



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO
Steve Poftak, General Manager



**Fiscal and Management Control Board
Transportation Board Room
10 Park Plaza
June 24, 2019
12:00 Noon
*MEETING MINUTES***

**Present: Chair Joseph Aiello, Director Monica Tibbits-Nutt Director
Chrystal Kornegay and Director Brian Shortsleeve**

Quorum Present: Yes

Others Present:

**General Manager Steve Poftak, Deputy General Manager Jeffrey
Gonneville, Owen Kane, Marie Breen, Michelle Kalowski, Beth Larkin,
Dave Abdo, Hope Patterson, David Panagore, Nancy Prominski, Kat
Benesh and Wes Edwards**

At the call of Chair Aiello a meeting of the Fiscal and Management Control Board (Board) was called to order at 12:03 p.m. at the State Transportation Building, Transportation Board Room, 10 Park Plaza, Boston, Massachusetts.

Chair Aiello opened up the public comment period for items appearing on the agenda.

The first speaker, Louise Baxter from TRU, commented on bus stops.

Massachusetts Bay Transportation Authority

Ten Park Plaza, Boston, MA 02116

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Next, Marilyn McNabb congratulated Rick Colon for his service at the MBTA and MassDOT and inquired how many passengers were on the Red Line derailed train.

Next, Evan Foss commented on last week's train fires, exhaust fans and Green Line Service.

Next was the approval of the minutes of the June 10, 2019 and June 17, 2019 meetings.

On motion duly made and seconded, it was:

VOTED: to approve the minutes of June 10, 2019.

On motion duly made and seconded, it was:

VOTED: to approve the minutes of June 17, 2019.

Chair Aiello first called upon General Manager to present his report, Agenda Item D. Mr. Poftak started discussing the facts related to the Red Line derailment on June 11, 2019. In response to public comment, 61 individuals were on the train, there was one hand injury and one rider who left the scene and returned and requested ambulance assistance for a health issue.

Mr. Poftak continued with a status update of the recent Red Line derailment and Red Line service restoration. Operator error, speed, foul play and track infrastructure had been ruled out as probable cause. The General Manager said the

incident vehicle components were sent to a lab for metallurgical analysis and a rigorous inspection of all components of all the vehicles was completed. Major signal work continued in four areas: Broadway-JFK, JFK-Ashmont, JFK-North Quincy and JFK-Cabot. The General Manager said current service levels were up to 10 trains an hour and were expected to extend through Labor Day. Mr. Poftak continued to discuss the Red Line service restoration.

Deputy General Manager Gonneville continued with a more detailed focus on the key signal bungalows damaged and noted manual operation was in place in Braintree and Ashmont and required approximately 50 personnel in the field per day. Mr. Gonneville continued to discuss incremental improvements and displayed affected damaged equipment.

Mr. Gonneville concluded by thanking MBTA employees and contractors who were still actively working and focusing on repairs, as set forth in the attached document labeled, "General Manager and Deputy General Manager Remarks, June 24, 2019." Discussion ensued.

Chair Aiello expressed his appreciation to MBTA leadership on how quickly they improved service to the MBTA's customers despite the major damage that occurred.

Next, Chair Aiello called upon Hope Patterson, Deputy Director of Stakeholder Engagement to present Agenda Item F, the FMCB Public Schedule. Ms. Patterson reviewed upcoming agenda items with the Board, as set forth in the

attached document labeled, "FMCB Public Schedule, June 24, 2019." Discussion ensued

Chairman Aiello noted that Agenda Item G, the Red Line/Orange Line Improvement Program update was a written submittal included in their Board materials, as set forth in the attached document labeled, "Red Line/Orange Line Improvement Program Update, June 24, 2019."

General Manager Poftak prefaced Agenda Item H, thanking the Board for their dispatch and progress in the formation of an Independent Safety Review Panel.

Chairman Aiello continued and announced the formation of the Panel that will undertake an independent and transparent review of the MBTA safety practices and past incidents and will include former U.S. Secretary of Transportation Ray LaHood, former acting administrator of the Federal Transit Administration Carolyn Flowers and former New York City Transit president Carmen Bianco.. The Panel will work collaboratively with federal and state oversight partners and regulators including the Federal Transit Administration, the Federal Railroad Administration and the Massachusetts Department of Public Utilities. Chair Aiello and Vice Chair Tibbits-Nutt noted the review will be done as quickly and in as transparently a manner as possible. Discussion ensued.

Next, Chair Aiello called upon Nancy Prominski, Chief Environmental, Health and Safety Officer to present Agenda Item I, the Safety Quarterly Update. Ms. Prominski highlighted the MBTA's ongoing efforts to improve safety across the system for both employees and customers, noting the Safety Department is involved

with safety assessments and is responsible for writing safety reports. She discussed in-service mainline derailments, customer injury trends and bus collision trends. In March, the DPU published their 2018 Annual Update Report, conducting over 300 audit activities to assess compliance with the MBTA Safety Plan and Ms. Prominiski noted there were no hazards or findings identified requiring a Corrective Action Plan by the MBTA. Ms. Prominiski continued to discuss the four components of the Safety Management System (SMS): Safety Management Policy, Safety Risk Management, Safety Assurance and Safety Promotion, as set forth in the attached document labeled, "MBTA Safety Report, June 24, 2019." Chair Aiello suggested the new Safety Review Panel meet with Ms. Prominiski as she was an important resource, and Secretary Pollack commented that the MBTA needed to get the Panel's feedback and incorporate the recommendations into the Safety Plan. Discussion ensued.

Next, the Chair called upon Kat Benesh, Chief of Operations, Strategy and Oversight to present Agenda Item J, the Better Bus Monthly Update. Ms. Benesh noted that today's objective was to provide a status update on the implementation of 36 cost neutral near-term changes and 45 additional operations; to discuss the communication plan for implementation of near-term changes; and to provide a status update on the implementation of bus priority infrastructure to highlight the work as part of a better bus system.

Wes Edwards, Assistant General Manager for Service Development concluded the presentation discussing future bus priority investments and next

steps, as set forth in the attached document labeled, "Better Bus Project Update, June 24, 2019." Chair Aiello commented he was fully supportive of the Better Bus Project and congratulated staff on their great work. Discussion ensued.

Chairman Aiello announced there was an addition to the agenda - the Authority had asked the FMCB to approve an item related to the MBTA Retirement Fund. The Chair asked Director Shortsleeve to discuss it because he has worked non-stop since he began at the Authority to improve the retirement fund financials and management.

Director Shortsleeve said the Boston Carmen's Union voted to amend its trust agreement to add the state's Pension Reserves Investment Management Board as one of the multiple managers for the MBTA pensions. Mr. Shortsleeve commended the union for its role in the change in policy and said that once the FMCB voted to permit such investments the board of the Retirement Fund was expected to vote similarly at its next meeting, and then move forward to get the benefits of PRIM. Chairman Aiello congratulated and thanked Director Shortsleeve for his efforts.

On motion duly made and seconded, it was:

VOTED:

To approve the General Manager entering into an agreement with the Union and to execute an amendment to the MBTA Retirement Trust Fund Agreement to make clear the trustee may invest in the Pension Reserves Trust Fund.

Next, Chair Aiello called on Beth Larkin, Assistant General Manager for Capital Delivery to present Agenda Item I, a contract for bus corridor and

infrastructure improvements. Ms. Larkin provided an overview of the project that would provide bus stop reconstruction, including sidewalks and curb ramps, dedicated bus lanes, new bus shelters and amenities, signage and wayfinding, traffic and pedestrian signals, busway improvements and parking lot reconstruction and repair work, as set for in the attached presentation labeled, “MBTA Contract No. N50CN02: Bus Corridor and Infrastructure Improvements On-Call Project, June 24, 2019.”

On motion duly made and seconded, it was:

VOTED:

That the General Manager, or his designee, is hereby authorized to award and execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the “MBTA”), and in a form approved by the General Counsel, MBTA Contract No. N50CN02 Bus Corridor and Infrastructure Improvements On-Call Project with SPS New England for an amount not to exceed \$19,393,560.63.

Next, Ms. Larkin continued with Agenda Item L, a contract for wayfinding and station improvements at four stations. Ms. Larkin provided an overview of the project that would bring the wayfinding in each station to compliance with ADA, Limited English Proficiency and the new MBTA wayfinding standards and guidelines. The proposed cleaning and painting will make the stations visibly cleaner while providing a better experience to customers, improve accessibility and replacement of 40,000 square feet of flooring that would provide a new safer flooring systems, as set forth in the attached document labeled, “MBTA Contract No. A01CN01: Wayfinding and

Station Improvements – Four Stations (Downtown Crossing, State, Haymarket, North Station), June 24, 2019.” Discussion ensued.

VOTED:

That the General Manager, or his designee, is hereby authorized to award and execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the “MBTA”), and in a form approved by the General Counsel, MBTA Contract No. A01CN01 Wayfinding and Stations Improvements – 1st Four Stations (DTX, State Street, Haymarket and North Station) with Judlau Contracting, Inc. for an amount not to exceed \$29,688.000.00.

Ms. Larkin continued with Agenda Item M, an amendment to a contract for Positive Train Control (PTC) Technical Services. Ms. Larkin said today’s action would allow LTK to provide the following additional engineering and technical support under the existing contract: support for accelerated level of effort by the Systems Integrator, Ansaldo STS; field test witnessing and management; engineering support for the design and installation of automatic controls; engineering support for interoperability issues between MBTA and tenant railroads and additional support services for federal regulatory stakeholder management, as set forth in the attached document labeled, “M BTA Design Contract No. X60PS02, Commuter Rail Positive Train Control Engineering and Technical Support Services, June 24, 2019.” Discussion ensued.

On motion, duly made and seconded, it was:

VOTED:

That the General Manager, or his designee, is hereby authorized to award and execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the "MBTA"), and in a form approved by the General Counsel, Amendment No. 1 for MBTA Contract No. X60PS02 with LTK Engineering Services for a sum not to exceed \$2,699,008.96.

Lastly, Ms. Larkin presented Agenda Item N, an amendment to the South Shore Garages Improvements Project (the Project). Ms. Larkin said today's board action would allow Kleinfelder, the professional services consultant for the Project, to continue to provide Construction Phase Services through the duration of construction, including the closeout anticipated for December 2021. Ms. Larkin continued to discuss the scope of services, contract status and project benefits, as set forth in the attached document labeled, "MBTA Contract No. W43PS01 Amendment No. 24: Additional Construction Phase Services for South Shore Garages Improvements, June 24, 2019." Discussion ensued.

On motion duly made and seconded, it was:

VOTED:

That the General Manager, or his designee, is hereby authorized to award and execute in the name of and on behalf of the Massachusetts Bay Transportation Authority (the "MBTA"), and in a form approved by the General Counsel, Amendment No. 24 for MBTA Contract No. W43PS01 with Kleinfelder for a sum not to exceed \$2,249,866.00.

On motion duly made and seconded, it was by roll call:

Chair Aiello	Yes
Director Tibbits-Nutt	Yes
Director Kornegay	Yes
Director Shortsleeve	Yes

VOTED: to enter into Executive Session for a discussion of strategy related litigation and real estate at 1:43 p.m.

Documents relied upon for this meeting:

Minutes of the June 10, 2019 meeting

Minutes of the June 17, 2019 meeting

General Manager and Deputy General Manager Remarks, June 24, 2019

FMCB Public Schedule, June 24, 2019

Red Line/Orange Line Improvement Program Update, June 24, 2019

MBTA Safety Report, June 24, 2019

Better Bus Project Update, June 24, 2019

MBTA Contract No. N50CN02: Bus Corridor and Infrastructure Improvements On-Call Project, June 24, 2019

- MBTA Contract No. A01CN01: Wayfinding and Station Improvements – Four Stations (Downtown Crossing, State, Haymarket, North Station), June 24, 2019

- MBTA Design Contract No. X60PS02, Commuter Rail Positive Train Control Engineering and Technical Support Services, June 24, 2019

- MBTA Contract No. W43PS01 Amendment No. 24: Additional Construction Phase Services for South Shore Garages Improvements, June 24, 2019