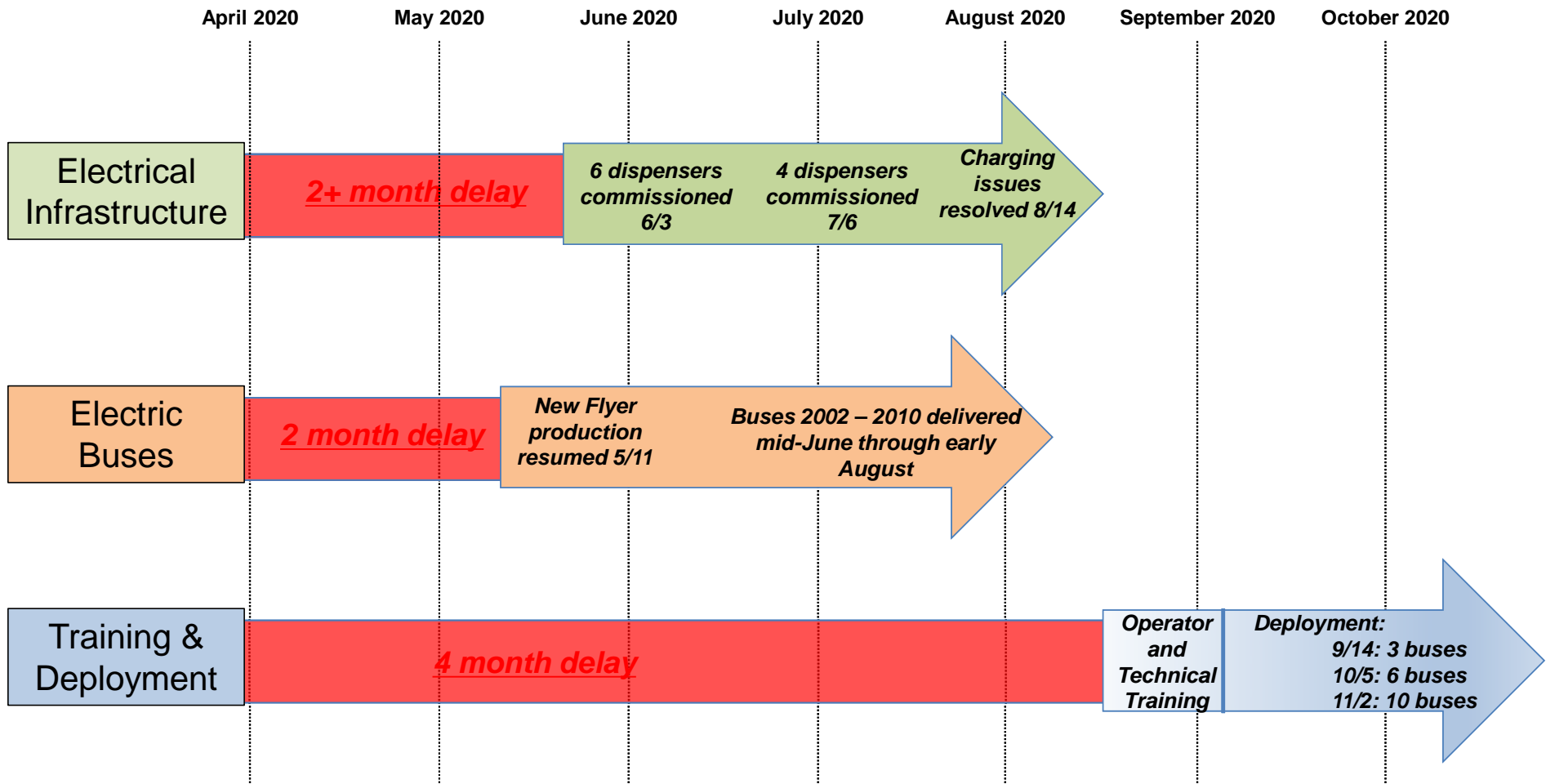
BILLITIER
ELECTRIC



Charging takes place on north wall of Garage B and south wall of Garage C



Covid-19 Schedule Impact





Charging Infrastructure and Buses



All 10 battery electric buses



Five 200 KW charging towers



Dispensers 1 – 10

Electronic Equipment Installation

*Empty
radio box
and
farebox
pedestal*



**Prior to going into service we
have to install fareboxes and all
of our electronic equipment.**



*Electronic
equipment
and farebox
being
installed*





Operator and Technician Training

- **New Flyer Training: August 24 – 27**
 - Operator “train the trainer” orientation
 - 8 hr. classroom and hands-on technical training sessions
- **Electric Bus Certification for Technicians: Ongoing**
 - 8-hour internally-developed course with oral and written tests
 - Online 2-hour high-voltage safety and PPE training sanctioned by SAE
- **Operator Training: August 31 – September 11 (after that as needed)**
 - Conducted by Jim Ramos, Road and TC Supervisors
 - Familiarization and basic operation
 - Using 2 – 3 electric buses





NEW FLYER
CONNECT*



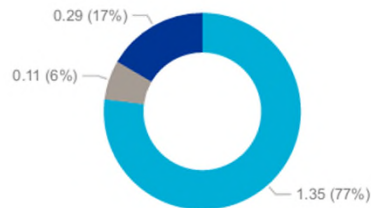
DATE	BUS	TRIP	MODEL	ESS CAPACITY	EV Max SOC	EV Min SOC
Fri, Aug 21, 2020	2003	1	XE40	466 kWh	90.4%	5%

TRIP DETAILS

12:37 pm Start Time	119.30 Mileage (miles)	90.00 SOC MAX (%)	1.75 Energy Consumption (kWh/mile)
04:24 pm End Time	83.00 Average Temperature (°F)	45.20 SOC MIN (%)	55.40 Energy Consumption (kWh/hour)
03:46:06 Duration	31.66 Average Speed (mph)	208.77 Energy Used (kWh)	

ENERGY CONSUMPTION BY SUB-SYSTEM (kWh/mile)

Motor Elect. Heater LV Accessories HV Accessories



ROUTE



RANGE

Distance (miles)



● Trip Actual ● Trip Remaining

Duration (hours)



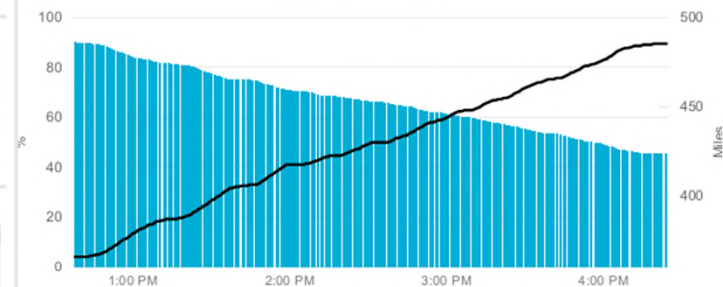
● Full Charge Range (90.4% - 5% SOC)

New Flyer Connect® Proprietary Technology and Analytics



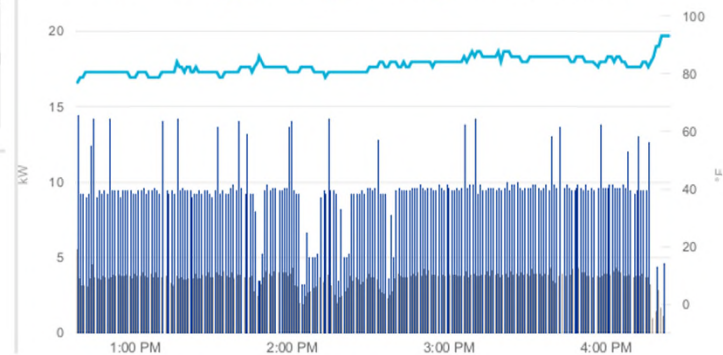
STATE OF CHARGE AND ODOMETER MILES

● SoC ● Odometer Miles



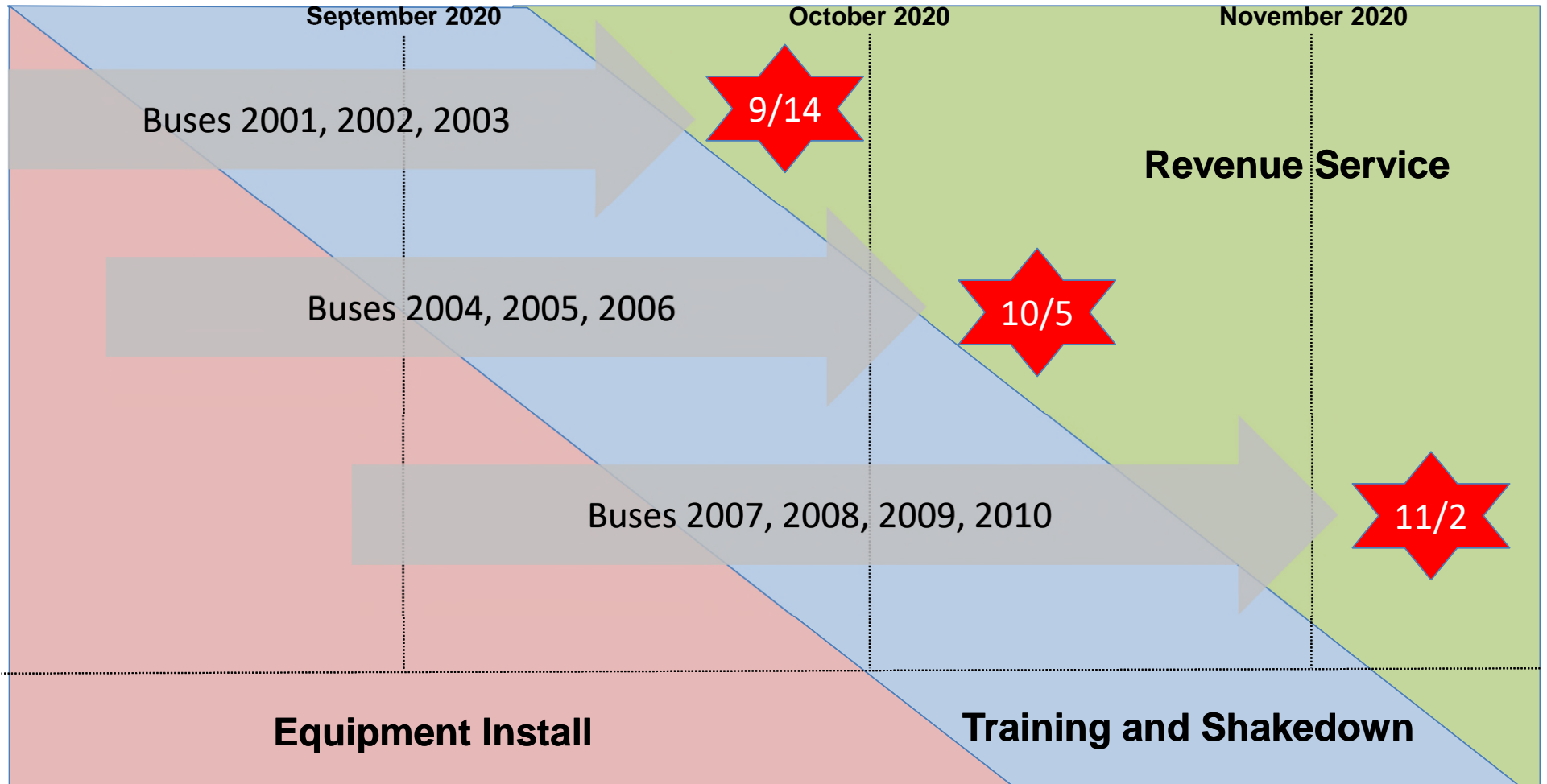
SUB-SYSTEMS POWER AND AMBIENT TEMPERATURE

● LV Accessories ● Elect. Heater ● HV Accessories ● Amb. Temp. (onboard sensor)





Deployment Schedule



- **Technology straddles both “bleeding edge” and “leading edge”**
 - Implementation of charging standards still seem somewhat open to interpretation
 - Charging and battery management software/hardware is complex
- **Current facility layout not optimized for electric bus charging**
 - Spacing designed for parking, not parking and charging
- **Current test route energy consumption (kWh/mile) better than expected on hot days**
 - Expected 2.2 - 2.5 kWh/mile; Achieving 1.7 kWh/mile
- **Operator feedback generally positive**
 - Positives: quiet, smooth ride, Operator barrier door, regenerative braking smoother than retarder on diesel buses
 - Negatives: less power than diesel buses (may be due to system de-rating from battery string faults)



Path to 100% Zero Emission

Governor Cuomo announced a stated goal of **25% zero emission (battery electric) by 2025** and **100% zero emission by 2035** for RTS, CDTA, NFTA, Suffolk County and Westchester County

- **Governor's Office working to help the transit authorities make the transition**
 - Supporting the development of Master Plans for each transit authority
 - Coordinating the development of a shared electric bus specification and procurement
- **RTS well positioned**
 - Phase I to be completed end of 2021 (10% zero emission)
 - Phase II intended completion by 2024 (36% zero emission)

- **Exciting Times! Our first steps towards zero emissions public transit!**
 - 10 battery electric buses starting to be deployed
 - Current battery management and charging technology is still new but solidifying
 - Range and time to charge are major operational considerations
 - Lessons learned will inform future decisions
- **Aggressive NYS Zero Emission Goals**
 - 25% by 2025; 100% by 2035
 - Master Plan will provide the roadmap

Chief Executive Officer Report

- TOPS Highlight
- Project Highlight
- Miscellaneous



Miscellaneous

- APTA Mid-Size Committee Monthly Call
- Update on Ticket Vending Machines (TVM) with Masabi CEO
- FLREDC Virtual Public Meeting
- Call with Assemblyman Bronson
- Advanced Environmental Service Building (AESB) Construction Meeting
- Call with Mayor Warren
- NYPTA Priorities Meeting
- Eno Center for Transportation: Equity in Transportation Webinar
- United Way System Integration Project-Long Term Governance Committee
- Greater Rochester Community Transportation Foundation (GRCTF) Board Meeting
- Weekly Advanced Environmental Service Building Construction Meeting
- Special ERG Meeting

Financial Report

Presented by: Scott Adair, CFO



RGRTA - Consolidated Budget Status Report - FY 2020-2021
7/31/2020

Financial Report

<u>Revenues</u>	<u>Budget 2020-21</u>	<u>FYTD 7/31/2020</u>	<u>Projected 3/31/2021</u>	<u>Budget Variance</u>
Total Locally Generated	\$ 30,467	\$ 2,034	\$ 30,467	\$ -
Total Government Subsidies	\$ 66,323	\$ 34,446	\$ 66,323	\$ -
Mortgage Tax	\$ 11,557	\$ 4,088	\$ 11,557	\$ -
Grand Total Revenue	\$ 108,348	\$ 40,568	\$ 108,348	\$ -
<u>Expenses</u>				
Personnel				
Salary & Wages	\$ 54,736	\$ 17,654	\$ 54,736	\$ -
Fringe Benefits	\$ 24,354	\$ 6,228	\$ 24,354	\$ -
Total Personnel	\$ 79,090	\$ 23,882	\$ 79,090	\$ -
Non-Personnel				
Services	\$ 9,343	\$ 2,543	\$ 9,343	\$ -
Fuel/Lubricants	\$ 6,149	\$ 758	\$ 6,149	\$ -
Parts	\$ 4,192	\$ 1,072	\$ 4,192	\$ -
Other	\$ 9,573	\$ 2,935	\$ 9,573	\$ -
Total Non-Personnel	\$ 29,257	\$ 7,307	\$ 29,257	\$ -
Grand Total Expenses	\$ 108,348	\$ 31,189	\$ 108,348	\$ -
Net Income/Deficit From Operations & Subsidies	\$ -	\$ 9,379	\$ -	\$ -

Student Transportation with Rochester City School District

Presented by: Bill Carpenter, CEO

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Agenda

- **Partnership History**
- **RTS/RCSD 2020 Timeline of Key Events**
- **Financial Impact:**
 - Timeline
 - 2019-20 School Year
 - 2020-21 School Year
 - Impact of COVID-19 & RCSD
- **Scenarios**
- **Recommendation**



Partnership History

- **40+ year Business Partnership**
- **Previous Contract: September 2016 – June 2020**
- **Current Status: No contract in place**
 - May 2019: RCSD Board approved 5-year agreement to continue partnership (Sept 2020 to June 2025) – contract not yet executed





Timeline of Key Events

- **March 14 – April 16: Governor Cuomo issued 4 executive orders, each extending school closings by approximately 2 weeks.**
- **May 7: Governor Cuomo issued Executive Orders ending the 2019-20 school year.**
- **August:**
 - Governor Cuomo announces schools can reopen in the Fall.
 - RCSD announces fully remote schedule for all students for at least 10 weeks.
 - RTS provides RCSD with updated billing for outstanding billing issues from 2019-20 school year.
 - RTS/RCSD works on agreement for fall service for Vertus Charter School, Urban/Suburban program and Private/Parochial schools.



Key Discussion Dates Regarding Billing

Date	Action
March 19	RCSD CFO emailed Scott Adair that a contract reduction is appropriate during “this period of closure” based on expected reduction of variable costs
April 19	RTS emailed proposal to RCSD for unpaid service costs for March 1 – May 15 to be presented to RCSD Board
August 7	Bill phone call with RCSD Superintendent Lesli Myers-Small on open billing issues and need for fall service

- **Contract with RCSD is silent on terms of payment during a pandemic.**
- **We have been paid for other school closure events such as snow days and ice storms.**



Financial Impact: 2019-20 School Year

Revenue Loss:

- 2019-2020 School Year: \$4.2M unpaid from last school year
- Summer School: \$0.4M service not contracted for

Variable Expense Reduction Without Service:

- 2019-2020 School Year: \$0.6M during school closure
- Summer School: \$0.1M



Financial Impact: 2020-21 School Year

Revenue Loss:

- 2020-2021 School Year: \$1.2M each month of no service

Variable Expense Reduction Without Service:

- 2020-2021 School Year: \$0.2M per month of no service

Fixed Expense Associated With Service:

- Wages and benefits: \$1.0M per month
- Revenue vehicle: 72 vehicles

Direct Service Profile Impact:

- Operations: Up to 69 employees
- Administration: Up to 10 employees



Revenues/Expenses Impacted by COVID-19 and No RCSD Work Until January 2021

2020-21 Budget (In millions)

	Original Estimate	Adjustme nts	Adjusted Estimate
Revenues:			
Locally Generated	\$ 30.4	\$ (15.4)	\$ 15.0
State Aid	48.4	(13.1)	35.3
Federal Aid	14.0	36.3	50.3
Expenses:			
Wages and Benefits	79.1	3.0	82.1
Other	29.3	1.0	30.3

Scenarios Evaluated

Option A: Cut Costs Related to Contract (personnel and other expenses) until RCSD needs transportation

Option B: Reassign Staff to Implement Reimagine RTS

- Reimagine RTS needs nearly the same staffing as RCSD. By reassigning staff we can implement Reimagine sooner
- Once staff is reassigned, we would need RCSD to provide 120 day start up notice so we can hire staff to provide transportation

Option C: RTS at the Ready to Support RCSD

- Take steps to minimize financial loss but remain ready to serve RCSD (i.e. no layoffs)
- Reevaluate our ability to support RCSD in this manner in January

Cut Costs Related to Contract

Pros

- If the loss of RCSD work was under normal procurement circumstances, this is the proper response
- Eliminating costs associated with the RCSD work frees CARES Act funding:
 - To support any unknown NYS STOA reductions in the future
 - Fund needed capital projects

Cons

- Significant staffing reductions
- Impacts our ability to serve RCSD at current level on short notice

Reassign Staff for Reimagine RTS

Pros

- We delayed the launch of Reimagine due to the inability to hire/train needed staff during the early stages of the pandemic. Reassigning existing staff would provide the operators we need
- The redesigned system will better serve the community; launching the new system sooner is better for our customers

Cons

- If operators currently doing school transportation are reassigned to Reimagine RTS work, they will be unavailable for RCSD work.
- To hire the needed staff for RCSD work would take months.
 - The 120-day notice may not be feasible for RCSD to agree to during a pandemic

At the Ready to Support RCSD

Pros

- Staffing levels remain unchanged and are available in 2021 for RCSD work or launch of Reimagine
- Best supports RCSD

Cons

- Impact to current and future budgets
- The CARES Act funding used to stand ready is unavailable for other operational/capital needs



Recommendation

- **Option C: RTS at the ready to support RCSD**
 - The pandemic is an extraordinary event. Solutions to business problems need to recognize the unique circumstances everyone is dealing with.
 - Stable workforce is good for RTS employees
 - Allows us to be ready on shorter notice when RCSD returns to in-person classroom instruction
 - We can prioritize resources to fund this recommendation through the end of this fiscal year
 - In January reevaluate this recommendation
- **Board Discussion**



**ROCHESTER
GENESEE REGIONAL
TRANSPORTATION
AUTHORITY**

BOARD OF COMMISSIONERS AGENDA ITEM COVER SHEET

Board Meeting Date:	September 10, 2020
Presenter:	David Belaskas
Subject:	Resolution Amending RGRTA 1-2020 Amending RGRTA 23-2019 Establishing the Guaranteed Maximum Price for the Design Build Contract and Authorizing a Contract Amendment with The Pike Company for Design Build Services for the RTS Advanced Environmental Service Building (AESB) Project
Background:	<p>In June 2019, per RGRTA Resolution 23-2019, the Board of Commissioners authorized a Design Build Contract with The Pike Company to design and build the RTS AESB Project. This resolution established a not-to-exceed authorization of \$1,248,962 for Guaranteed Maximum Price 1 (GMP-1) for design and project management services.</p> <p>In February 2020, the Board of Commissioners authorized the next phase of the project. Resolution 01-2020 established a not-to-exceed authorization of \$10,109,986 for Guaranteed Maximum Price 2 (GMP-2) for site work, building construction, demolition services and allowances for Project Requirements, bonds and insurance and a three (3) percent construction contingency.</p> <p>In March 2020, the coronavirus (COVID-19) Pandemic prompted us to review various aspects of the design of the AESB Project. As a result of this review the design team identified changes to the plumbing and door hardware selections for the RTS AESB Project.</p> <p>The Authority currently desires to proceed with the changes identified and will be considered Guaranteed Maximum Price 3 (GMP-3).</p> <p>The proposed GMP-3 value is \$63,000. GMP-3 incorporates touchless plumbing changes totaling \$16,500 and touchless door hardware totaling \$46,500.</p>
Financial Impact:	<p>GMP-3 will amend the contract with The Pike Company, increasing the authorized amount of \$11,358,948 by \$63,000 to \$11,421,948.</p> <p>The Owner's Contingency remains the same at \$428,300 for a total authorized value of \$11,850,248.</p>

Our Promise: RTS makes it easy to enjoy your journey.



	This Project is anticipated to be funded using a combination of Federal, New York State and local funds.
Recommendation:	That the Chief Executive Officer or his designee be authorized to amend the design build contract with The Pike Company establishing GMP-3 at \$63,000 for the construction of the RTS AESB Project, resulting in the maximum authorized amount increasing from \$11,358,948 to \$11,421,948.

Resolution: RGRTA 38-2020

RESOLUTION AMENDING RGRTA 1-2020 AMENDING RGRTA 23-2019 ESTABLISHING THE GUARANTEED MAXIMUM PRICE FOR THE DESIGN BUILD CONTRACT AND AUTHORIZING A CONTRACT AMENDMENT WITH THE PIKE COMPANY FOR DESIGN BUILD SERVICES FOR THE RTS ADVANCED ENVIRONMENTAL SERVICE BUILDING (AESB) PROJECT

WHEREAS, in June 2019, the Rochester Genesee Regional Transportation Authority (the "Authority") authorized per Resolution RGRTA 23-2019 a Design Build Contract with The Pike Company in an amount not to exceed \$1,248,962 for the RTS Advanced Environmental Service Building (AESB) Project (the "Project"); and

WHEREAS in February 2020, the Authority authorized per Resolution RGRTA1-2020 the Guaranteed Maximum Price for the Design Build Contract (GMP-2) in an amount not to exceed \$10,109,986 for the construction of the RTS AESB proposed by The Pike Company and recommended by Popli Design Group; and

WHEREAS, in March 2020 the coronavirus (COVID-19) Pandemic prompted us to review various aspects of the design of the AESB project. This review identified changes to the plumbing and door hardware selections for the Project; and

WHEREAS, GMP-3 for the COVID-19 upgrades of the RTS AESB proposed by The Pike Company and recommended by Popli Design Group is \$63,000; and

WHEREAS, the Authority finds the proposed GMP-3 for these services of \$63,000 to be fair and reasonable; and

WHEREAS, that the Project owner's contingency remains the same at \$428,300; and

WHEREAS, the Project will be funded with Federal, State and RGRTA funds.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive Officer or his designee be authorized to amend the Design Build Contract with The Pike Company establishing GMP-3 at \$63,000 for the RTS AESB Project resulting in the maximum amount increasing from \$11,358,948 to \$11,421,948; and

BE IT FURTHER RESOLVED that the Chief Executive Officer or his designee is hereby authorized, empowered and directed, for and on behalf of the Authority, to perform any and all actions and to execute any and all documents on behalf of the Authority as may be deemed necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolution.

CERTIFICATION

The undersigned hereby certifies that the above is an excerpt from the Minutes of a Regular Meeting of the Rochester Genesee Regional Transportation Authority which was held on September 10, 2020 and that the Resolution is still in full force and effect.

Donald Jeffries, Chairman

Date: September 10, 2020
Rochester, New York



**ROCHESTER
GENESEE REGIONAL
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AUTHORITY**

BOARD OF COMMISSIONERS AGENDA ITEM COVER SHEET

Board Meeting Date:	September 10, 2020
Presenter:	David Belaskas
Subject:	Resolution Amending RGRTA 24-2019 Authorizing a Contract with Popli Design Group for Owner's Representative and Commissioning Services for the RTS Advanced Environmental Service Building (AESB) Project.
Background:	<p>Resolution RGRTA 24-2019, in June 2019 authorized a contract with Popli Design Group for Owner's Representative and Commissioning Services for the RTS Advanced Environmental Service Building (AESB) Project.</p> <p>In March 2020, the coronavirus (COVID-19) Pandemic required the Authority to impose various work restrictions on employees. However, New York State Guidelines allowed for essential capital projects, including the RTS AESB Project, to continue construction during COVID-19. The Authority determined that expanding the service hours provided under this contract were essential and critical to the successful progression of the RTS AESB Project. The expanded hours allowed the RTS AESB Project to continue as the Authority adhered to work restrictions. However, now, we need to increase the hours and dollar value of the overall contract to reflect the remaining required hours of the original services requested.</p>
Financial Impact:	<p>Popli Design Group's contract will increase by \$90,290 from \$445,088 to \$535,378.</p> <p>The Owner's contingency remains the same at \$44,500 for a total authorized value of \$579,878.</p> <p>The cost of these services will be funded by a combination of Federal, State and Local sources.</p>
Recommendation:	That the Chief Executive Officer or his designee be authorized to execute a contract amendment with Popli Design Group for Owner's Representative and Commissioning Services associated with the RTS Advanced Environmental Service Building Project.

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Resolution: RGRTA 39-2020

RESOLUTION AMENDING RGRTA 24-2019 AUTHORIZING A CONTRACT WITH POPLI DESIGN GROUP FOR OWNER'S REPRESENTATIVE AND COMMISSIONING SERVICES FOR THE RTS ADVANCED ENVIRONMENTAL SERVICE BUILDING (AESB) PROJECT

WHEREAS, in June 2019 the Rochester Genesee Regional Transportation Authority (the "Authority") authorized per Resolution RGRTA 24-2019 a contract for Owner's Representative and Commissioning Services for the RTS Advanced Environmental Service Building Project; and

WHEREAS, the contracted services include Design Review, Construction Review, Cost Verification, Review of Progress Payments and Change Orders, Project Oversight and Commissioning; and

WHEREAS, in March 2020, the coronavirus (COVID-19) Pandemic required the Authority to impose various work restrictions on employees. However, New York State Guidelines allowed for essential capital projects, including the RTS AESB Project, to continue construction during COVID-19. The Authority determined that expanding the service hours provided under this contract were essential and critical to the successful progression of the RTS AESB Project; and

WHEREAS, the cost of the additional services will increase the contract with Popli Design Group by \$90,290 from \$445,088 to \$535,378; and

WHEREAS, Resolution RGRTA 24-2019 included a contingency for justified orders on contract in the amount of \$44,500 and this value is not changing; and

WHEREAS, the cost of these services will be funded by a combination of Federal, State and Local sources.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive Officer or his designee is authorized to execute a contract amendment with Popli Design Group for Owner's Representative and Commissioning Services for the RTS Advanced Environmental Services Building Project in an amount not to exceed \$90,290 for a total authorized value of \$579,878; and

BE IT FURTHER RESOLVED, that the Chief Executive Officer or his designee are hereby authorized, empowered and directed, for and on behalf of the Authority, to perform any and all actions and to execute any and all documents on behalf of the Authority as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolutions.

CERTIFICATION

The undersigned hereby certifies that the above is an excerpt from the Minutes of a Regular Meeting of the Rochester-Genesee Regional Transportation Authority, which was held on September 10, 2020 and that the Resolution is still in full force and effect.

Donald Jeffries, Chairman

Date: September 10, 2020
Rochester, New York



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BOARD OF COMMISSIONERS AGENDA ITEM COVER SHEET

Board Meeting Date:	September 10, 2020
Presenter:	Scott Adair
Subject:	Resolution Authorizing the Award of a Contract for the Provision of Diesel Fuel
Background:	<p>On June 23, 2016, the Board of Commissioners approved Resolution RGRTA 33-2016, which authorized a contract with Superior Plus Energy Services, Inc. dba Griffith Energy for the provision of diesel fuel for an initial term of one-year and four (4) optional one-year extensions. Effective November 1, 2018, the contract was assigned to Sunoco LP.</p> <p>The Authority was set to enter the last one-year term of the agreement (September 29, 2020 - September 28, 2021), however Sunoco LP notified the Authority on August 19, 2020 that they are exiting the business of supplying diesel fuel to government clients.</p> <p>Given the late notice from Sunoco LP, the Authority does not have enough time to conduct a formal procurement. The Authority's Procurement policies and procedures acknowledges that "from time to time, emergency situations may arise which require that a procurement be made without following normal purchasing procedures". In light of this unforeseen situation and the absolute need the Authority has for diesel fuel to provide bus service; the Authority is asking the Board to authorize this as an Emergency Procurement and re-assign the fifth year of this contract.</p> <p>To identify a qualified vendor at a reasonable price to provide the service, Authority staff contacted NOCO Energy Corp, which was the second lowest responsive bidder four years ago, and they have agreed to honor their original bid.</p> <p>The pricing submitted by NOCO Energy Corp. was approximately \$1,500 more than the awarded bid. Therefore, their pricing was found to be fair and reasonable and NOCO Energy Corp. appears to be a responsible Vendor.</p>

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Financial Impact:	<p>The Authority's actual cost for diesel fuel will be the cost of the commodity, based on pricing from the Daily Platts NY index, plus the cost of the fixed variance per gallon, all dependent on the quantities of fuel consumed.</p> <p>Based on the anticipated consumption of diesel fuel, the total estimated cost of the markup for the provision and delivery of the fuel is \$161,729 for the one-year term.</p> <p>The funding for this contract is included in the Authority's current operating budget and will be in future operating budgets.</p> <p>.</p>
Recommendation:	<p>That the Chief Executive Officer or his designee be authorized to execute a one-year contract with NOCO Energy Corp for the provision of diesel fuel at an amount not-to-exceed \$161,729.</p>

Resolution: RGRTA 40-2020

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PROVISION OF DIESEL FUEL

WHEREAS, on June 23, 2016, the Board of Commissioners approved Resolution RGRTA 33-2016, which authorized a contract with Superior Plus Energy Services, Inc. dba Griffith Energy for the provision of diesel fuel for an initial term of one-year and four (4) optional one-year extensions. Effective November 1, 2018, the contract was assigned to Sunoco LP with the same terms and conditions as the original agreement; and

WHEREAS, the Authority was set to enter the last one-year term of the agreement commencing September 29, 2020, however Sunoco LP notified the Authority on August 19, 2020 that they are exiting the business of supplying diesel fuel to government clients; and

WHEREAS, given the late notice from Sunoco LP, the Authority does not have enough time to conduct a formal procurement. In light of this unforeseen situation and the absolute need the Authority has for diesel fuel to provide bus service; the Authority is asking the Board to authorize this as an Emergency Procurement and re-assign the fifth year of this contract; and

WHEREAS, to identify a qualified vendor at a reasonable price to provide the service, Authority staff contacted NOCO Energy Corp, which was the second lowest responsive bidder four years ago, and they have agreed to honor their original bid; and

WHEREAS, based on the anticipated consumption of diesel fuel, the total estimated cost of the markup for the provision and delivery of the fuel is \$161,729 for the one-year term; and

WHEREAS, the pricing submitted by NOCO Energy Corp. was found to be fair and reasonable and they appear to be a responsible Vendor.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Executive Officer or his designee be authorized to execute a one-year contract with NOCO Energy Corp for the provision of diesel fuel at an amount not-to-exceed \$161,729; and

BE IT FURTHER RESOLVED that the Chief Executive Officer or his designee are hereby authorized, empowered and directed, for and on behalf of the Authority, to perform any and all actions and to execute any and all documents on behalf of the Authority as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolutions.

CERTIFICATION

The undersigned hereby certifies that the above is an excerpt from the Minutes of a Regular Meeting of the Rochester-Genesee Regional Transportation Authority, which was held on September 10, 2020 and that the Resolution is still in full force and effect.

Donald Jeffries, Chairman

Date: September 10, 2020
Rochester, New York



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BOARD OF COMMISSIONERS AGENDA ITEM COVER SHEET

Board Meeting Date:	September 10, 2020
Presenter:	Daniel DeLaus
Subject:	Authorizing the Settlement of Litigation
Background:	<p>The Plaintiff was a livery driver struck head on by an Authority owned bus. Unfortunately, the Plaintiff sustained serious injuries due to the incident. The Plaintiff, age 58, sustained a permanent arm injury and recurring severe headaches from the incident.</p> <p>Given the nature of the injury and concerns over a favorable jury verdict the Legal Affairs Department determined that it was in the best interests of the Authority to participate in mediation in an attempt to settle the case.</p> <p>Accordingly, the Legal Affairs Department reached a settlement agreement with the Plaintiff through mediation subject to approval by the Board of Commissioners.</p>
Financial Impact:	The settlement amount was contemplated within prior year's and the current year's operating budget.
Recommendation:	That the Chief Executive Officer or his designee be granted authority to enter into a settlement agreement in the matter of Williams v. RGRTA pursuant to the mediated settlement agreement dated August 25, 2020.

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Resolution: RGRTA 41-2020

RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION

WHEREAS, RGRTA's policy outlines procedures for the settlement of claims and the authorizations required; and,

WHEREAS, the policy requires approval from the Board of Commissioners for any settlement greater than \$250,000; and,

WHEREAS, the Legal Affairs Department has determined that it is in the best interests of the Authority and seeks to settle the matter of Williams v. RGRTA et al for \$275,000.

BE IT FURTHER RESOLVED that the Chairman, any duly elected officer, or the Chief Executive Officer is authorized to enter into this agreement and to complete any other documents necessary to carry out this settlement.

CERTIFICATION

The undersigned hereby certifies that the above is an excerpt from the Minutes of a Regular Meeting of the Rochester-Genesee Regional Transportation Authority, which was held on September 10, 2020 and that the Resolution is still in full force and effect.

Donald E Jeffries, Chairman

Date: September 10, 2020
Rochester, New York



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BOARD OF COMMISSIONERS AGENDA ITEM COVER SHEET

Board Meeting Date:	September 10, 2020
Presenter:	James Stack
Subject:	Resolution Authorizing GTCS, Inc. to Execute a Contract for Professional Services to be rendered to the Genesee Transportation Council for the I-490 Integrated Corridor Management (ICM) Plan.
Background:	<p>The Genesee Transportation Council (GTC) Unified Planning Work Program (i.e., Operating Budget) for the fiscal year 2020-2021 includes Task 5902, I-490 Integrated Corridor Management (ICM) Plan. Task 5902 will develop an ICM plan for the I-490 corridor, to guide future investments in Intelligent Transportation Systems (ITS) and operations strategies aimed at improving safety, minimizing delay, and enhancing the overall efficiency of traffic operations in the corridor for all modes of transportation.</p> <p>GTC requires a professional services firm in order to carry out Task 5902. GTC publicly advertised for proposals for professional services in the New York State Contract Reporter on February 7, 2020, Rochester Business Journal on February 7, 2020, and Minority Reporter on February 7, 2020; and</p> <p>A total of eleven (11) RFP packages were distributed. Three responses were received with scores as follows:</p> <ul style="list-style-type: none">• Arup 65• Stantec 72• WSP USA 77 <p>Following review of the proposals, the evaluation team recommends that the team led by WSP USA be retained to conduct the Project.</p>

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Financial Impact:	<p>Expenses related to the Project shall not exceed \$125,000 and are included in the 2020-2021 GTC Operating Budget.</p> <p>The project is programmed with \$125,000 from federal Metropolitan Planning Funds allocated to GTC.</p>
Recommendation:	<p>That the Chief Executive Officer, on behalf of GTCS, Inc., be granted authority to enter into an agreement with WSP USA to conduct the I-490 Integrated Corridor Management Plan.</p>

Resolution: GTCS 1-2020

RESOLUTION AUTHORIZING GTCS, INC. TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES TO BE RENDERED TO THE GENESEE TRANSPORTATION COUNCIL FOR THE I-490 INTEGRATED CORRIDOR MANAGEMENT (ICM) PLAN

WHEREAS, continuing contracts are in place between GTCS, Inc. and the State of New York enabling the Genesee Transportation Council (GTC) to carry out planning tasks assigned to it under an annually developed Unified Planning Work Program (UPWP); and

WHEREAS, said UPWP for the fiscal year 2020-2021 includes Task 5902, I-490 Integrated Corridor Management (ICM) Plan (the "Project"), the Project will develop an Integrated Corridor Management (ICM) Plan for the I-490 corridor, to guide future investments in Intelligent Transportation Systems (ITS) and operations strategies aimed at improving safety, minimizing delay, and enhancing the overall efficiency of traffic operations in the corridor for all modes of transportation, and

WHEREAS, GTC needs to acquire professional services in order to support the Project; and

WHEREAS, GTC publicly advertised for proposals for professional services in the New York State Contract Reporter on February 7, 2020, Rochester Business Journal on February 7, 2020, and Minority Reporter on February 7, 2020; and

WHEREAS, GTC distributed eleven (11) RFP packages and received three (3) proposals complying with the requirements of the Request for Proposals; and

WHEREAS, based on its evaluation of the proposals, the consultant selection committee concluded that WSP USA, Inc. and its sub-consultants are qualified to provide the needed services; and

WHEREAS, GTCS, Inc. is a subsidiary of RGRTA, and serves as the fiscal agent for GTC; and

WHEREAS, pursuant to the Memorandum of Understanding between GTCS, Inc. and GTC dated April 30, 1999, GTC is authorized to accept, develop, and administer contracts for GTC work program related activities, provided the requirements in Section II (E) (3) of the Memorandum of Understanding are fulfilled.

NOW, THEREFORE, BE IT RESOLVED that the Chief Executive Officer or his designee is authorized to enter into a contract, on behalf of GTCS, Inc., for the I-490 ICM Plan with WSP USA, Inc. in an amount not to exceed One Hundred Twenty Five Thousand Dollars (\$125,000) to obtain the professional services necessary to accomplish the Project provided that he is reasonably satisfied that the terms and conditions of Section II (E) (3) of the Memorandum of Understanding have been or will be fulfilled.

BE IT FURTHER RESOLVED that GTCS, Inc. is authorized to make payments under such a contract upon receipt of all certifications required under Section II (E) (3) of the Memorandum of Understanding, subject to reimbursement by GTC upon receipt of the above referenced grant funds, all as required under the Memorandum of Understanding; and

BE IT FURTHER RESOLVED that the Chief Executive Officer or his designee is hereby authorized, empowered, and directed, for and on behalf of GTCS, Inc., to perform any and all actions and to execute any and all documents on behalf of GTCS, Inc. as they may deem necessary, appropriate or advisable to carry out the intent and purposes of the foregoing resolution.

CERTIFICATION

The undersigned hereby certifies that the above is an excerpt from the Minutes of a Regular Meeting of the Rochester-Genesee Regional Transportation Authority, which was held on September 10, 2020 and that the Resolution is still in full force and effect.

Donald Jeffries, Chairman

Date: September 10, 2020
Rochester, New York