



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  
April 29, 2019 #165  
12:00 Noon  
*MEETING MINUTES***

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**Present:** Chair Joseph Aiello, Director Chrystal Kornegay, Director Brian Shortsleeve and Director Brian Lang (arrived at 1:07 p.m.)

**Quorum Present:** Yes

**Others Present:** Secretary Stephanie Pollack, General Manager Steve Poftak, Jeff Gonnevillle, Nathan Peyton, Owen Kane, Marie Breen, Michelle Kalowski, Karen Antion, Scott Bosworth, Beth Larkin, Ben Schutzman, Paul Brandley, Jamey Jackson and Jody Ray

At the call of Chair Aiello a meeting of the Fiscal and Management Control Board (Board) was called to order at 12:14 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.

Massachusetts Bay Transportation Authority

Ten Park Plaza, Boston, MA 02116

[www.mbta.com](http://www.mbta.com)

The first speaker, Louise Baxter from TRU commented on commuter rail fares and the Charlie Card store.

Next, Julia r Wallerce from the Institute for Transportation and Development Policy commented on design plans for Rutherford Avenue in Charlestown (submitted written testimony).

Next, Mela Miles from the Greater Fours Corner Action Coalition commented on fares on the Fairmount commuter rail line.

Lastly, Marilyn McNabb commented on The RIDE centralized call center and The RIDE transformation update.

Public comment period concluded at 12:28 p.m.

Next, was the approval of the minutes of the April 8, 2019 meeting.

**On motion duly made and seconded, it was:**

**VOTED: to approve the minutes of April 8, 2019.**

Chair Aiello continued with the agenda and called upon General Manager Steve Poftak to present the Report of the General Manager, Agenda Item D. Mr. Poftak discussed upcoming changes to The RIDE fare accounts, provided an operational recap of the Boston Marathon and provided an update of the Green Line

Type 7 overhaul, as set forth in the attached document labeled, "General Manager's Remarks, April 29, 2019." Discussion ensued.

Next, Chair Aiello called upon Deputy General Manager Jeff Gonneville to present Agenda Item E, the Deputy General Manager's Report. Mr. Gonneville updated the Board on the station brightening project and associated improvements and next steps. Mr. Gonneville concluded with an update of The RIDE software transition, as set forth in the attached document labeled, "Deputy General Manager's Remarks, April 29, 2019." Discussion ensued.

Next, Chair Aiello skipped to Agenda Item N, and called upon Undersecretary and Chief Strategy Officer Scott Bosworth to update the Board on the South Station air rights project. Mr. Bosworth announced the developer, the Hines Corporation, was in active discussions with its equity lender and requested an extension to December 31, 2019 to close. Mr. Bosworth noted the developer offered the MBTA an extra \$750,000 to extend the project closing date. Discussion ensued.

On motion duly made and seconded, it was:

**VOTED:**

**That the Fiscal and Management Control Board hereby authorizes the General Manager or his designee to execute an Amendment to a certain Development Agreement related to the development of South Station air**

**space, dated as of April 30, 2007 as amended by each of that certain First Amendment to Development Agreement dated as of April 27, 2017, Second Amendment to Development Agreement dated as of May 30, 2017, Third Amendment to Development Agreement dated as of June 29, 2017, Fourth Amendment to Development Agreement dated as of April 30, 2018, Fifth Amendment to Development Agreement dated as of May 31, 2018, and Sixth Amendment to Development Agreement dated October 29, 2018 (as so amended the “Development Agreement”), between the Massachusetts Bay Transportation Authority, the Boston Redevelopment Authority d/b/a the Boston Planning & Development Agency, and South Station Phase I Owner LLC, in a form approved by the General Counsel, to extend the Outside Closing Date to December 31, 2019, and to update certain of the documents associated with the closing.**

Next, MassDOT’s Deputy Chief of Staff Nathan Peyton presented Agenda Item F, the FMCB Calendar. Mr. Peyton reviewed upcoming agenda items with the Board, as set forth in the attached document labeled, “FMCB Public Schedule, April 29, 2019.” Discussion ensued.

Chairman Aiello noted that Agenda Item G, the Safety Quarterly Report was a written submittal included in their Board materials and that staff was available if the Board had any questions. There was none.

Next, Chair Aiello asked Positive Train Control Project Manager Karen Antion to present Agenda Item H, an update on Positive Train Control (PTC). Ms. Antion updated the Board on the status of ongoing activities and progress of MBTA’s system-wide implementation of Commuter Rail Positive Training Control, noting

there were problems with the anti-collision system. She discussed the current program issues with hardware and software, and concluded with next steps, as set forth in the attached document labeled, "Commuter Rail Positive Train Control (PTC) Program Update, April 29, 2019. Mr. John Paljug who oversees Siemen's North American mobility management unit contributed to the discussion relative to the testing and tuning issues Ms. Anton described, and told the Board that Siemens was urgently reviewing the problems. Discussion ensued, and the Directors requested an update of the situation in two weeks.

Chairman Aiello noted that Agenda Item I, the Red/Orange Line Program Monthly Update was a written submittal included in their Board materials and that staff was available if the Board had any questions. There was none.

Next, the Chair called on Assistant General Manager for Capital Delivery Beth Larkin to present Agenda Item J, an update on the Red/Orange Line Interagency Service Agreement (ISA) Funding. Ms. Larkin requested Board approval for funding through FY23 and for the Board to accept funding from MassDOT through an Interagency Service Agreement. She noted the ISA was for construction of the remaining Red/Orange Line infrastructure improvement projects and continuation of program management, construction management and owner's representation and administrative costs, as set forth in the attached document labeled, "Red/Orange

Line Infrastructure Improvements Program Funding through FY2023, April 29, 2019.” Discussion ensued.

On motion duly made and seconded, it was:

**VOTED:**

**That the Fiscal and Management Control Board (FMCB) hereby authorizes the Authority, through the Acting General Manger or his designee, to execute a certain amendment to Interdepartmental Service Agreement (ISA) with the Massachusetts Department of Transportation (MassDOT) for the Red Line/Orange Line Infrastructure Improvements Program, and authorizes the Acting General Manager to take any and all steps necessary to accept the transfer of \$23,792,180.00 from MassDOT pursuant to this Agreement bringing the total contract amount to \$470.36M.**

Ms. Larkin remained at the podium to present Agenda Item K, the Red/Orange Line PM/CM Contract Amendment. Ms. Larkin requested the Board to approve an action that would allow the continuation of PM/CM services provided by Patrick Engineering and Mott MacDonald, LLC JV (PHM) for the Red Line/Orange Line Infrastructure Improvements Program, as set forth in the attached presentation labeled, “MBTA Contract R19PS03 PM/C Services: Amendment 8, April 29, 2019.” Discussion ensued.

On motion duly made and seconded, it was:

**VOTED:**

**That the Fiscal & Management Control Board authorize the General Manager to award and execute in the name and on behalf of the Massachusetts Bay Transportation Authority (“MBTA”), and in a form approved by General Counsel, MBTA Contract R19PS03 Amendment No. 8 for Professional Services for the Red Line/Orange Line Infrastructure Improvements Program & Signal Upgrades (Continuation of PM/CM Services) with Patrick Engineering and Mott MacDonald Joint Venture (PHM) for an amount not to exceed \$19,022,783.00**

Chair Aiello moved to Agenda Item L, the South Coast Rail Interagency Service Agreement for funding. The Chair noted that at the MassDOT Board of Directors meeting on April 22, MassDOT executed the ISA and approved the transfer of \$108,000,000.00 to the MBTA pursuant to the Amendment, and today the MBTA was required to accept the transfer. Discussion ensued.

On motion, duly made and seconded, it was:

**VOTED:**

**That the Fiscal and Management Control Board (FMCB) hereby authorizes the Authority, through the General Manger or his designee, to execute a certain Interdepartmental Service Agreement (ISA) with the Massachusetts Department of Transportation (MassDOT) for the South Coast Commuter Rail Program, and authorizes the General Manager to take any and all steps necessary to accept the transfer of \$108,000,000.00 from MassDOT pursuant to this Agreement.**

Next, Chair Aiello called upon Deputy Assistant General Manager for Commuter Rail Programs Jamie Jackson to present Agenda Item M, a contract for the South Coast Rail project. Mr. Jackson discussed the proposed request that

would provide Program Management/Construction Services for the South Coast Rail Program Phase I that included the construction of approximately 37 miles of active Right of Way from the Town of Middleborough southwest to New Bedford and Fall River, as set forth in the attached presentation labeled, “MBTA Contract K78PS03 South Coast Rail Program, Phase I, April 29, 2019.” Discussion ensued.

**VOTED:**

**That the Fiscal & Management Control Board authorize the General Manager to award and execute in the name and on behalf of the Massachusetts Bay Transportation Authority (“MBTA”), and in a form approved by General Counsel, MBTA Contract No. K78PS03 for the Program Management and Construction Management Services for the South Coast Commuter Rail Program, Phase 1 with AECOM for an amount not to exceed \$62,000,000.**

The Chair asked Ms. Larkin to return to the podium to present Agenda Item O, the Chelsea Commuter Rail Station Contract. Ms. Larkin requested the Board approve a contract that would provide approval for construction of a new relocated Chelsea Commuter Rail Station. The new station would be an intermodal facility connecting the Rockport and Newburyport Commuter Rail Lines with the new Silver Line service in Chelsea, as set forth in the attached document labeled, “MBTA Construction Contract NO. K02CN01: Chelsea Commuter Rail Station, April 29, 2019.” Discussion ensued.

On motion, duly made and seconded, it was:

**VOTED:**



**That the General Manager, or his designee, is hereby authorized to 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. K02CN01 Chelsea Commuter Rail Station construction with A.A. Will Corporation for an amount not to exceed \$32,367,200.00.**

Next, Ms. Larkin moved on to Agenda Item P, the Longfellow Approach Contract. Ms. Larkin requested the Board approve a contract that would provide for design phase, bid phase and construction phase services for the Longfellow Approach project, as set forth in the attached document labeled, “MBTA Contract No. B43PS02: Longfellow Approach Architecture and Engineering Services, April 29, 2019.” Discussion ensued.

**VOTED:**

**That the Fiscal & Management Control Board authorize the General Manager to award and execute in the name and on behalf of the Massachusetts Bay Transportation Authority (“MBTA”), and in a form approved by General Counsel, MBTA Contract No. B43PS02: Architectural and Engineering Services for the Rehabilitation of the Longfellow Approach Viaduct and Charles/MGH Station Platforms, with Jacobs Engineering Group for an amount not to exceed \$8,500,000.00.**

Next, Chair Aiello called on Jody Ray, Assistant General Manager for Commuter Rail and Ferry Services to present Agenda Item Q, a Commuter Rail Locomotive Contract. Mr. Ray noted the action would authorize executing options on the MBTA’s contract with Motive Power, Inc. for the overhaul of 27 additional F40

locomotives and acquisition of spare parts, as set forth in the attached presentation labeled, "Commuter Rail Locomotive Overhaul Contract, April 29, 2019." Discussion ensued.

On motion, duly made and seconded, it was:

**VOTED:**

**That the Fiscal and Management Control Board authorize the General Manager, or his designee, to award and execute in the name and on behalf of the Massachusetts Bay Transportation Authority ("MBTA"), optional work scope items in Formal Contract No. 696, Overhaul of Ten (10) F40PH-2C/F40PHM-2C Locomotives, with Motive Power, Inc. and in a form approved by General Counsel, for an amount not to exceed \$78,318,794.30.**

Chairman Aiello noted that Agenda Item R, the Commuter Rail Automated Fare Collection (AFC) Integration was a written submittal included in their Board materials and that staff was available if the Board had any questions. There was none.

Next, Chair Aiello called upon Chief of Paratransit Service Ben Schutzman to present Agenda Item S, The RIDE Update. Mr. Schutzman began with a discussion on impacts to the existing paratransit industry structure, provided an evaluation of transformation initiatives to address industry changes and concluded with a discussion of an On-Demand Pilot Program currently scheduled to commence on or about July 1, 2019, Mr. Schutzman concluded his presentation with a discussion of



**Documents relied upon for this meeting:**

- Minutes of April 8, 2019
- General Manager's Remarks, April 29, 2019
- Deputy General Manager's Remarks, April 29, 2019
- FMCB Public Meeting Schedule, April 29, 2019
- MBTA Quarterly Safety Report, April 29, 2019 (written submittal)
- Commuter Rail Positive Train Control (PTC) Program Update, April 29, 2019
- Red Line/Orange Line Improvement Program Update, April 29, 2019
- Red/Orange Line Infrastructure Improvements Program Funding through FY2023, April 29, 2019
- MBTA Contract R19PS03 PM/CM Services Amendment 8. April 29, 2019
- MBTA Contract K78PS03 South Coast Rail Program, Phase I, April 29, 2019
- MBTA Contract K02CN01 Chelsea Commuter Rail Station, April 29, 2019
- MBTA Contract B43PS02 Longfellow Approach Architecture and Engineering Services, April 29, 2019
- Commuter Rail Locomotive Overhaul Contract, April 29, 2019
- Commuter Rail AFC Integration, April 29, 2019
- The RIDE Transformation Update, April 29, 2019
- FY19 Q3 Operating Performance, April 29, 2019