

# **Board of Directors Monthly Meeting**

**Wednesday, October 28, 2020 | 12:00pm**  
**Via Microsoft Teams & at 110 Watervliet Ave.**



## **CDTA BOARD OF DIRECTORS MEETING AGENDA**

**Wednesday, October 28, 2020 | 12:00pm | 110 Watervliet Avenue, Albany  
and Microsoft Teams**

<b>Board Item</b>	<b>Responsibility</b>	<b>Page</b>
Call to Order	Jayne Lahut	
Ascertain Quorum and Approve Agenda	Jayne Lahut	
Approve Minutes of Wednesday, September 30, 2020	Jayne Lahut	3
<b>Recognition/Updates</b>		
<b>Committee Reports: (Action Items Listed)</b>		
Board Operations Committee (10/14/2020)	Jayne Lahut	
Performance Monitoring/Audit Committee (10/21/2020)	Denise Figueroa	
• Resolution 38 - Approve Purchase of Auto/General Liability Insurance		14
• Resolution 39 - Approve Purchase of Auto/Physical Damage Insurance		20
• Resolution 40 – Approve Purchase of Worker’s Compensation Excess Insurance		26
• Resolution 41 – Approve Contract for Articulated Buses		31
Investment Committee (09/30/2020)		
Community and Stakeholder Relations Committee (10/22/2020)	Jackie Falotico	
Strategic and Operational Planning Committee (10/22/2020)	Michael Criscione	
• Resolution 42 – Approve Disposition of Saratoga Property		36
• Resolution 43 – Approve BRT Land Acquisitions		39
<b>Chief Executive Officer’s Report</b>	Carm Basile	42
<b>Upcoming Meetings</b>		
Wednesday, November 18, 2020 at 12:00pm via Microsoft Teams and 110 Watervliet Avenue, Albany		
<b>Adjourn</b>		

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
(And its Subsidiaries)  
110 Watervliet Avenue, Albany, New York and Microsoft Teams**

**MINUTES OF WEDNESDAY, SEPTEMBER 30, 2020 BOARD MEETING**

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MEMBERS PRESENT	Michael J. Criscione, Vice Chairman Patrick M. Lance
via Microsoft Teams:	Jayme B. Lahut, Chairman Denise A. Figueroa Georgeanna M. Nugent David M. Stackrow, Treasurer Jaclyn Falotico
MEMBERS EXCUSED	Mark Schaeffer, Secretary
OTHERS PRESENT	Carmino N. Basile, Chief Executive Officer Amanda A. Avery, General Counsel Michael P. Collins, Vice President of Finance and Administration Christopher Desany, Vice President of Planning and Infrastructure Jaime Watson, Director of Corporate Communications Lance Zarcone, Vice President of Operations Steve Wacksman, Superintendent of Maintenance Ken Stager, Technical Trainer Vanessa Salamy, Executive Assistant
via Microsoft Teams:	Philip Parella, Jr., Director of Finance Sarah Matrose, Internal Auditor Stacy Sansky, Director of Procurement Jonathan Scherzer, Director of Marketing Jeremy Smith, Director of Facilities Thomas Guggisberg, Director of IT

**CALL TO ORDER**                      At 12:01 p.m., Vice Chairman Criscione called the meeting to order.

- Vice Chairman Criscione noted that a quorum was present.

**AGENDA APPROVAL**

Motion – Mr. Stackrow  
Seconded – Ms. Figueroa  
Carried Unanimously

**APPROVAL OF THE AUGUST 26, 2020 BOARD MEETING MINUTES**

Motion – Mr. Lahut  
Seconded – Mr. Stackrow  
Carried Unanimously

**RECOGNITIONS**

- Vice Chairman Criscione and Mr. Basile presented the following service awards to
  - Ken Stager Sr., Technical Trainer – 30 Years of Service
- The members offered their congratulations.

## COMMITTEE REPORTS

### BOARD OPERATIONS COMMITTEE - Report from Vice Chairman Criscione

- Board Operations Committee met on Wednesday, September 16, 2020 at 9:15am at 110 Watervliet Avenue, Albany and via Microsoft Teams.

#### Consent Agenda Items

- No items scheduled.

#### Administrative Discussion Items

- The committee reviewed agendas for the September meetings. We also set the November/December Board meeting calendar. We will have a regular schedule of meetings in both November and December. A schedule has been provided.
- Our contract for Lobbying Services is set to expire and we have a Request for Proposals on the street. Action is expected at the November or December meetings. We are satisfied with our current firm and the work they do.
- We continued discussion around electrification of the fleet. Lots of issues to consider as we move forward.
- The Governor's office is considering an RFP for an upstate master plan. This would allow each property to be looked at closely regarding facility and charging capacity as well as relationships with providers.
- As of now, we could likely house four more electric busses with our current physical and electrical infrastructure. Anything more than that would put a strain on our system and is likely to require more investment and further coordination with our providers.
- The Strategic and Operational Planning Committee will continue this discussion and consider ways for us to incorporate more electric buses into the fleet.
- The next meeting of the committee is scheduled for Wednesday, October 14, 2020 at 9:15am via Microsoft Teams and at 110 Watervliet Avenue.

### PERFORMANCE MONITORING COMMITTEE - Report from Denise Figueroa

- Performance Monitoring Committee met on Wednesday, September 23, 2020 at 12:00pm at 110 Watervliet Avenue, Albany and via Microsoft Teams.

#### Audit Committee Items

- Sarah Matrose provided her quarterly report, which was included in the agenda packet. Sarah is recommending an abbreviated audit plan and risk assessment due to COVID. She also summarized the Prevailing Wage Audit and Universal Access Audit that were completed with some minor recommendations.

#### Consent Agenda Items

##### *Resolution No. 35 – 2020 – Approve Contract for Northway Express Service*

- Northway Express (NX) service provides commuter service from Saratoga County to destinations in downtown Albany. We contract with Upstate Transit/Brown Coach to operate this service. This contract expires in November.

- Staff did not think it would be a fair and competitive marketplace at this time; it is not likely that we would see vendors submitting competitive bids. So, the recommendation is to extend the contract one year. Staff recommends awarding a one-year sole source contract to Upstate Transit. Upstate Transit has agreed to keep the same price as this year. We will conduct an RFP next year.
- The Authority hereby approves a one-year sole source contract to Upstate Transportation of Saratoga, LLC to provide Northway Express Service for an amount not to exceed \$1.5 million.

Motion – Ms. Falotico

Seconded – Ms. Figueroa

Carried Unanimously

*Resolution No. 36 – 2020 – Approve Contract for Bus Batteries*

- Four bids were received for the purchase of batteries for our buses. Staff recommends an award to the low bidder, Electro Batter Systems for \$150,572. They are the incumbent and provided a 1% cost decrease.
- The Authority hereby approves A two-year contract to Electro Battery Systems, Inc. of Pompton Plains, New Jersey for \$150,572.

Motion – Mr. Stackrow

Seconded – Ms. Nugent

Carried Unanimously

Investment Committee

- Committee met on September 30, 2020 and a report was distributed to the members.

Administrative Discussion Items

- Amanda Avery a quarterly review on the adequacy of the Risk Management and Workers' Compensation Self-Insurance Account. The Committee determined that both accounts are adequate at this time.
- Mike Collins gave the Monthly Management Report. Revenue highlights include four strong consecutive months of MRT; we resumed fare collection on August 19; we received 70% of our 2nd quarter state operating assistance; and our 5307 operating grant is now available. Revenue is 49% above budget for the year.
- Expense highlights include wages being 5.6% under budget for the year; we had a couple of service categories over budget this month due to timing adjustments, but remain well under budget for the year; we paid off our \$6.2 million Line of Credit. Expenses are down 10% for the year.
- Our financial picture is solid because of the CARES Act and the partial payments of our state operating assistance. We have drawn down most of the CARES funds and expect to exhaust the grant next month. We are projecting to end the fiscal year within budget, if not better than budget because of the federal assistance.
- Chris Desany gave the Monthly Non-Financial Report. Total ridership took a dip this month coinciding with the resumption of fare collection, which has been a common trend in the industry; Fixed route boardings are down 22% this month and 34% for the year; STAR boardings are down 39% this month and 50% for the year. Fixed route on-time performance is 74%; while STAR on-time performance is 87%. There were 15 preventable accidents and 23 non preventable accidents this month, well withing our normal expectations.

- Next meeting of the Committee is scheduled for Wednesday, October 21, 2020 at 12:00pm via Microsoft Teams and at 110 Watervliet Avenue.

#### COMMUNITY AND STAKEHOLDER RELATIONS COMMITTEE - Report from Jackie Falotico

- The Community and Stakeholder Relations Committee met on Thursday, September 24, 2020 at 11:30am at 110 Watervliet Avenue, Albany and via Microsoft Teams.

#### Administrative Discussion Items

- Jonathan Scherzer presented an update on CDTA Branding efforts. A new “Sonic” branding element was introduced to update and enhance our current branding guidelines. A sonic brand is audio that serves as the signature sound to reinforce our brand. The addition of this branding element shows innovation, forward-thinking, continued growth and provides content for future needs.
- Jaime Watson summarized the monthly Media/Community Engagement report. There were 11 media stories on television and newspaper. Stories were related to our upcoming River Corridor BRT line, ridership, Community Champions awards and community engagement activities.
- Jaime also highlighted an article published in the Albany Business Review about “Community Heroes” written by President and CEO of CDPHP, Dr. John Bennett. Dr. Bennett called out the good work being done by CDTA and all employees over the last six months in response to COVID-19.
- Jaime also discussed the changing landscape of community engagement and updated communications to keep employees, customers and the public informed about CDTA efforts surrounding COVID-19.
- Next meeting of the Committee will be on Thursday, October 22, 2020 at 11:30am via Microsoft Teams and at 110 Watervliet Avenue

#### STRATEGIC AND OPERATIONAL PLANNING COMMITTEE - Report from Mike Criscione

- The Strategic and Operational Planning Committee met on Thursday, September 24, 2020 at 12:00pm at 110 Watervliet Avenue, Albany and via Microsoft Teams.

#### Consent Agenda Items

##### *Resolution No. 37 – 2020 – Approve River BRT Title VI Equity Analysis*

- The Title VI statute is implemented via an FTA regulation that ensures equity when transit systems make major service and operational decisions. The intent of Title VI is consistent with CDTA’s goals that service and fare decisions take into consideration the impact to our customers of all demographics. As per our Title VI Program, CDTA must conduct a Service Equity Analysis when a major service change is proposed. The River BRT qualifies as a major service change.
- Through a geographic data analysis of each individual service change as well as the total collective changes, we have determined that there will be no disparate impact upon minority populations, nor a disproportionate burden upon low-income populations. Accordingly, no further changes must be made to the Blue Line service plan. The detailed analysis document was provided to Committee members.
- The Authority hereby approves the River Corridor Bus Rapid Transit Title VI Service Equity Analysis.

Motion – Ms. Nugent  
Seconded – Ms. Falotico  
Carried Unanimously

#### Administrative Discussion Items

- Jon Scherzer and Jaime Watson gave a presentation and facilitated discussion on the marketing, communication, and branding plans for the River BRT. Key targeted audiences include employees, stakeholders, media, and customers. Outreach will include newsletters, posters, launch events, promotional items, and a ribbon cutting.
- We will focus on the benefits of BRT by conducting virtual town halls, and reaching out to BIDs, route businesses, service partners and directly to customers on the street. The Blue Line will be tied into the broader BRT message (existing Red Line, future Purple Line). It will also be important to effectively communicate the nuances of the changes to minimize any confusion.
- Next meeting of the Committee will be on Thursday, October 22, 2020 at 12:00pm via Microsoft Teams and at 110 Watervliet Avenue.

#### CHIEF EXECUTIVE OFFICER’S REPORT – Carm Basile

- The Chief Executive Officer provided his report for September (attached).

#### EXECUTIVE SESSION

- No items scheduled.

#### UPCOMING MEETINGS

- Subject to the call of the Chair, Vice Chairman Criscione announced the following meeting date:
  - Wednesday, October 28, 2020 at 12:00pm via Microsoft Teams and at 110 Watervliet Avenue.

#### ADJOURNMENT

Motion – Mr. Lahut  
Seconded – Ms. Figueroa  
Carried Unanimously

Respectfully submitted,

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Mark Schaeffer, Secretary

Dated: September 30, 2020

### CHIEF EXECUTIVE OFFICER'S REPORT

As I write this it is warm and breezy and feels like summer. But leaves are falling from the trees and the calendar says fall. As the season changes, we are slowly recovering from a worldwide pandemic. Even as recovery advances, it is far from what we remember as normal just 7 months ago. For CDTA, many things have changed, and we are working to adapt and position our company for success moving forward. Any success comes from the outstanding efforts of our workforce, across all departments and every job category – CDTA people have stepped up, worked together, and gotten us through tough times.

We continue to monitor ridership. We had seen a steady increase in boarding activity through the summer. By late July, daily boarding counts were almost 85% of what they were at this time last year. An impressive rebound from the losses in April and May. As expected, the return to fare collection in mid-August slowed the increases and resulted in a 10-15% drop in boardings. As the dust settles, our average weekday boarding count is now about 35,000 or 65% of normal. A look at the first few weeks of September do not show any gains although we are hopeful of a boost in Universal Access ridership as travel habits become more regular. Fare collection has resumed and both cash and prepayment systems have come back solidly. As people update their *Navigator* cards and adjust balances, we expect revenue to rise and be prominent in our monthly reports.

Our ridership status reflects where we are relative to COVID-19; getting better but progress is slow. It has been about six weeks since protective barriers were installed on all buses. This transition has been relatively smooth. Bus operators and maintenance employees have adjusted, and we are incorporating changes into our cleaning and disinfecting processes. We continue to modify disinfecting schedules as better methods are developed. Our maintenance staff is testing new products that promise better results, easier application, or improved consistency.

As we adapt to requirements brought about by COVID-19, our company is moving forward. Most notable is the advancement of River Corridor BRT to implementation in November. Infrastructure installation is in full gear, and it's more than just silver and blue stations – in most locations, construction includes new sidewalks, many of which are heated, new crosswalks, signals and other items that improve the landscape for transit users, pedestrians and motorists along the corridor. In that regard, BRT is a community infrastructure investment that does not receive the attention it should. In the case of this 16-mile long corridor, community investments are being made in Waterford, Cohoes, Lansingburg, Troy, Watervliet, Menands, Albany. Buses for the BRT line have arrived and are being readied for service by our maintenance employees. The final plans for schedules are complete and most of this work is in production. New classes of bus operators have been hired and trained as they get ready to operate River Corridor service and complimentary local routes; lots of balls in the air as we complete our marketing and communication plans. The outreach plan will have several components, including communication to our employees, to customers along the corridor, and to corridor partners and stakeholders. There will be direct, targeted marketing along with general advertising about the corridor and BRT services. We are looking forward to a busy month or two.



CDPHP *Cycle!* continues to roll with impressive results. Through last week, there have been more than 23,000 bike rides. This has been accomplished in only 14 weeks. More impressive is the fact that bikes were rolled out gradually to accommodate concerns about COVID-19. For comparison, last year with a full 7-month riding season, there were 41,000 bike rides. Outstanding work by Lindsey Garney and her team; lots of new programs and new partners as we expand this popular and healthy travel option.

My activity report shows several Community Champion events. This recognition effort was developed as part of our 50<sup>th</sup> Anniversary plan to further engrain CDTA into the community. What resulted was a fantastic response about people who do great work. Although we received nominations about recognizable people and organizations, most were about people who help others with small, targeted efforts. Most times, there is no funding involved, the community champions do it from the heart. It was refreshing to see an outpouring of support for these champions and we plan to make it an annual event. Great work by Jaime Watson and Allie Schreffler to organize the events and see it to the end.

Here at 110 Watervliet Avenue, our Health Center will open in the next few days. We are starting with regulatory activities – physical examinations and drug/alcohol testing. Once the on-site practitioners have the lay of the land, the center will operate like a walk-in clinic offering health care, advice about health care, and other services that are important to the well-being of CDTA employees. This will be a big step forward for us and our employees. A formal event to open the center is being planned with our partners at CDPHP.

The Bokland building across the street is scheduled to come down this week paving the way for construction of a new parking facility. As you can tell when you drive down Watervliet Avenue, parking is at a premium and this space will fill that need; we will make special efforts to connect it to 110 and create a campus feel here and along the hill to our facility at 85 Watervliet Avenue. As we have discussed, this is part of the domino effect of new service, more vehicles, and new opportunities for CDTA.

Our marketing, communication and creative staff are working on our Strategic Plan. They are tasked with bringing the plan to life so that it speaks to employees, customers, and community partners. This will include lots of collateral materials – print documents, posters, brochures, YouTube videos, and web displays. We will communicate it using a variety of outlets and social media platforms that get people's attention. In all of this, we will be highlighting the work we do, the results we produce, and the benefits we bring to the region. It will include an introduction of our revised mission statement:

*CDTA Provides Mobility Solutions that Connect the Region's Communities*

### **Performance Measures**

Key Performance indicators for the company are included in our monthly reports. Data is for August and it is compared to August 2019.

Total ridership was 988,000 in August, 22% less than last August. As expected, we saw a decrease in ridership when we returned to fare collection and front door boarding on August 19. This was an almost immediate drop of about 10%. These are people who were riding because it was free, were taking extra trips because they could, and others who might not have been comfortable with the front door boarding process. We have welcomed college students back to our system but there are less of them riding (remote learning). Ridership halfway through September was down close to 35%. We are adjusting to this new reality, keeping a close eye on service levels, and making changes where appropriate. Ridership on STAR continues to increase slowly. In August it was down 40%; down 50% year to date. We have seen a recent uptick in reservation calls and inquiries about the service. Northway Express ridership continues to be low as it is tied closely to the state workforce in downtown Albany. There were 852 boardings on NX buses in August; 94% lower than last August.

Thanks to the careful use of CARES funding, our financial situation is solid, and we are looking forward with optimism. With the return to fare collection in mid-August, we have seen a recovery in the customer revenue line. It will take time for this to fully recover, especially with an expectation of less from Universal Access agreements, which are tied to college ridership. Revenue from facilities continues to lag, mostly because of a steep decline in parking activity at Rensselaer Rail Station. Year to date, parking revenue is 96% less than expectations (about \$1.1 million). Although we expect some improvement through the end of 2020, this line will likely suffer for some time.

Fueled by low interest rates and a strong regional housing market, revenue from the Mortgage Recording Tax continues to surge. Year-to-date receipts are at \$5.3 million, 12% more than expectations. We have seen a return to timely receipt of STOA funds (although payments are less than expected), and 5307 money is available for us to draw on. Our finance staff has been judicious in their use of funding to get us through unprecedented times. We used CARES funds as a stop-gap tool and that served us well. As we reported at the Performance Monitoring committee meeting, we have used all CARES funding; we expect to get through this fiscal year in good shape, but we are concerned about next year's operating budget. We will begin to construct the budget in the coming weeks, and it will take center stage in committee discussions over the next few months.

Expenses in August were \$355,000 under budget; we are \$4 million under budget for the fiscal year-to-date. A few categories driving our savings – wages and associated benefits, purchased transportation costs (NX and STAR), professional services and fuel.

We missed 54 trips on the fixed route system; last August, we missed 27 trips. This a normal level for summer months. We reported 38 accidents in August with 15 categorized as preventable; last August, we reported 43 accidents with 20 categorized as preventable. All but one preventative maintenance inspection was done on time. Scheduled maintenance work was at 82%, a bit better than last August (80%). Fixed route timeliness was at 74%, about the same as last August. Our call center processed 173 comments compared to 209 last August. Response time to close inquiries within 10 days was at 97% (last August was 96%). There were 566,000-page views at [www.cdfa.org](http://www.cdfa.org). Last August, there were 704,000-page views.

**Community Engagement:**

We will return to our normal reporting when activities and events return.

**Activity Report**

There are some signs of normalcy returning in our outreach work. We have seen several in person meetings and more activity regarding longer term work that impacts CDTA, the region and the state. As this happens, we stand ready to position CDTA as a reliable, thoughtful, and capable community leader.

- On Thursday, August 27, we presented 12 Community Champion awards at a ceremony in our Albany garage. The awards highlight the work that people do to make our community better and stronger. Jaime Watson, Allie Schreffler organized this great program.
- On Friday, August 28, we presented another 12 Community Champion awards at a ceremony outside the Albany facility. We used our 50<sup>th</sup> anniversary bus as a backdrop to recognize another group of outstanding community leaders. It was great to highlight what they do, which is often done silently.
- On Monday, August 31, Barbara Gannon, and I met (via zoom) to talk about communicating our strategic plan to employees throughout the company. This will be an important part of the roll out and we considered several ways to message the strategic pillars, which support the plan and make it important to what we do.
- On Wednesday, September 2, I filmed a video spot encouraging people to attend the NYPTA fall conference. The conference will be virtual, and the association staff is using social media channels to encourage attendance. My clip is one of several that will be assembled to help with this work.
- On Thursday, September 3, I attended a virtual meeting of the CDTC Policy Committee. This is the organization's board meeting, and we had a full agenda of items relating to the Transportation Improvement Program and funding for regional projects. All federal transportation funding flows through CDTC.
- On Tuesday, September 8, I spoke with new maintenance employees as part of their introduction to our company. We talked about their role in providing great service to customers. We also talked about the career ladder at CDTA, professional development opportunities, and ways that people progress through the company.
- On Wednesday, September 9, I chaired a virtual meeting of the United Way's executive committee. We discussed organizational finances and things that are being done during the pandemic to help those in need. Workforce giving campaigns are going to require more attention than ever before.

- On Wednesday, September 9, we presented Community Champion awards to CDTA employees in the Albany Division. The awards highlight the great work of our employees who were nominated by customers, co-workers, and community members.
- On Wednesday, September 9, I attended a virtual meeting of the Regional Development Coordinating Committee. RDCC includes CEO's from transportation and economic development organizations. We get together a few times a year to talk about ways to support regional development. Meetings are hosted by the Capital Region Chamber of Commerce.
- On Thursday, September 10, we presented Community Champion awards to CDTA employees in the Schenectady Division. More outstanding stories of great work and community connections by our employees.
- On Friday, September 11, I attended a NYPTA strategic planning meeting. The NYPTA executive committee meets every year (around this time) to develop messages and approaches for the upcoming legislative season. These discussions were dominated by COVID-19, its impact on transit systems across the state, and the financial implications moving forward. We were able to develop a set of objectives and agree to use social media to begin to highlight the work of our industry in very difficult times.
- On Wednesday, September 16, I chaired a virtual meeting of the United Way Board of Directors. I am beginning my second year as Board Chair and look forward to working through COVID-19 with the United Way. The crisis has put a spotlight on what the United Way does and the people it serves; its fundraising capabilities are needed more than ever before.
- On Thursday, September 17, I listened to an Albany Business Review Panel discussion, where they launched their Empower Women series. Panelists talked about their experiences as professional women and ways that they have achieved success. One of the panelists was our own Jaime Watson who did a great job talking about the challenges working in transit, which is a very a male-dominated industry/company. She did a great job!
- On Thursday, September 17, I attended a virtual meeting of the Capital Region Chamber of Commerce Board of Directors. I am a member of the board and the agenda item was to approve an affiliation with the Center for Economic Growth. This will be a positive step for regional economic development initiatives.
- On Thursday, September 17, I attended a virtual meeting of the NYPTA Board of Directors. We finalized plans for our fall conference in October, talked about our strategy for the 2020-21 legislative season, and reviewed our financial situation (member dues and conferences are down significantly).

- On Monday, September 21, I spoke to our newest class of 11 bus operators. They will be ready for service by the end of October, just in time for the start of River Corridor BRT. We talked about expectations for them and their ability to use the CDTA career ladder. Hats off to our Human Resources staff who are grinding through a difficult stretch with back-to-back-to-back classes and more than 50 people hired since the spring!
- On Monday, September 21, I attended meetings of the Colonie IDA and LDC Board of Directors. Meetings were held in person at Colonie Town Hall, a refreshing change. The boards were briefed on several development projects, which may require consideration by the IDA/LDC in the coming months.
- On Tuesday, September 22, I took part in a video shoot for a new United Way commercial. The commercial will be part of United Way's outreach, which coincides with annual giving efforts at local companies.
- On Wednesday, September 23, I attended a meeting of CBA Board of Trustees. Most of the trustees assembled at CBA (my second in person meeting of the week). I enjoy my work on the CBA board; many of their students use our service to get to/from the campus (95% of their students are in school every day).
- On Thursday, September 24, I attended a virtual meeting of the Discover Albany Board of Directors. There were updates about the hospitality industry in Albany County, which has suffered greatly during COVID-19. Discover Albany staff has several initiatives underway to help hotels and restaurants.
- On Friday, September 25, 2020, we presented Community Champion awards to CDTA employees in the Troy Division. It was great to close the program by honoring Troy employees for their community work. It was also nice to be joined by board members Mike Criscione and Pat Lance.

### **Final Thoughts**

As we manage our way through new realities, I am continually impressed by the men and women of CDTA. They are adapting and changing, working hard every day to connect the Capital Region. At the same time, they can take a few minutes to highlight people in the community who make it work. People who do things because they are the right things, people who do things from the heart. We recognized more than 50 Community Champions and I want to recognize all the men and women of CDTA – our Community Champions. They make our company go, and because of them, the best is yet to come.

#CDTAStrong

Copy: Senior Staff  
Director of Corporate Communications

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION No. 38 - 2020**

Authorizing Purchase of Auto and General Liability Insurance Excess Coverage

**WHEREAS**, the Capital District Transportation Authority (“Authority”) is exposed to various risks of loss associated with its property and transit operations, and

**WHEREAS**, New York Public Authorities Law section 1306 (15) empowers the Authority to insure its property or operations as the Authority may deem advisable, and

**WHEREAS**, the Authority, by Resolution No. 19-2007 has embarked upon a strategy of contracted insurance brokerage services where the broker shops the coverage, and

**WHEREAS**, the Authority has resolved to self-insure to the extent of Two Million Dollars (\$2,000,000) and to secure Thirteen Million Dollars (\$13,000,000) of excess coverage at an annual premium for the coverage that Authority deems necessary and appropriate for its needs; and

**WHEREAS**, as the result of the efforts to shop the desired coverage levels, it has been determined that it is in the best interests of the Authority to accept the quote for Eight Million Dollars of excess Automobile and General Liability damage coverage from American Alternative Insurance Corporation of Princeton, NJ, with a proposed annual premium of \$318,400, and the quote for an additional Five Million Dollars of excess Automobile and General Liability damage coverage from Allied World National Assurance Company of New York, NY, with a proposed annual premium of \$106,883, and the Non-Certified Acts of Terrorism coverage from Lloyd’s of London Insurance Company of New York, NY for \$22,440, for a total annual premium cost not to exceed \$447,723 that will take effect November 10, 2020 through November 9, 2021.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Authority hereby authorizes the purchase of Eight Million Dollars of Automobile and General Liability excess insurance for the policy period covering November 10, 2020 to November 9, 2021 from American Alternative Insurance Corporation of Princeton, NJ, subject to compliance with the terms and conditions of the contract.

2. The Authority hereby authorizes the purchase of Five Million Dollars of additional Automobile and General Liability excess insurance for the policy period covering November 10, 2020 to November 9, 2021 from Allied World National Assurance Company of New York, NY.
3. The Authority hereby authorizes the purchase of Non-Certified Acts of Terrorism coverage from Lloyd's of London Insurance Company for \$22,440, subject to compliance with the terms and conditions of the contract.
4. The total annual premium for Thirteen Million Dollars of excess Automobile and General Liability coverage, including Non-Certified Acts of Terrorism coverage, shall not exceed \$447,723.
5. Authority Staff is hereby authorized to execute all necessary documents.
6. The source of funds for this insurance shall be FY2021/22 Operating Budgets.
7. This Resolution shall take effect immediately.

### **CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on the 28th day of October, 2020.

Dated: October 28, 2020

\_\_\_\_\_  
Mark Schaeffer, Secretary

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY**  
**Agenda Action Proposal**

**Subject:** Recommend the purchase of Auto & General Liability Insurance from American Alternative and Allied World National Assurance Company.

**Committee:** Performance Monitoring/Audit

**Committee Meeting Date:** October 21, 2020

**Board Action Date:** October 28, 2020

**Background:** Auto and General Liability insurance provides liability coverage for the operation of our business. Rose & Kiernan provides broker services to obtain Auto and General Liability Insurance. We have had a \$2 million self-insured retention (SIR) policy and \$13 million in excess coverage above our SIR since 2004. The SIR is like a deductible and we pay the first \$2 million of any claim.

Excess coverage is purchased in two layers above our \$2 million SIR. The first layer is an excess policy of \$8 million and the second layer is a \$5 million policy above the first layer for a total of \$13 million in protection.

Our claims experience is very good, and we have never come close to piercing our \$2 million SIR. Because CDTA is included in the broad transportation market, which includes trucking and rail, we are subject to loss trends that affect the overall market. The commercial auto and excess liability insurance segments continue to see increased activity and higher loss payouts.

**Purpose:** Auto & General Liability provides insurance protection for claims of injury and damage to people and property of others caused by the operation of our business.

**Summary of Proposal:** R&K approached 19 markets but received only one quotation for our primary layer and one for our secondary layer. Although markets expressed interest because of our good experience, underwriters deemed price points as too low or not a market for public transportation risks. Exhibit A (attached) summarizes the renewal offer.

American Alternative is our incumbent carrier, and they provided a renewal quote of \$318,400 for the first \$8 million layer of excess insurance. This is a reduction of \$20,305 from last year. We received one quote for our second layer for \$106,883 from Allied World National Assurance Company. This is an increase of \$53,350 from last year. The incumbent carrier for the second layer was Scottsdale Indemnity, but they exited the market. We also purchase coverage for Non-Certified Acts of Terrorism. We received one quote from Lloyds for \$22,440, an \$11,824 reduction from last year. This policy will cover both the liability and auto property/physical damage exposures. Last year we had two separate Non-Certified Acts of Terrorism policies.

The total premium cost for this coverage is \$447,723 an increase of \$28,485 (6.8%); these one-year policies take effect on November 10, 2020.

**Finance Summary and Source of Funds:** The total one-year cost for the Auto & General Liability Insurance is not to exceed \$447,723 and it will be funded through the FY2021/22 operating budgets.

**Prepared by:**

Jack Grogan, Director of Risk Management

**Project Manager:**

Jack Grogan, Director of Risk Management



## Exhibit A

### Auto & General Liability Insurance Program

#### Renewal (\$2 million SIR)

Insurance Carrier	Excess Insurance Coverage	Premium	Insurance Rating
A. American Alternative Ins. Corp.	\$8 million	\$318,400	A+
B. Allied World National Assurance Co.	\$5 million excess above \$8 million	\$106,883	A+

Non-Certified Acts of Terrorism – Carrier*	Excess Insurance Coverage	Premium	Insurance Rating
Lloyds of London	\$13 million	\$22,440	A

*\*Includes Non-certified acts of terrorism for auto property and physical damage*

<b>Total Premium = \$447,723</b>
----------------------------------

#### Carrier Addresses:

##### Lead Excess Liability - \$8,000,000:

American Alternative Insurance Corporation  
555 College Road East  
Princeton, NJ 08543

##### Excess Liability - \$5,000,000 x \$8,000,000:

Allied World National Assurance Company  
199 Water Street  
New York, New York 10038

##### Non-Certified Acts of Terrorism – Excess General Liability and Auto Liability:

Lloyd's of London  
520 Madison Avenue 32<sup>nd</sup> Floor  
New York, New York 10022

## Memorandum

October 21, 2020

To: Performance Monitoring/Audit Committee

From: Jack Grogan, Director of Risk Management

Subject: Auto and General Liability Insurance

### Summary:

Rose & Kiernan pursued markets to get competitive quotations for our Auto and General Liability Insurance. Auto & General Liability provides insurance for claims of injury and damage to people and property of others caused by the operation of our business.

CDTA's program contains a \$2 million self-insured retention (SIR) with a \$8 million coverage layer followed by a \$5 million layer for a total excess coverage of \$13 million.

Our claims experience is very good, but we are included in the transportation insurance market for pricing, which encompasses trucking and rail industries. The loss experience in the overall market has not been good and markets have reflected this experience with large premium increases or declining to quote altogether. Eighteen companies declined to provide quotes because they could not match our incumbent pricing or were no longer in the transportation marketplace. We received one proposal for our primary layer for auto & general liability insurance.

American Alternatives is the incumbent carrier, and they provided a renewal quote of \$318,400 for the first \$8 million layer of excess insurance. The incumbent carrier for the second \$5 million-layer, Scottsdale Indemnity has left public transportation market. Allied World National Assurance Company quoted \$106,883 for the second \$5 million layer. We also purchase coverage for Non-Certified Acts of Terrorism and Certified Acts of Terrorism with Lloyds of London for \$22,440. Last year we had two separate Non-Certified Acts of Terrorism policies. Last year, we paid \$34,264 for this.

### Recommendation:

We recommend awarding American Alternative the first \$8 million excess layer for \$318,400 and Allied World National Assurance Company for the \$5 million layer for \$106,883. We recommend that we select the Non-Certified Acts of Terrorism with Lloyd's of London for \$22,440. The total premium cost will be \$447,723. The one-year renewals are effective November 10, 2020.

Copy: Chief Executive Officer  
Vice President of Finance and Administration

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY**  
**Staff Contract Award Certification**

**1. TYPE OF CONTRACT (check one):**

☐ Construction & Maintenance      ☐ Goods, Commodities & Supplies      ☐ Bus Purchase  
☐ Services & Consultants      ☐ Transportation & Operational Services      ☒ Other - Insurance

**2. TERMS OF PERFORMANCE (check one):**

☐ One-Shot Deal: Complete scope and fixed value  
☒ Fee For Services: Insurance Coverage  
☐ Exclusive Purchase Contract: Fixed cost for defined commodity with indefinite quantity  
☐ Open Purchase Contract: Commitment on specifications and price but no obligation to buy  
☐ Change Order: Add on to existing contract

**3. CONTRACT VALUE:**

\$447,723 fixed plus audit

**4. PROCUREMENT METHOD (check one):**

☐ Request for Proposals (RFP)      ☐ Invitation for Bids (IFB)      ☐ Other

**5. TYPE OF PROCEDURE USED (check one):**

☐ Micro Purchases (Purchases up to \$2,499.00)      ☐ Small Purchases (\$25,000 up to \$100,000)  
☐ Sealed Bid/Invitation for Bids (IFB) (Over \$100,000)      ☒ Request for Proposals (Request for Rate Quotes)  
☐ Professional Services (Over \$25,000)      ☐ Sole or Single Source (Non-Competitive)

**6. SELECTION CRITERION USED:**

Number of Proposals/Bids Solicited # 18  
Number of Proposals/Bids Received # 3

**7. Disadvantaged Business Enterprise (DBE) involvement**

Are there known DBEs that provide this good or service?      Yes      No  
Number of DBEs bidding/proposing      0  
DBE Certification on file?      Yes      No      Not Applicable

**8. LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:**

Lead Excess Liability - \$8,000,000:  
American Alternative Insurance Corporation  
555 College Road East  
Princeton, NJ 08543

Excess Liability - \$5,000,000 x \$8,000,000:  
Allied World National Assurance Company  
199 Water Street  
New York, New York 10038

Non-Certified Acts of Terrorism – Excess General Liability and Auto Liability:  
Lloyd's of London  
520 Madison Avenue 32<sup>nd</sup> Floor  
New York, New York 10022

**8. SOURCE OF FUNDS:** FY21/22 Operating Budget

**9. COMPLIANCE WITH STATE AND FEDERAL RULES:**

Non-Collusion Affidavit of Bidder      (Yes, No, N/A)  
Disclosure & Certificate of Prior Non-Responsibility Determinations      (Yes, No, N/A)  
Disclosure of Contacts (only RFPs)      (Yes, No, N/A)  
Certification with FTA's Bus Testing Requirements      (Yes, No, N/A)

**10. RESPONSIBLE STAFF CERTIFIES THE INTEGRITY OF THIS PROCUREMENT/CONTRACT:**

Jack Grogan, Director of Risk Management

DATED: 10/20/20

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION No. 39 - 2020**

Authorizing Purchase of Auto Physical Damage Insurance

**WHEREAS**, the Capital District Transportation Authority (“Authority”) is exposed to various risks of loss associated with its property and transit operations, and

**WHEREAS**, New York Public Authorities Law section 1306 (15) empowers the Authority to insure its property or operations as the Authority may deem advisable, and

**WHEREAS**, the Authority, by Resolution No. 19-2007 has embarked upon a strategy of contracted insurance brokerage services where the broker shops the coverage, and

**WHEREAS**, the Authority desires to insure its fleet of vehicles for Sixty-four Million Dollars (\$64,000,000.00) with a maximum of Thirty Million Dollars (\$30,000,000.00) with deductibles ranging from Two Thousand Five Hundred Dollars (\$2,500.00) for service vehicles to Twenty Thousand Dollars (\$20,000.00) for buses;

**WHEREAS**, only one quote was received from Lexington Insurance of Boston, MA for automobile physical damage insurance, with a \$25 million limit and sub limits of \$10 million for any loss related to flood, earthquake and windstorms, for a cost of \$269,148, and

**WHEREAS**, an excess automobile and physical damage quote was obtained from Homeland Insurance Company with limits of \$5 million, in excess of Lexington’s \$25 million limit, for a cost of \$20,575, and

**WHEREAS**, as the result of the efforts to shop the desired coverage levels, it has been determined that it is in the best interests of the Authority to accept the quote for automobile physical damage coverage submitted by Lexington Insurance Company of Boston, MA, at a proposed annual premium of \$269,148, effective November 10, 2020 through November 9, 2021, and excess automobile and physical damage insurance from Homeland Insurance Company of New York, NY, for an annual premium \$20,575, effective November 10, 2020 through November 9, 2021, for a total cost of \$289,723.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Authority hereby authorizes the purchase of the aforementioned automobile physical damage insurance for the policy period covering November 10, 2020 to November 9, 2021 from Lexington Insurance Company of Boston, MA, and excess automobile physical damage insurance from Homeland Insurance Company of Plymouth, Minnesota, for a total cost of \$289,723, subject to compliance with the terms and conditions of the contract.

2. Authority Staff is authorized to execute all necessary documents.
3. The source of funds for this insurance shall be the FY2021/22 Operating Budgets.
4. This Resolution shall take effect immediately.

#### **CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on the 28th day of October, 2020.

Dated: October 28, 2020

\_\_\_\_\_  
Mark Schaeffer, Secretary

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY**  
**Agenda Action Proposal**

**Subject:** Recommend contracts to purchase Auto Physical Damage Insurance from Lexington Insurance and excess coverage from Homeland Insurance Company.

**Committee:** Performance Monitoring/Audit

**Committee Meeting Date:** October 21, 2020

**Board Action Date:** October 28, 2020

**Background:** Auto Physical Damage insurance is priced based on the dollar value of our fleet. The value of our fleet is now \$64 million with our fleet garaged at three separate locations. We currently have a \$30 million per occurrence limit with deductibles ranging from \$2,500 for service vehicles to \$20,000 for buses.

**Purpose:** Auto Physical Damage provides insurance for vehicles in the event of fire, theft, vandalism, collision, and natural perils.

**Summary of Proposal:** Rose & Kiernan approached several markets and received one proposal from our incumbent, Lexington Insurance. Exhibit A summarizes the program components.

Lexington Insurance has proposed a premium cost of \$269,148, which reflects the increase in fleet value from \$59 million to \$64 million. Lexington decreased the occurrence limit from \$30 million and added sub limits of \$10 million for any loss related to floods, earthquakes, and windstorms. An excess auto and physical damage quote was received from Homeland Insurance Company with limits of \$5 million in excess of Lexington's \$25 million limit. The cost for this premium is \$20,575. We also suggest purchasing another \$5 million layer to keep our occurrence limit at \$30 million. Non-Certified Acts of Terrorism insurance is now combined with our Auto & General Liability Insurance policy.

We recommended an award to Lexington Insurance of Boston, MA for Auto Physical Damage Insurance for \$269,148 for one year effective on November 10, 2020. We also recommend an award to Homeland Insurance Company of Plymouth, Minnesota for \$20,575 effective November 10, 2020 for one year. The total cost of this program is \$289,723 which represents an increase of \$42,232 (17%) from last year.

**Finance Summary and Source of Funds:** The total cost of the Auto Physical Damage Insurance for one year is \$289,723 and it is budgeted in the FY2021/22 operating budget.

**Prepared By:**

Jack Grogan, Director of Risk Management

**Project Manager:**

Jack Grogan, Director of Risk Management

## EXHIBIT A

### Auto Physical Damage Insurance

#### 2020-21 Lexington Insurance Program (Insurance Rating A)

Program Components	Insurance Coverage
Per Occurrence Limit	\$25,000,000
Loss per Vehicle	\$810,000
Service Vehicle Deductible	\$2,500
Bus Deductible	\$20,000
Rate per \$100 of Value	\$0.40
<b>Premium</b>	<b>\$269,148</b>

#### 2020-21 Homeland Insurance Program (Insurance Rating A+)

Program Components	Insurance Coverage
Excess Property Limit	\$5,000,000
<b>Premium</b>	<b>\$20,575</b>

<b>Total Premium = \$289,723</b>
----------------------------------

## Memorandum

October 21, 2020

To: Performance Monitoring/Audit Committee

From: Jack Grogan, Director of Risk Management

Subject: Auto Physical Damage Insurance Renewal

### Summary:

Lexington Insurance a division of AIG has been our carrier for many years. Rose & Kiernan talked with several markets for quotes. Only Lexington Insurance provided a quote.

Auto Physical Damage provides insurance for our vehicles in the event of fire, theft, vandalism, collision, and natural perils. The renewal of our Auto Physical Damage Policy is for one-year effective November 10, 2020. A variety of deductibles are included in this program: \$20,000 for buses, \$5,000 for Trolleys, \$2,500 for Service Vehicles. The proposed maximum coverage per occurrence is \$25 million at any one location; maximum loss per vehicle is \$810,000 per unit.

The value of our fleet has increased from \$59 million to \$64 million (+8.5%). Lexington decreased the occurrence limit from \$30 million to \$25 million and added sub limits of \$10 million for any loss related to flood, earthquake and named windstorm. R&K obtained excess auto physical damage quotes from Homeland Insurance Company with limits of \$5 million; \$10 million and \$15 million above Lexington's \$25 million limit. The Non-Certified Acts of Terrorism insurance is now combined with the Auto & General Liability Insurance program.

### Recommendation:

We recommend awarding the auto physical damage insurance to Lexington Insurance for \$269,148 and Homeland Insurance Company for excess coverage for \$20,575. The total premium will be \$289,723 and is budgeted in our FY2020/21 operating budget.

Copy: Chief Executive Officer  
Vice President of Finance & Administration



**CAPITAL DISTRICT TRANSPORTATION AUTHORITY**  
**Staff Contract Award Certification**

**1. TYPE OF CONTRACT (check one):**

☐ Construction & Maintenance                      ☐ Goods, Commodities & Supplies                      ☐ Bus Purchase  
☐ Services & Consultants                      ☐ Transportation & Operational Services                      ☒ Other -  
Insurance

**2. TERMS OF PERFORMANCE (check one):**

☐ One-Shot Deal: Complete scope and fixed value  
☒ Fee For Services: Insurance Coverage  
☐ Exclusive Purchase Contract: Fixed cost for defined commodity with indefinite quantity  
☐ Open Purchase Contract: Commitment on specifications and price but no obligation to buy  
☐ Change Order: Add on to existing contract

**3. CONTRACT VALUE:**

\$289,723 fixed plus audit

**4. PROCUREMENT METHOD (check one):**

☐ Request for Proposals (RFP)                      ☐ Invitation for Bids (IFB)                      ☐ Other

**5. TYPE OF PROCEDURE USED (check one):**

☐ Micro Purchases (Purchases up to \$2,499.00)                      ☐ Small Purchases (\$25,000 up to \$100,000)  
☐ Sealed Bid/Invitation for Bids (IFB) (Over \$100,000)                      ☒ Request for Proposals (Request for Rate Quotes)  
☐ Professional Services (Over \$25,000)                      ☐ Sole or Single Source (Non-Competitive)

**6. SELECTION CRITERION USED:**

Number of Proposals/Bids Solicited # 1  
Number of Proposals/Bids Received # 1

**8. Disadvantaged Business Enterprise (DBE) involvement**

Are there known DBEs that provide this good or service?                      Yes                      **No**  
Number of DBEs bidding/proposing                      0  
DBE Certification on file?                      Yes                      No                      **Not Applicable**

**8. LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:**

Auto Physical Damage Insurance – \$269,148  
Lexington Insurance  
100 Summer Street  
Boston, MA 02110

Additional Excess Coverage - \$5,000,000 x \$25,000,000:  
Homeland Insurance Company  
605 Highway 169 North  
Suite 800  
New York, NY 10038

**8. SOURCE OF FUNDS:** FY21/22 Operating Budget

**9. COMPLIANCE WITH STATE AND FEDERAL RULES:**

Non-Collusion Affidavit of Bidder                      (**Yes**, No, N/A)  
Disclosure & Certificate of Prior Non-Responsibility Determinations                      (**Yes**, No, N/A)  
Disclosure of Contacts (only RFPs)                      (**Yes**, No, **N/A**)  
Certification with FTA's Bus Testing Requirements                      (Yes, No, **N/A**)

**10. RESPONSIBLE STAFF CERTIFIES THE INTEGRITY OF THIS PROCUREMENT/CONTRACT:**

Jack Grogan, Director of Risk Management                      DATED: 10/20/20

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION No. 40 - 2020**

Authorizing Purchase of Workers' Compensation Excess Insurance

**WHEREAS**, the Capital District Transportation Authority ("Authority") is exposed to various risks of loss associated with its property and transit operations, and

**WHEREAS**, New York Public Authorities Law section 1306 (15) empowers the Authority to insure its property or operations as the Authority may deem advisable, and

**WHEREAS**, the Authority, by Resolution No. 45-2002 has adopted a program of workers' compensation self-insurance pursuant to NY Workers' Compensation Law Section 50(3), and

**WHEREAS**, the Authority has undertaken to shop for workers' compensation excess insurance, and has determined that the quote from ACE/Chubb of Philadelphia, Pennsylvania, with a retention level of \$1,000,000.00 per occurrence, at an annual premium of \$265,668, beginning November 10, 2020 is most suitable for its needs.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Authority hereby authorizes a one-year contract for the purchase of the aforementioned workers' compensation excess insurance for its workers' compensation self-insurance program, with a retention level of \$1,000,000.00 per occurrence, beginning November 10, 2020 to ACE/Chubb of Philadelphia, PA, with an annual premium of \$265,668, subject to compliance with the terms and conditions of the contract.
2. Authority Staff is authorized to execute all necessary documents.
3. The source of funds for this insurance shall be the FY2021/22 Operating Budgets.
4. This Resolution shall take effect immediately.

**CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on the 28<sup>th</sup> day of October, 2020.

Dated: October 28, 2020

\_\_\_\_\_  
Mark Schaeffer, Secretary

## **Capital District Transportation Authority Agenda Action Proposal**

**Subject:** Contract Award to ACE/CHUBB insurance company for Workers Compensation Excess Coverage.

**Committee:** Performance Monitoring/Audit  
**Committee Meeting Date:** October 21, 2020  
**Board Action Date:** October 28, 2020

### **Background:**

The Workers Compensation Excess Insurance Market is a specialty market with a small number of insurance companies providing this type of insurance.

We have purchased excess insurance each year since we self-insured in 2002. Excess insurance provides loss protection above our self-insured retention (SIR), which is currently \$750,000. We pay all claim costs up to the first \$750,000 of each occurrence and excess insurance pays all costs above our SIR. A variety of insurance options were provided which are included in Exhibit A on page 2.

In late 2019 and early 2020, the insurance market began to tighten because of cumulative losses and diminished capacity in the reinsurance markets. Catastrophic storm losses and California wildfires added to increasing losses and overall claims frequency. This was before the Covid-19 pandemic was widespread.

Because of current market conditions, excess premiums are rising making our current SIR cost prohibitive. However, it is a necessary insurance as claims have pierced our SIR three times and we have 10 claims projected to exceed our SIR levels over the next few years.

### **Purpose:**

Workers Compensation Excess Insurance provides insurance protection against high value and catastrophic Workers' Compensation claims.

### **Summary of Proposal:**

USI Insurance and Benefit Services (our insurance broker for Workers Compensation Excess Coverage) approached three markets and received one quote for our current coverage, and ten quotes for alternative options summarized in Exhibit A on page 2. Our current premium is \$149,570 but we only received one quote at the same SIR. If selected, it would cost an additional \$235,000. By moving to a \$1 million SIR, the cost increase is \$115,000. Based on price and coverage options, we recommend that we increase our SIR to \$1 million and select ACE /CHUBB insurance to provide workers compensation excess coverage. The one-year premium will cost \$265,668 and is effective beginning on November 10, 2020.

### **Financial Summary and Source of Funds:**

The Workers Compensation Excess Insurance premium is \$265,668 and is budgeted in the FY2021/22 operating budgets.

### **Prepared by:**

Jack Grogan, Director of Risk Management

### **Project Manager:**

Jack Grogan, Director of Risk Management

## Exhibit A

### Workers Compensation Excess Insurance

Option	Company	SIR	Total Cost
1	ACE/Chubb Insurance	\$750,000	\$383,839
2	ACE/ Chubb Insurance	\$1,000,000	\$265,668
3	ACE/Chubb Insurance	\$1,250,000	\$239,521
4	ACE/Chubb Insurance	\$1,500,000	\$218,800
5	Midwest Employers	\$1,000,000	\$349,903
6	Midwest Employers	\$1,250,000	\$320,012
7	Midwest Employers	\$1,500,000	\$298,835
8	Safety National	\$750,000	\$436,147
9	Safety National	\$1,000,000	\$311,533
10	Safety National	\$1,250,000	\$287,005
11	Safety National	\$1,500,000	\$251,948
	Star Insurance	Withdrew	Withdrew

## Memorandum

October 21, 2020

To: Mike Collins, VP of Finance and Administration

From: Jack Grogan, Director of Risk Management

Subject: Workers Compensation Excess Insurance

### Background

Our current company, Star Insurance pulled out of New York and is not renewing. Our Broker (USI) went out to three markets for quotes and ACE/Chubb provided the best coverage for our needs.

Workers Compensation Excess Insurance provides protection for claims that are generated by injuries of employees when long term costs reach significant levels. Starr Insurance is our current carrier and has been providing very competitive rates for Excess Workers' Compensation in New York State for the past few years. Unfortunately, because of market conditions Starr has left the New York market.

Our current premium is \$149,750 with a Self-Insured Retention (SIR) of \$750,000. The best and only price for the upcoming renewal with a \$750,000 SIR is ACE/Chubb at \$383,839. Because the significant premium increase, we explored other SIR levels. The lowest cost option is a \$1,500,000 SIR, with an annual premium \$218,800. However, we suggest a gradual increase to the SIR which would reduce the current premium increase. By selecting a \$1 million SIR, the premium would cost \$265,668; a \$115,668 increase, but much less of a financial impact if we continued with the same SIR.

### Recommendation

It is recommended that a one-year contract with American/Chubb be awarded in the amount of \$265,668 beginning on November 10, 2020.

Copy: Carm Basile

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY**  
**Staff Contract Award Certification**

**1. TYPE OF CONTRACT (check one):**

☐ Construction & Maintenance      ☐ Goods, Commodities & Supplies      ☐ Bus Purchase  
☐ Services & Consultants      ☐ Transportation & Operational Services      ☒ Other - Insurance

**2. TERMS OF PERFORMANCE (check one):**

☐ One-Shot Deal: Complete scope and fixed value  
☒ Fee For Services: Insurance Coverage  
☐ Exclusive Purchase Contract: Fixed cost for defined commodity with indefinite quantity  
☐ Open Purchase Contract: Commitment on specifications and price but no obligation to buy  
☐ Change Order: Add on to existing contract

**3. CONTRACT VALUE:**

\$265,668 fixed plus audit

**4. PROCUREMENT METHOD (check one):**

☐ Request for Proposals (RFP)      ☐ Invitation for Bids (IFB)      ☐ Other

**5. TYPE OF PROCEDURE USED (check one):**

☐ Micro Purchases (Purchases up to \$2,499.00)      ☐ Small Purchases (\$25,000 up to \$100,000)  
☐ Sealed Bid/Invitation for Bids (IFB) (Over \$100,000)      ☒ Request for Proposals (Request for Rate Quotes)  
☐ Professional Services (Over \$25,000)      ☐ Sole or Single Source (Non-Competitive)

**6. SELECTION CRITERION USED:**

Number of Proposals/Bids Solicited # 10  
Number of Proposals/Bids Received # 10

**9. Disadvantaged Business Enterprise (DBE) involvement**

Are there known DBEs that provide this good or service?      Yes      No  
Number of DBEs bidding/proposing      0  
DBE Certification on file?      Yes      No      Not Applicable

**8. LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:**

ACE/Chubb Insurance  
436 Walnut Street  
Philadelphia, PA 19106

**8. SOURCE OF FUNDS:** FY21/22 Operating Budget

**9. COMPLIANCE WITH STATE AND FEDERAL RULES:**

Non-Collusion Affidavit of Bidder      (Yes, No, N/A)  
Disclosure & Certificate of Prior Non-Responsibility Determinations      (Yes, No, N/A)  
Disclosure of Contacts (only RFPs)      (Yes, No, N/A)  
Certification with FTA's Bus Testing Requirements      (Yes, No, N/A)

**10. RESPONSIBLE STAFF CERTIFIES THE INTEGRITY OF THIS PROCUREMENT/CONTRACT:**

Jack Grogan, Director of Risk Management      DATED: 10/20/20

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION No. 41 - 2020**

Authorizing the Purchase of Articulated Buses

**WHEREAS**, the Capital District Transportation Authority (the “Authority”) is charged by title 11-C of the Public Authorities Law with providing omnibus transportation within the Capital District transportation district, and

**WHEREAS**, the Authority is authorized by Public Authorities Law section 1306 to make various capital purchases, and enter into contracts providing for capital purchases designed to provide the necessary equipment to meet its transportation objectives, including fixed route service, and

**WHEREAS**, it has been determined to be in the best interests of the Authority to utilize higher-capacity articulated buses on certain high-volume routes, to alleviate crowding and offer an improved customer experience, and

**WHEREAS**, in 2014, after competitive solicitation, a five-year contract was awarded to New Flyer of America, Inc. (“New Flyer”) for the purchase of articulated buses, and

**WHEREAS**, the Authority currently needs to replace a number of fixed route revenue vehicles that have reached the end of their useful life, and has determined that the acquisition of articulated buses would best meet the needs of the Authority, and

**WHEREAS**, an RFP was submitted and a single proposal was submitted by New Flyer, which was reviewed, and a Best and Final Offer was requested which was deemed to be priced competitively, and

**WHEREAS**, the Authority staff now recommends a five-year contract be awarded to New Flyer of America, Inc. of Winnipeg, MB Canada, to purchase up to 30 articulated buses with a per-vehicle price of \$806,990.

**NOW, THEREFORE, IT IS RESOLVED** as follows:

1. The Authority hereby awards a five-year contract for the purchase of articulated buses from New Flyer of America, Inc., with a per-vehicle cost of \$806,990, subject to acceptance and satisfaction of all contract terms and requirements.
2. The Chief Executive Officer is hereby authorized to execute the necessary contract documents.
3. There is no immediate expenditure of funds; future purchases from this contract will be covered under the appropriate Capital Plan.
4. This Resolution shall take effect immediately.

**CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on the 28th day of October, 2020.

Dated: October 28, 2020

\_\_\_\_\_  
Mark Schaeffer, Secretary

# **Capital District Transportation Authority**

## **Agenda Action Proposal**

**Subject:** Contract award for Articulated Buses to New Flyer of America, Inc.

**Committee:** Performance Monitoring/Audit

**Committee Meeting Date:** October 21, 2020

**Board Action Date:** October 28, 2020

**Background:** Competitive proposals were sought for a five-year contract for articulated buses in accordance with our approved fleet plans.

**Purpose:**

Articulated buses nearly double the capacity of a single vehicle allowing for high volume routes to offer better customer experience with less crowding; and the current contract has expired.

**Summary of Proposal:**

A Request for Proposal (RFP) was issued for articulated buses. The RFP outlined technical specifications as well as our expectations for warranty, training, and performance. Pricing was requested for a base bus plus costs for tooling and spare parts. Review criteria were specific to five areas: technical specifications, warranty, delivery schedule, past performance, and price (see procurement summary for details regarding criteria).

We received one proposal (New Flyer), even though there are two manufacturers of articulated buses that meet Buy America requirements. Staff performed due diligence in the review of the single proposal and scrutinized it against industry standards. New Flyer participated in an interview and answered our questions. As New Flyer is the incumbent supplier of these vehicles reference checks were not required. Their financial capabilities were reviewed and found to be satisfactory. The price proposal was opened after all selection criteria evaluation was completed.

New Flyer was asked to provide a Best and Final Offer (BAFO) that requested their best price and delivery timelines based on the use of two different transmissions. New Flyer complied with the request and provided a lower base price and a training cost that was more in line with our needs. The BAFO price for a base vehicle is \$806,990 with annual Producer's Price Index increases or decreases as warranted. There are additional costs for selected tooling, optional spare parts, add on warranties and training.

We recently completed a five-year contract with New Flyer for articulated buses and we have been pleased with vehicle performance, parts availability and other services provided. We have 10 articulated buses in service. The BAFO price of \$806,990 is 1% more than the base bid price for the vehicle in 2017.

Staff recommends that a five-year contract be awarded to New Flyer of America, LLC to purchase up to 30 articulated buses. A detailed procurement summary is attached.

**Financial Summary and Source of Funds:**

Base Bid: \$806,990 per vehicle plus selected options

Cummins Extended Warranty: \$5,100 per vehicle

**Prepared by:**

Stacy Sansky, Director of Procurement

October 16, 2020

**Project Manager:**

Lance Zarcone, Director of Maintenance



## Memorandum

October 21, 2020

To: Performance Monitoring/Audit Committee

From: Stacy Sansky, Director of Procurement

Subject: Summary of Procurement Process-Articulated Buses

### **Overview:**

Selection of a bus manufacturer is conducted using a Request for Proposals (RFP) process. When the procurement process began there were two known manufacturers of articulated buses; Nova Bus and New Flyer. We have 10 New Flyer articulated buses and we recently completed a 5-year purchase contract with them. We have been pleased with the product and their support services.

The RFP was issued according to federal, state and CDTA purchasing requirements; it was advertised in local newspapers, [www.cdta.org](http://www.cdta.org) and transit publications. The RFP detailed our needs as well as our purchasing expectations (up to five buses in year 1, with options for up to 25 more over the remainder of the contract).

### **RFP and Review Process:**

The RFP sought proposals from qualified manufacturers that could meet the specifications established in our RFP. While two manufacturers had the capabilities to respond, only one proposal was received.

The RFP was written to use the "approved equal" process, which is common in procurements of this nature. The transit agency specifies the brand of the item (in this case, part) they prefer and then state "or approved equal" and list out the salient characteristics of specifically branded items so proposers can see what the requirements are. Proposers can then submit a request for approved equal for that part along with detailed information regarding that part. We then decide if the part is truly equal in nature based on the information presented and approve or denies each request. The final determination is shared with all proposers via an addendum.

While both manufacturers obtained the RFP only New Flyer submitted a proposal. We have not been able to reach our sales representatives at Nova to find out why they chose not to participate.

We reviewed the single proposal to ensure that it met the requirements of the RFP. The proposal was reviewed against the following criteria:

- **Technical (50%)** - the manufacturer was rated/ranked in nearly 600 technical aspects of the bus being proposed. Specifications outlined baseline requirements for these criteria and the manufacturer either met, did not meet, or exceeded each specification. Technical points were organized in four categories: Safety, Reliability, Maintenance, Operations.

- **Price (30%)** - the manufacturer's price proposal was reviewed as there was a single proposal pricing information from APTA for recent articulated bus purchases was used. Pricing includes base price, technical training, delivery and initially procured equipment. The price proposal was received in a separate sealed envelope that was not opened until all other ranking was completed to reduce "price bias".
- **Warranty (10%)** - warranty requirements were established for individual components and manufacturers were asked to provide additional costs that might be incurred.
- **Delivery (5%)** - a baseline delivery schedule of 365 calendar days was established when the RFP was released. Any proposal received would be judged against that timeline.
- **Past Performance (5%)** - manufacturers were asked to supply references with generally positive comments receiving full credit and negative comments receiving partial credit in the evaluation scale.

The single proposal was evaluated using the above criteria and scored favorably in all areas including past performance as they are the incumbent provider for CDTA. Additionally, our Finance Department reviewed the Audited Financial Statements provided by New Flyer and found them to be in a satisfactory financial position.

While the initial pricing was in line with the Independent Cost Estimate (ICE), a Best and Final Offer (BAFO) was requested asking for a more competitive price with additional transmission options. The pricing proposal was re-scored after receipt of the BAFO and was found to be a competitive price. (The price represents less than a 1% increase from the last CDTA purchase and less than 1% difference in price from the industry average for this vehicle based on information obtained from APTA.

As a result of this procurement process, we will recommend that a contract be awarded to New Flyer for the purchase of articulated buses.

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY**  
**Staff Contract Award Certification**

**1. TYPE OF CONTRACT (check one):**

☐ Construction & Maintenance      ☒ Goods, Commodities & Supplies      ☐ Bus Purchase  
☐ Services & Consultants      ☐ Transportation & Operational Services

**2. TERMS OF PERFORMANCE (check one):**

☐ One-Shot Deal: Complete scope and fixed value  
☐ Fixed Fee For Services: Time and materials - open value  
☒ Exclusive Purchase Contract: Fixed cost for defined commodity with indefinite quantity  
☐ Open Purchase Contract: Commitment on specifications and price but no obligation to buy  
☐ Change Order: Add on to existing contract

**3. CONTRACT VALUE:**

None at this time fixed estimated (circle one)

**4. PROCUREMENT METHOD (check one):**

☒ Request for Proposals (RFP)      ☐ Invitation for Bids (IFB)      ☐ Other

**5. TYPE OF PROCEDURE USED (check one):**

☐ Micro Purchases (Purchases up to \$2,499.00)      ☐ Small Purchases (\$25,000 up to \$100,000)  
☐ Sealed Bid/Invitation for Bids (IFB) (Over \$100,000)      ☒ Request for Proposals (RFP)  
☐ Professional Services (Over \$25,000)      ☐ Sole or Single Source (Non-Competitive)

**6. SELECTION CRITERION USED:**

Number of Proposals/Bids Solicited # 2 or Advertised  
Number of Proposals/Bids Received # 1

Attach Summary of Bids/Proposals

**10. Disadvantaged Business Enterprise (DBE) involvement**

Are there known DBEs that provide this good or service? Yes No  
Number of DBEs bidding/proposing 0  
DBE Certification on file? Yes No Not Applicable  
Was contract awarded to a DBE? Yes No  
Number of DBE Subcontractors Transit Vehicle Manufacturers are required to have an approved DBE program on file with FTA.

**8. LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:** New Flyer of America, Inc.  
711 Kernaghan Ave  
Winnipeg, MB Canada

**8. SOURCE OF FUNDS:** None at this time

**9. COMPLIANCE WITH STATE AND FEDERAL RULES:**

Non-Collusion Affidavit of Bidder (Yes, No, N/A)  
Disclosure & Certificate of Prior Non-Responsibility Determinations (Yes, No, N/A)  
Disclosure of Contacts (only RFPs) (Yes, No, N/A)  
Certification with FTA's Bus Testing Requirements (Yes, No, N/A)

**10. RESPONSIBLE STAFF CERTIFIES THE INTEGRITY OF THIS PROCUREMENT/CONTRACT:**

Stacy Sansky, Director of Procurement      **DATED:** October 14, 2020

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION No. 42 - 2020**

Approve Disposition of Saratoga Property

**WHEREAS**, the Capital District Transportation Authority (“Authority”) exists for the purpose of “the continuance, further development and improvement of transportation and other services related thereto within the Capital District transportation district” as provided in Public Authorities Law section 1304, and

**WHEREAS**, in 2011, the Authority purchased a parcel of real estate located on Duplainville Road in Saratoga, New York, for \$535,000 from Munter Enterprises for the construction of a new transportation facility, and

**WHEREAS**, expected ridership has not materialized and disposal of the 13.5 acre property located at Lot 6 in the W. J. Grande Industrial Park in Saratoga is now being sought to use the proceeds to contribute toward the CIG/Small Starts Package for the Purple Line and final approval of the sale from the FTA was received in August, 2020, and

**WHEREAS**, an appraisal of the property has valued it at \$1,000,000, and the only offer made to date comes from Munter Land Holdings, LLC, a construction and real estate development company responsible for the development of much of the Grande Industrial Park, in the amount of \$600,000.00.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Authority hereby approves the sale of the Saratoga property known as Lot 6, Grande Industrial Park, Saratoga, New York, for \$600,000.00 to Munter Land Holdings, LLC., contingent upon the satisfactory completion of the required notifications and other procedures required by Federal and New York State law, including, but not limited to, those contained in the Public Authorities Accountability Act.
2. The Chief Executive Officer is hereby authorized to execute the necessary documents.
3. This Resolution shall take effect immediately.

**CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on 28<sup>th</sup> day of October 2020.

Dated: October 28, 2020

\_\_\_\_\_  
Mark Schaeffer, Secretary

## Memorandum

October 22, 2020

To: Strategic and Operational Planning Committee

From: Christopher Desany, Vice President of Planning and Infrastructure

Subject: Approve Disposal of Saratoga Property

### Overview

In 2008, CDTA sought to establish a new operating and maintenance facility for its Saratoga County services. This initiative was pursued in consideration of an expansion of local neighborhood routes, the insourcing of express routes into CDTA's family of services, and the long deadheads to Saratoga Springs, some 18 miles north of CDTA's closest facility.

Since the 2011 acquisition of a property to facilitate this expansion, expected ridership increases have not materialized as hoped. While the population and development in Saratoga County have continued to increase, most new development has taken place primarily in suburban communities oriented toward automobile travel.

The 13.5-acre Saratoga bus facility property is in the W.J. Grande Industrial Park on Duplainville Road in Saratoga Springs and was purchased for \$535,000. In February, we completed an appraisal and review appraisal which valued the property at \$1,000,000. As discussed in previous Planning Committee meetings, we intend to facilitate the disposition of the land and use the proceeds to contribute toward the CIG / Small Starts Package for the Purple Line. We received final approval from FTA for the sale of this property in August.

Cushman & Wakefield | Pyramid Brokerage Company was commissioned to broker the sale of the site. The property was listed on various brokerage sites and local/global MLS services including: CIREB, RealNex, NYSCAR, 42 Floors, City Feet, NAR, LinkedIn, Pyramid's website, CoStar, Rofo, Twitter, Cushman & Wakefield's global site, Greater Capital Association of Realtors, CREXi and LoopNet.

Over the last nine months, Pyramid also canvassed the local market for potential buyers and developers who may be interested in purchasing land. Most of the tenants within the park who might be interested in expansion already had extra space on their site or were not in the position to do so at this time. This canvas included but was not limited to: Quad/Graphics, Slack Chemical, Logistics One, Saratoga Eagle, MJ Properties, Peroxychem, Greenfield Manufacturing, and Saratoga EDC.

The only offer made to date comes from John Munter of Munter Enterprises, in an amount of \$600,000. Munter Enterprises is a construction and real estate development company who is responsible for the development of much of the Grande Park. Incidentally, CDTA originally purchased this property from Munter in 2011.

### **Justification**

With the current economic climate and pandemic conditions, the pool of potential buyers/developers has shrunk since the appraisal was done. Pyramid did originally indicate that this land could take significant time to sell if we waited for a large scale buyer with a large industrial requirement, and the time to go through the planning, permitting, site work and development process. Additionally, with Munter coordinating significant acreage in the W.J. Grande Park and being on the Saratoga EDC Board, any new leads coming into the region will likely be funneled through that group anyway.

Appraisals are also done through the lens of “highest and best use”, meaning there is an ideal buyer who needs to build an industrial building at the current time of the appraisal. An appraisal is only good on the day it is delivered because conditions change daily, as we have seen over the past six months. The advantages of this buyer is that he knows the property, it would be a cash deal in short time (30 days), and he is a developer willing to take a chance on sitting on the property for an extended period of time (instead of CDTA).

Without a clear need for the Saratoga land any longer, this is an opportunity to liquidate an asset efficiently and reuse the funds on other projects.

### **Recommendation**

I am requesting approval to sell the Duplainville Road (Saratoga) property to Munter Land Holdings LLC for an amount of \$600,000.

Copy: Chief Executive Officer  
Director of Facilities  
Director of Planning  
Director of Finance

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION NO. 43 - 2020**

Approval of BRT Land Acquisitions

**WHEREAS**, the Capital District Transportation Authority (the “Authority”) is charged by New York Public Authorities Law Section 1304 with the development and improvement of transportation and related services within the Capital District, and

**WHEREAS**, the Authority is set to launch the River BRT in the coming weeks and the land acquisition component of the project is an important aspect of it with the parcels being used primarily for BRT stations and Park & Ride lots, and

**WHEREAS**, in October 2016, the land acquisition public hearing plan for the River BRT was approved, including an accounting of parcels required to implement it, and the Determination and Findings were approved in 2017, which included authorization to acquire the properties, and

**WHEREAS**, the Authority now desires to acquire the three River BRT parcels:  
559 Broadway, Menands, NY, for \$455,000 to 853 Hoosick Road, LLC for a Park & Ride;  
517 Delaware Avenue, Albany, NY, for \$100,000 to Jaffe-Webster Properties Inc. for the Delaware Station, turnaround and layover; and  
720 South Pearl Street, Albany, NY for \$55,100 for construction easements to Center for Disability Services for the Old South Pearl Station, Park & Ride, turnaround and layover.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Authority hereby approves the acquisition of the three River BRT parcels:  
559 Broadway, Menands, NY, for \$455,000,  
517 Delaware Avenue, Albany, NY, for \$100,000,  
720 South Pearl Street, Albany, NY for \$55,100.
2. This Resolution shall take effect immediately.

**CERTIFICATION**

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on the 28<sup>th</sup> day of October, 2020.

Dated: October 28, 2020

\_\_\_\_\_  
Mark Schaeffer, Secretary

## Memorandum

October 22, 2020

To: Strategic and Operational Planning Committee

From: Christopher Desany, Vice President of Planning & Infrastructure

Subject: Approval of Three BRT Land Acquisitions

### Background

The River BRT is set to launch in the coming weeks. Along with the service plan, buses, and technology – the land acquisition component of the project is also very important. Parcels are used primarily for BRT stations and park and rides. When parcels are in the right-of-way, we work with municipalities to coordinate access to build stations. When parcels are on private property, we work with landowners to execute permanent easements or purchases.

In October of 2016, the Board approved our land acquisition public hearing plan for the River BRT. That plan included an accounting of the parcels required to implement it. Subsequent to executing the process, we published a Determination and Findings document which included the feedback from the public outreach activities. The Board approved our Determination and Findings in January of 2017, which included authorization to acquire the properties.

This approach satisfies our Small Starts requirements; however, we want to be conservative and be sure to satisfy our internal guidelines as well. As such, three of the properties acquired were of high enough value that we are looking for an additional resolution to memorialize their approvals:

559 Broadway  
Menands NY 12204  
\$450,000.00 to 853 Hoosick Road LLC  
Use: Park & ride

517 Delaware Avenue  
Albany NY 12209  
\$100,000.00 to Jaffe-Webster Properties Inc.  
Use: Delaware Station, turnaround & layover

720 South Pearl Street  
Albany NY 12202  
\$94,200 for permanent easement  
\$55,100 for construction easements to Center for Disability Services  
Use: Old South Pearl Station, park & ride, turnaround & layover

We have appraisals for all properties, and funding is provided by the Small Starts Capital Investment Grant (CIG) program.



For reference, below is a list of the acquisitions for the River BRT:

Station	Property Address	Type*	Size (ft <sup>2</sup> )	Cost
Old South Pearl	720 S. Pearl Street - Albany	PE/TE	19,423PE/ 28,741TE	\$149,300.00
Mount Hope	S. Pearl Street (West) - Albany	U&O	N/A	N/A
Second	418 S. Pearl Street - Albany, NY	PE	440	\$4,700.00
Delaware	517 Delaware Ave - Albany	PE/TE	7,480PE/ 4,539TE	\$100,000.00
Morton	273 S. Pearl Street - Albany	PE	573	\$6,000.00
Morton	269 S. Pearl Street - Albany	PE		
State	18 N Pearl St - Albany	PE	963	\$0.00
Warehouse District	946 Broadway - Albany	PE	678	\$5,100.00
Warehouse District	27 Thacher St - Albany	PE	338	\$3,000.00
Route 378	550 Broadway - Menands	PE	633	\$2,900.00
Route 378	559 Broadway - Menands	FA	28,286	\$450,000.00
Road Diet	93 Broadway - Menands	PE	N/A	N/A
111 <sup>th</sup>	453 2 <sup>nd</sup> Avenue - Troy	PE	269	\$5,200.00
Route 378	431 Broadway - Menands	PE	1,160	\$18,800.00
Route 378	559 Broadway - Menands	U&O	NA	NA
Troy Garage	40 Hoosick Street - Troy	U&O	NA	NA

\* PE = Permanent Easement, TE = Temporary Easement; U&O = Use and Occupancy; FA Fee Acquisition

### Recommendation

At this time, I am recommending approval to acquire the three River BRT parcels as outlined above.

Copy: Chief Executive Officer  
Director of Facilities



## Memorandum

October 28, 2020

To: Chairman of the Board  
Board Members

From: Chief Executive Officer

Subject: CEO Report for October

### Overview

As we inch closer to the holiday season, most of us start to reflect on how fortunate we are. For me, good fortune starts with CDTA. Despite the challenges we have endured over the past 7 months, the CDTA team amazes me as they work through COVID-19. The issues we face are the new normal and we are adapting our company to operate as efficiently as possible. Our employees have accomplished so much, most of the time with little fanfare or recognition – I am proud of everything they do to make CDTA a vital part of the Capital Region.

There are lots of issues in front of us, but few companies could accomplish what we have. For starters - complete the companies first comprehensive Strategic Plan; commemorate our 50<sup>th</sup> anniversary and highlight the importance of what we do; unveil our second Bus Rapid Transit line, we are the only system in upstate New York to operate this progressive service; push our bike share program to new heights; open a new employee health center, one of the few such facilities in the Capital Region, and continue to support and engage with a number of partners to give back to the communities we serve.

These accomplishments are indicative of what we are at CDTA – innovative, accomplished, involved and forward-thinking. The men and women who work here provide great service to our communities and they want to be on the cutting edge of product delivery. We take personal and professional pride in what we do and that shows every day. At the same time, we are community facing and look to be a partner whenever we can. Hardly a week goes by without an activity that reflects our community spirit – this month is no different – Real Men Wear Pink, United Way Giving and more.

As we move through the fall season, we continue to monitor ridership closely. It is our main performance indicator; it measures what we do and how well we do it. With swings brought on by remote work/schooling and changes in travel patterns, ridership is down almost 40%. On a normal weekday, we see around 35,000 boardings. Last year, there were 55,000 boardings on an average day. Although the drop is across the system, heaviest decreases are on routes that depend on business arrangements, like Universal Access accounts and Northway Express service, which is primarily used by the state workforce. Ridership generated by employers, colleges, and school districts is down as we adjust to COVID-19. This is accompanied by a shift in boarding patterns with flattened peaks and activity spread throughout the week. We are also managing the requirements of social distancing.

Our maintenance team continues to modify cleaning and disinfecting processes. Buses and facilities are cleaned and disinfected daily and we are testing products and modifying procedures to provide customers with safe equipment and facilities. We are talking with vendors who offer new systems and products. This is a balancing act that requires research and testing to ensure we add the right products to our cleaning menu. Our buses, facilities, and equipment are at their cleanest as we meet or exceed national safety standards in this area.

We have joined with APTA and dozens of transit systems across the country to promote the Health and Human Safety Commitment Program. The centerpiece of the program is a pledge to employees, customers, and our community that we are constantly seeking the best methods for safety, security, and disinfecting. The pledge is posted throughout our system and on our equipment.

Operation of River Corridor BRT service will begin on Sunday, November 8. Most of the infrastructure is in place and we are receiving lots of comments about the new stations. People are noticing the lighting, sidewalks, crosswalks, and technology that accompanies them. New silver and blue BRT buses are ready for service and construction activities at the Troy garage are nearly complete. As we introduce BRT schedules, there will be new travel options for customers to choose from. This is the subject of our outreach, which includes an educational component, so customers understand how to use the service. We are in full gear promoting and communicating the service and we anticipate an exciting roll-out. A public event is being planned and we are zeroing in on a date for that.

While we work to restore ridership, use of CDPHP *Cycle!* continues to break records. Through last week, there have been 30,000 bike rides (in only 17 weeks). Our bikes were rolled out gradually to accommodate new cleaning and social distancing requirements. Bikes are a practical option in all situations, including a pandemic. We continue to look for ways to expand the program, make it even more flexible and add new options. Last week, we hosted a shared mobility event to give the community a glimpse of more possibilities (electric bikes and scooters). More to come on this exciting arm of CDTA mobility.

The CDTA Health Center powered by CDPHP is open. If media and employee interest is an indicator, the center is going to be very successful. We are merging physical examinations, drug/alcohol testing with a walk-in clinic to offer health care, advice about health care, seminars and more. This is designed to keep CDTA employees well and encourage them to be active participants in their health care.

After a few stops and starts, the Bokland building is coming down, paving the way for construction of a new parking facility. Parking is at a premium at our facilities and cars are spilling onto the streets, making the addition very timely. Special efforts will be made to connect the lot and create a campus feel at all our properties along Watervliet Avenue.

Earlier this month, we were saddened to hear that Senator Joseph L. Bruno died. The Senator championed projects throughout the region, including many at CDTA. He was a proponent of a strong infrastructure and he supported the development of transportation initiatives. He was very supportive of the Rensselaer Rail Station, providing needed capital assistance, and leading the way as an advocate for regional gateways and mobility choices for area residents. He was ahead of his time and CDTA lost a great friend and supporter.

We are ready to unveil the company's first formal Strategic Plan. When we started this project nearly a year ago, no one could have predicted a global pandemic that would have brought us to a standstill. Despite those challenges, we were able to persevere and bring this project to a close. I am grateful to our Board of Directors for guiding this work and being integrally involved each step of the way. A big thanks to the CDTA leadership team for their work to keep the process moving to a successful end. The plan includes a revised mission statement that highlights the work we do, the results we produce, and the benefits we bring to the region. As part of our efforts to introduce the statement, I am including it with this report:

*CDTA Provides Mobility Solutions that Connect the Region's Communities*

**Performance Measures**

Key Performance indicators for the company are included in our monthly reports. Data is for September and it is compared to September 2019.

Total ridership was 898,000 in September, 36% less than last September. Ridership counts have settled in at 35-40% less than last year. Lots of reasons for this, most notably remote working. Our largest ridership generators are employment centers in the region's principal cities. Those customers have not yet come back. Ridership generated from Universal Access accounts is much lower than usual. Full boarding counts are not likely to resume until employees and students return on something close to a full-time basis. Ridership on STAR buses has increased slowly; it is now 50% less than last year. Although Northway Express ridership continues to be low, there was an uptick in September, with boardings in September 86% lower than last September. NX ridership is tied closely to the state workforce in downtown Albany.

As we move through the second half of the year, we will continue to adjust service to demand. This will require close examination of ridership, service levels and resources. It is likely that some service will need to be reduced or modified to fit into new demand realities. We are also evaluating social distancing and spacing on trunk routes where ridership is heaviest.

I am pleased that our financial condition is solid, and we are looking ahead, with cautious optimism. As we reported in last week's Performance Monitoring meeting, September reports provide a six-month summary of our company. They are a snapshot of our operating performance and financial health. Although customer and facility revenue (mostly parking at Rensselaer Rail Station) continue to lag, there are signs of recovery for the second half of the year. It will take time for a full recovery and it is likely that adjustments will be made in next year's budget. Our staff has begun to work on the budget, and this will be a topic in Strategic and Operational Planning meetings over the next few months.

We have used the last of our CARES funds. As required by the Federal Transit Administration, we used this money before drawing other federal funds. This provided needed relief for CDTA and other transit systems across New York. CARES was stop-gap funding to offset significant drops in customer and facility revenue. We are grateful for this needed revenue and appreciate the efforts of FTA staff.

Low interest rates and a strong housing market continue to push Mortgage Recording Tax. Our year-to-date receipts are at \$6.6 million, 18% more than expectations. Customer revenue returned for the full month of September at \$926,000. This is welcome news after several months with no fare collection. It will take time to attract customers back to the system and elevate revenue to normal levels. Revenue from Rensselaer Rail Station continues to suffer from travel restrictions. Revenue for 6 months is \$434,000, well short of our \$1.8 million target. Most of this is parking revenue at the station.

September expenses were \$181,000 under budget; we are \$4.2 million under budget for the year. Savings are driven by the wage and benefits lines, purchased transportation (NX and STAR), fuel and professional services. We are reviewing all expense lines so that we understand what is causing the changes and how best to make projections moving into next fiscal year.

We missed 50 trips on the fixed route system; last September, we missed 34 trips. There were 37 accidents in September with 15 categorized as preventable; last September, we reported 46 accidents with 13 preventable. All preventative maintenance inspections were done on time. Scheduled maintenance work was at 84%, last September, it was 85%. On-time performance for fixed route buses was 74%; last September, it was 73%. STAR buses operated within our acceptable time window 86% of the time; last September this was 76%.

Our call center processed 230 comments compared to 235 last September. We received 14 comments about STAR compared to 34 last September. Response time to close customer inquiries within 10 days was at 95%. There were 566,000-page views at [www.cdfa.org](http://www.cdfa.org). Last September, there were 704,000-page views.

### **Community Engagement:**

We are excited about the return of safe community activities that CDTA can support. This month we supported the American Cancer Society's Real Men Wear Pink Kick-Off, the Tri-City Valley Cats Fall Festival, and the PRIDE Center 50<sup>th</sup> Anniversary Event.

### **Activity Report**

Our work is focused on strengthening mobility in our region. We support this by improving awareness of CDTA and what we do. This work happens in different venues, with lots of partners, and always with the support of CDTA employees.

- On Thursday, October 1, I was interviewed on Spectrum News about our Real Men Wear Pink Campaign. This runs throughout October and it has become a trademark fundraiser in the Capital Region. Jaime Watson arranges this, and she did several interviews throughout the day with media outlets.
- On Thursday, October 1, we kicked off our Real Men Wear Pink campaign with an event at CDTA. We were joined by Real Men and American Cancer Society staff. Lots of media attention with our Pink Bus, the star of the show. The Pink Bus moves around the region during October and it is the visual centerpiece for RMWP events. Hats off to Jaime Watson and her helpers as we complete our 5<sup>th</sup> RMWP campaign.
- On Thursday, October 1, I joined the NYPTA executive committee on a ZOOM meeting with New York State Department of the Budget staff. We talked about the budget year, revenue shortfalls and sources that fuel the State Operating Assistance (STOA) fund. Good discussion with lots of work to do in the coming months.

- On Tuesday, October 6, Lance Zarcone and I met with Bob and Steve Brown. The Browns operate NX service for us and they have been long time partners. We talked about ridership, service levels and prospects for a return to work by state employees. State employees make up nearly 90% of the NX ridership base and they are critical to the success of this service.
- On Wednesday, October 7, I chaired a virtual meeting of the United Way Executive Committee. We discussed the annual budget, external audit results, and local giving efforts. Workplace campaigns will require lots of attention by the United Way staff.
- On Wednesday, October 7, I spent time at the proposed site of the United Way Shared Services space. The space is part of the Kenmore development in downtown Albany (the old Steuben Club). If advanced, it will be the home of the United Way and a dozen not-for-profits who will share space and resources. This is an exciting possibility.
- On Tuesday, October 13, we opened the CDTA Health Center powered by CDPHP. Lots of media attention and curious CDTA employees in attendance to see this innovative concept. Dr. John Bennett, Chief Executive Officer at CDPHP talked about good health and lower health care costs, while Tony Hynes, CEO of Precision Valve talked about the impact that his health center has had on their workforce. Hats off to the CDTA team that built the center and got it up and running. An outstanding opening event to let the community know about the innovative work being done at CDTA.
- On Tuesday, October 13, I was interviewed by a reporter from WRGB about ridership levels and prospects for increases. We talked specifically about Northway Express ridership, which has seen a steep drop during the pandemic; I explained reasons for this and prospects for a return to normal levels.
- On Wednesday, October 14, I chaired the United Way annual meeting. It was held via ZOOM and covered required elements, including election of officers, annual awards, and budget presentations.
- On Wednesday, October 14, Amanda Avery provided ethics training to several staff members who are required to take this training by the Joint Commission on Public Ethics.
- On Thursday, October 15, I attended an unveiling of the United Way giving campaign video. It was previewed on the Times Union Center video screens on Pearl Street. The video will support the annual giving campaign. Jaime Watson joined me.
- On Thursday, October 15, I led a discussion on diversity, inclusion, and mutual respect with about 20 staff members. This was the first of many discussions we will have on the topic as we work to make CDTA a better place for employees.
- On Monday, October 19, I welcomed a new class of 7 bus operators to CDTA. We talked about the things CDTA does to connect communities and their role in this work. All of them have a Commercial Driver's License, which will shorten their training program. Great job by our Human Resources team who are filling positions on a regular basis.

- On Monday, October 19, I attended meetings of the Colonie Industrial Development Agency and Local Development Corporation. I am a member of these boards that work to stimulate economic opportunities in the town. The board awarded several COVID PPE grants and heard from developers who are moving major projects in the town.
- On Tuesday, October 20, I met with Michael Fleischer. Mike and I have known each other for many years; he was formerly Commissioner of the NYS Thruway Authority and Deputy Commissioner at NYSDOT. He is now a consultant and works with several transportation clients and advocates.
- On Wednesday, October 21, I was a judge for the American Council of Engineering's Excellence awards program. My panel judged 20 transportation entries. We have been active in the local chapter of ACE and they are supportive of our work.
- On Sunday, October 25, I spent time talking with Charlie Voelker on radio station WTMM-FM104.5. We talked about Real Men Wear Pink and reasons why CDTA is involved with the campaign. I highlighted the Bus Pull this coming Friday and encouraged everyone to be on the lookout for the Pink Bus.
- On Tuesday, October 27, we held a virtual town hall meeting to provide information about River Corridor BRT service and respond to questions from customers. This replaces face to face meetings that would have normally happened in our outreach work.
- Earlier this morning, I moderated a panel discussion on Service Restoration and Recovery as part of the New York Public Transit Association's annual conference. Like most events during the pandemic, the meeting was virtual. The conference drew about 125 participants.

### **Final Thoughts**

October has been a great month, filled with activities and accomplishments, and our agenda for November is just as full. That is the CDTA way – adapt to conditions, change with the times, and move forward towards success. The men and women of CDTA are not easily satisfied and it is their desire to always be better. Thank you to everyone for making CDTA so great!  
#CDTAStrong

Copy: Senior Staff  
Director of Corporate Communications