

Board of Directors Monthly Meeting

**Wednesday, October 27, 2021 | 12:00pm
Via Microsoft Teams & at 110 Watervliet Ave.**

CDTA BOARD OF DIRECTORS MEETING AGENDA

**Wednesday, October 27, 2021 | 12:00pm | 110 Watervliet Avenue, Albany
and Microsoft Teams**

Board Item	Responsibility	Page
Call to Order	Jayne Lahut	
Approve Minutes of Wednesday, September 29, 2021	Jayne Lahut	3
Recognitions		
<ul style="list-style-type: none"> • 20 Years – Richard Cordero, Superintendent of Special Services • 25 Years – Thomas Cleland, Bus Operator 	Carm Basile/ Jayme Lahut	
Committee Reports: (Action Items Listed)		
Board Operations Committee (10/18/2021)	Jayne Lahut	
Performance Monitoring/Audit Committee (10/21/2021)	Denise Figueroa	
<ul style="list-style-type: none"> • Resolution 41 – Approve Purchase Articulated Buses • Resolution 42 – Approve Contract Extension for Upstate Transit Services • Resolution 43 – Approve Contract for Rail Station Maintenance & Repairs • Resolution 44 – Approve Contract for Workers’ Comp/TPA Services • Resolution 45 – Approve Contract for Auto/General Liability Insurance • Resolution 46 – Approve Contract for Auto/Physical Damage Insurance • Resolution 47 – Approve Contract for Workers’ Compensation Excess Insurance • Resolution 48 – Approve Safety Management System Plan 		13 16 20 24 29 34 39 43
Community and Stakeholder Relations Committee 10/22/2021)	Jackie Falotico	
Strategic and Operational Planning Committee (10/22/2021)	Michael Criscione	
Chief Executive Officer’s Report*	Carm Basile	47
Board Member Comments	Everyone	
Upcoming Meetings		
Wednesday, December 22, 2021 at 12:00pm via Microsoft Teams and 110 Watervliet Avenue, Albany		
Adjourn	Jayne Lahut	

**Additional materials will be provided before the meeting via email.*

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

MINUTES OF WEDNESDAY, SEPTEMBER 29, 2021 BOARD MEETING

MEMBERS PRESENT Jayme B. Lahut, Chairman
 Michael J. Criscione, Vice Chairman
 Patrick M. Lance
 Jaclyn Falotico
 Joseph M. Spairana, Jr.
via Microsoft Teams: David M. Stackrow, Treasurer
 Mark Schaeffer, Secretary
 Denise A. Figueroa
 Georgeanna M. Nugent
 Peter D. Wohl

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
 Lance Zarcone, Vice President of Operations
 Philip Parella, Jr., Director of Finance
 Jaime Kazlo, Director of Corporate Communications
 Ross Farrell, Director of Planning
 Jack Grogan, Director of Risk Management
 Kelli Schreivogl, Director of Human Resources
 Thomas Guggisberg, Director of IT
 Jeremy Smith, Director of Transportation
 Jonathan Scherzer, Director of Marketing
 Gary Guy, Director of Transportation
 David Williams, Director of Maintenance
 Stacy Sansky, Director of Procurement
 Vanessa Salamy, Executive Assistant

CALL TO ORDER

- At 12:01 p.m., Chairman Lahut called the meeting to order.

APPROVAL OF THE SEPTEMBER 1, 2021 BOARD MEETING MINUTES

Motion – Mr. Criscione
Seconded – Ms. Falotico
Carried Unanimously

RECOGNITIONS

- Chairman Lahut and Mr. Basile presented the following service awards to:
 - 20 Years – Stacy Sansky, Director of Procurement
- The board members offered their congratulations.

COMMITTEE REPORTS

BOARD OPERATIONS COMMITTEE - Report from Chairman Lahut

- Board Operations Committee met on Wednesday, September 15, 2021 at 8:45am at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Administrative Discussion Items

- The committee reviewed agendas for the meetings in September.
- Lisa Marrello joined us for an advocacy update. She talked about the impact of Governor Hochul and her team as they transition into office. She anticipates that there will be support for transportation initiatives and signature projects. As always, we will continue to work with our legislative delegation to articulate CDTA issues and needs.
- We talked about our Board Retreat, which we will be held on November 19. With the changes in mobility and new funding streams coming about due to COVID pandemic, it is important that we can articulate our success. How ridership, revenue stack up alongside new mobility and community partnerships will be important as we move through the coming year and beyond. It will shape who we are, what we can be, and how we measure success.
- This will be a focal point in our discussions at the retreat; we will engage a consultant who is expert on these topics to talk with us and lead us through the discussion. Hold the morning of November 19 for this retreat.
- The next meeting of the committee is scheduled for Wednesday, October 13, 2021 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 22, 2021 at 12:00pm at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Consent Agenda Items

Resolution No. 40– 2021 – Approve Contract for Transit & Facility Advertising

- Our Transit & Facility Advertising is a revenue generating program that provides revenue from the sale of advertising on buses, shelters, and displays at our rail stations. An RFP was issued, and we received two proposals. Staff recommends a contract to the incumbent, Lamar Obie Corporation. Lamar has provided this service for nearly 15-year, exceeding revenue guarantees and offering strong sales support services.
- In the new contract, the annual guarantee will increase 35% to \$1.2 million. The annual guarantee increases every year for 10 years and the revenue share increases in year six to 63% for CDTA. All in all, a very good arrangement for us.
- The Authority hereby approves a contract for a 10-year revenue contract to Lamar Obie Corporation of Frisco, Texas with a minimum revenue guarantee \$13.5 million over the life of the arrangement.

Motion – Mr. Spairana

Seconded – Ms. Falotico

Carried Unanimously

Investment Committee

- The Investment Committee met on September 27 and a report was provided to the board.

Administrative Discussion Items

- Amanda Avery provided 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 provided the Monthly Management Report. MRT continues to perform well with year-to-date revenue \$2.4 million better than expectations; Customer revenue is 40% over budget through August, notwithstanding the lower budget expectations based on the pandemic; Rail Station revenue continues to improve as train travel picks up. Total revenue exceeded budget by 11%. Wages are 2.2% under budget this month and 2.5% over budget for the year; Workers' Compensation costs were under budget this

month by 53% due to lower payments and insurance recoveries. Total expenses are 2.8% under budget for the year.

- We remain in a good financial position. We made a budget adjustment last month to reflect changes that took place after we approved our budget.

Carm provided the Non-Financial Report. Ridership has spiked up in the past few weeks as UA arrangements kick in and college students return to campus. STAR ridership is up 62% from last year. Missed trips are high this month and will be for the foreseeable future as we balance new services and manpower. Fixed route on-time performance was 75%; STAR on-time performance was 77%. Preventable accidents are at 32 this month; and non-preventable accidents are at 6. 40% of preventable accidents were on property, which is attributed to the construction taking place.

- Next meeting of the Committee is scheduled for Wednesday, October 20, 2021 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 23, 2021 at 11:15am at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Administrative Discussion Items

- Jaime Kazlo gave a report on seasonal services that operated over the summer. In total, there were 5 services that connected the community to access and opportunity within the Capital Region. Two of those services, Greenmarket Trolley and the Nature Bus were new in 2021 and developed through community partnerships. The Greenmarket Trolley connected residents in the Hamilton Hill and Mont Pleasant neighborhoods with the Schenectady Greenmarket to provide access to fresh foods and goods. Nearly 300 people took advantage of the free service.
- The Albany County Nature Bus kicked off on June 12 in partnership with the Mohawk Hudson Land Conservancy and several state and local agencies. The Nature bus connected community to several parks and was free to residents. Nearly 1100 customers used the service.
- The seasonal services compliment was rounded out by the Saratoga Summer Trolley, service to Grafton Lakes State Park and Lawsons Lake. The Saratoga Summer Trolley performed strong with more than 11,000 rides taken to popular spots along Broadway and the Saratoga Racecourse. The Navigator Summer Fun Pass was offered once again. Nearly 1500 young people took advantage of the seasonal pass that allows unlimited access to our service from July 1-August 31 for just \$44.00. CDTA partners with Mr. Subb to sell Summer Fun Passes each year.
- Jaime also reviewed the monthly media and community relations report. During the last month, CDTA earned 15 media placements across television, radio, and online platforms. Some of the stories highlighted, our roll out of FLEX service in southern Saratoga County, our new Universal Access partnership with Stewart's Shops and the work we are doing to help our area school districts as they struggle with yellow bus operator shortages, like all schools across the country.
- Jaime also highlighted some of the upcoming events and announcements, including Car Share, the Real Men Wear Pink Bus Pull on October 15 and the New York Public Transit Association annual conference at the end of October.
- Next meeting of the Committee will be on Thursday, October 21, 2021 at 11:15am 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 23, 2021 at 12:00 pm at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Administrative Discussion Items

Albany Intermodal Update –

- Carm Basile framed the conversation by explaining how this project dates back 10 years, and essentially means replacing the Greyhound station in downtown Albany. Addressing Greyhound as the current property owner continues to be a topic for discussion, as well as the near-term goal of garnering State support to help access Federal funds.
- Ross Farrell provided details on the project, including its location in downtown Albany, the history that began with one of the original convention center proposals, the 10+ stakeholders involved.
- The Committee discussed the goal of supporting mixed use development and a new extension of downtown Albany and reinforcing downtown as a regional destination. The facility's size, tenants, amenities, and services were also discussed, along with the broader project of providing new pedestrian and bike connections.

Red Line BRT Refresh -

- Ross Farrell and Jeremy Smith explained a project that will entail investing in upgrades to the BRT Red Line launched in 2011. The objective is to match the level of transit & pedestrian infrastructure applied to Blue Line and planned for Purple Line stations while integrating new mobility services. We will also improve image/brand of BusPlus and the comfort/convenience of BRT.
- The project entails three major components: the purchase of new articulated buses, improvement of roadways and intersections, and refreshing the stations/shelters themselves (and their amenities).
- The Committee discussed the fleet plan and the phasing. Station upgrades include pylon replacements, heated sidewalks, heated shelters, solar and USB charging capabilities. Upgrades to everything east of Quail will be part of the Washington/Western BRT implementation.
- Next meeting of the Committee will be on Thursday, October 21, 2021 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 2021 (attached).

BOARD MEMBER COMMENTS -

UPCOMING MEETINGS

- Subject to the call of the Chair, Chairman Lahut announced the following meeting date:
 - Wednesday, October 27, 2021 at 12:00pm via Microsoft Teams and at 110 Watervliet Avenue.

ADJOURNMENT

Motion – Ms. Falotico
Seconded – Mr. Criscione
Carried Unanimously

Respectfully submitted,

Mark Schaeffer, Secretary

Dated: September 29, 2021

CHIEF EXECUTIVE OFFICER'S REPORT

As we move into the fall season, I am amazed by the activity and excitement at CDTA. New services, more Universal Access agreements, lots of construction – and best of all, rebounding ridership, record breaking use of bikes, and lots of community partnerships.

At the same time, there are obstacles to work through. COVID-19 is an ever-present foe, lurking around every corner. Recruitment and retention are difficult issues as we work to keep pace with business opportunities that call for more service and more employees in the right parts of the company. Our community expects CDTA to be a regional problem solver and this comes with more responsibility and work for our employees.

Our COVID-19 report shows 11 positives through the end of September for a company total of 111 positives-to-date. Although there have been some breakthrough cases, most of the positives are unvaccinated individuals. The good news is that we have seen a surge in employees getting vaccinated; we have moved from under 60% to over 70% of our workforce being vaccinated. Most of this comes from our requirement that all employees be vaccinated by October 1. Lots of details and tracking in Human Resources

While the Human Resource staff oversees our COVID-19 program, they are also charged with recruiting employees to CDTA. With mobility options increasing, we need more employees to drive vehicles, to repair them, and to oversee the things we are introducing. Throw into the pot, one of the toughest job markets in our lifetime, and the challenges are clear. This requires new ways to recruit, hire and retain people who can make CDTA better. Coming on the heels of a great Job Fair, the HR staff is organizing weekly open houses where applicants come to CDTA, see our facilities, and get interviewed on the spot. New approaches are yielding results – 21 people are in training with two more large classes ready to start. This is our new reality as we look for more options, more service and better ways to connect the Capital Region.

The logical questions are – what are the results, and does it matter? The answer is a resounding yes. Ridership spiked up in the last half of August and into September. This is driven by Universal Access accounts with the State of New York and school districts, the return of college students to campuses, and existing customers riding more often. We have responded by restoring suspended services, introducing new services, and focusing on BRT lines. At the same time, ridership on STAR continues to increase, nearing 90% of what it was before the pandemic – this shows the importance of STAR and the service it provides to people with disabilities.

Our new mobility initiatives are getting attention throughout the region. Lots of excitement as we introduced FLEX to Southern Saratoga County. Residents and businesses now have door-to-door service with the CDTA look and feel within a geofenced area that moves east-west along the Route 146 corridor. FLEX service connects Mechanicville, Halfmoon and Clifton Park. With lots of support and encouragement from the business community, we are off on the right foot, and we look forward to lots of success with FLEX. Hats off to Lindsey Garney and her team for the work they are doing introducing FLEX to the community.

CDPHP Cycle! has hit 50,000 rides as we start to wrap up Season 5. Bicycle riding became more attractive during the pandemic, and we position Cycle! as a fun way to travel. There are about 6 weeks left in the riding season and we expect to add to the ridership totals as Cycle! becomes engrained in the CDTA menu of services. We continue to pilot electric scooters with positive results. We are focused on pop-up events and demonstrations throughout the region. At the same time, we are building brand awareness for SCOOT and associating the program with CDTA. Finally, 10 electric vehicles are on site as we work to start our carshare program. We are collaborating with Mobility Development Group who will manage car acquisition, maintenance, and day-to-day operation of the program. A formal announcement is forthcoming.

As we expand our mobility menu, neighboring counties have taken notice and they want to engage in discussions to be a part of this work. After months of meetings, the Montgomery County legislature is nearing action to join the Authority. There is widespread community support for this action as people want to see CDTA service to connect residents throughout the county. As this moves forward, state leaders are working on funding formulas to ensure financial support for CDTA and our ability to build a long-term mobility plan throughout the county.

During the past month or two, there is renewed interest in the concept of an intermodal center in downtown Albany. This project would replace the Bus Station in downtown Albany with a new, integrated center that would be home to a variety of mobility options. This would include CDTA services, regional transportation services, intercity services along with ride sharing, bikes and scooters. We are advancing this concept in partnership with the Albany Parking Authority. The project would include a parking facility that can support anticipated development around the site, which is directly adjacent to the existing bus station. Lots of work to be done on this but it is good to see support for the concept and the ability to fund the first phases of development.

As we approach Columbus Day, our bus operators will wrap up their work with Greater Glens Falls Transit. Throughout the summer, CDTA operators and supervisors headed up the Northway to operate the GGFT seasonal trolley service. The driver shortage hit Glens Falls just like everywhere else, and the CDTA workforce came to the rescue. I am so proud of this work, which was done quietly and without fanfare. The trolley service connects the Village of Lake George, Bolton Landing and Glens Falls.

Our buildings and grounds continue to get lots of attention – work is progressing at our Troy facility where we are constructing new locker rooms, bathrooms, and break facilities. Moving parts around in Albany as the garage expansion, construction of service bays for articulated buses and renovation of our foremen offices moves along. Our team is progressing designs for mobility hubs which will make our services easier and more convenient to use. And our consulting team is gearing up to start facility assessment and needs study.

Performance Measures

Key Performance indicators for the company are included in monthly reports. Data is for August, and it is compared to August 2020.

Total ridership in August was 940,000, 5% less than last August (last year, we resumed collecting fares on August 19). I am very happy to report that ridership is increasing. There was a significant increase in late August when our OGS access program began, and college students returned for the fall semester. The increase continued through September and the numbers will reflect positively in next month's reports. Ridership on STAR totaled 24,300; this is 35% more than last August. Northway Express ridership is also coming back with 3,600 boardings in August, and we expect increases as state employees return to work sites.

As you can see from management reports, the company is in a very good place. Revenue exceeds expenses and trend lines are going in the right direction. Leading the way is the outstanding performance of the Mortgage Recording Tax, followed by customer and facility revenue, which have been on the rise for several months. Monthly MRT receipts have exceeded \$1 million for more than a year, mirroring the surging real estate market. Customer revenue is 40% ahead of budget and we expect it to increase as ridership rebounds; facility revenue is coming back as people resume travel by train/park at RRS. Year to date, it is 87% ahead of expectations.

The wage and benefit lines were under budget for August. This was the corrective action we sought in our budget adjustment that the board approved over the summer. The adjustment also accommodates other expense issues (an example is fuel and parts).

We missed 300 trips on the fixed route system; last August, we missed 54 trips. We expected missed trip numbers to be high this month and this will continue until new bus operators are ready for service. Most of this comes from our new work (OGS, schools and other UA arrangements). For perspective, we operate more than 70,000 trips during a month.

There were 38 accidents in August with 32 of them preventable. Preventable accidents are associated with new bus operators and the churn of employees through the company. We watch accident trends closely and focus on preventability. At the same time, we are weaving new efforts into our training programs to improve performance regarding safety.

All but one preventive maintenance inspection was done on time. Scheduled maintenance work was at 82%; this is the same as last August. On time performance for fixed route service was at 75%, last August, it was 74%. STAR service operated within our 10 minute window 77% of the time; last August, it was 87%. Most of this is a result of the increase in customer trips. There were 9800 calls to the STAR reservation center, last August, there were 8900 calls.

Our call center processed 245 comments compared to 173 last August; most of the increase comes from comments about service. As we bring back services, some are brought back just like they were pre-pandemic, others have been modified or changed significantly. This generates comments and complaints from customers. We recorded 46 comments about STAR service; last August, we received 12 comments. This increase comes about because we changed the way we classify complaints regarding contractor services. We processed 173 applications for STAR eligibility; last August, we processed 108 applications. Response time to close customer inquiries within 10 days was 88%. There were 599,000 page views at www.cdta.org.

Community and Stakeholder Relations:

- Rensselaer County VAX Bus, various pop-up clinics
- Real Men Wear Pink Bus Pull, October 15
- NYPTA Conference/EXPO, October 26-28
- APTA Transform, November 7-10

Activity Report

Our community outreach work is integral to who we are and what we do. People want to be associated with us and are interested in knowing how we can work together to improve mobility. The following is a sample of that work.

- On Thursday, September 2, we presented Community Champions Awards to five individuals. This was the second annual awards programs that is organized to recognize people doing things to make our community better. Great job by Jaime Kazlo and her team for their work on this.
- On Thursday, September 2, I had an enjoyable lunch with Schenectady bus operator Joe Prentice, his girlfriend Tara, Joe Landy and Lance Zarccone. This marked Joe's 35 years of service to CDTA; we shared lots of stories and laughs.

- On Thursday, September 2, I attended a meeting of the CDTC Policy Board. There were TIP and UWP amendments, several of them for BRT projects. The board also recognized Sandy Misiewicz; this was Sandy's first Policy Board meeting since assuming the Executive Director position at CDTC.
- On Friday, September 3, I met with Ray Gillen, Schenectady Metroplex to catch up on our work and talk about some of the initiatives that we are collaborating on.
- On Tuesday, September 7, I joined members of our Finance Department at a meet and greet at CDTC. This was an opportunity for everyone to get to know each other and to talk about the ways we interact as host agency for CDTC.
- On Wednesday, September 8, I chaired a meeting of the United Way Executive Committee. We discussed finances, giving campaigns, and our annual awards event.
- On Wednesday, September 8, I met with our senior leadership team. We meet every 6 or 7 weeks to talk about issues and activities at CDTA. We spent a considerable amount of time talking about employee recruitment and retention strategies.
- On Wednesday, September 8, I met with the NYPTA leadership team to talk about the upcoming legislative session. We discussed messaging and positioning strategies.
- On Wednesday, September 8, I joined Matt Peter from the Albany Parking Authority at a meeting with Senator Neil Breslin and Assembly members John McDonald and Pat Fahy to talk about the Albany Intermodal Center project.
- On Thursday, September 9, I attended a meeting of the Albany County Climate Resiliency Technical Advisory Committee. I was appointed to this committee; it is charged with reviewing the county's work in this area.
- On Thursday, September 9, I attended the United Way Awards celebration at the Albany Capital Center. CDTA was recognized for our outstanding employee giving campaign. Nice to be joined by Jaime Kazlo, Mike Collins, Chris Desany and Lance Zarcone.
- On Monday, September 13, I met 20 new CDTA employees on their first day of training to be bus operators. This large class is being held at the Albany Marriott and it was great to see them interact with our training and human resource staff. We talked about their opportunities and our expectations of them as they begin their career at CDTA.
- On Tuesday, September 14, Mike Collins, Kelli Schreivogl and Stephanie Belokopitsky and I met with the staff from Tangible Development. Tangible will be assisting us in our Diversity, Equity, and Inclusion efforts throughout the fall.
- On Wednesday, September 15, I filmed a video for the Guilderland Chamber of Commerce awards dinner, which will be held in October. CDTA will be recognized as a top business for our efforts to be adaptable during the pandemic.
- On Thursday, September 16, I was in Mechanicville to be part of a media event to announce the arrival of FLEX in Southern Saratoga County. We were hosted by DeCrescente Distributors at their campus and were joined by community leaders who spoke about the opportunities FLEX will bring by connecting Mechanicville, Halfmoon and Clifton Park.

- On Thursday, September 16, I was interviewed on WGDJ 1300AM. We talked about FLEX and the work we are doing to connect Capital Region communities.
- On Thursday, September 16, I was interviewed on WTEN 10 about our Universal Access program and how we are tailoring it to school districts. WTEN has been reporting on the shortage of yellow school bus drivers and they have weaved our Universal Access program into their reporting.
- On Monday, September 20, I attended a meeting of the Colonie IDA/LDC. I am a member of both boards that work to improve the town's economic development activities. We reviewed several applications for funding or tax relief.
- On Tuesday, September 21, I met with Montgomery County Executive Matt Ossenfort and several county legislators. We talked about their efforts to join the Authority, the services we can provide, and the connections we can make throughout the county. A resolution for the county to join the Authority is being advanced through committee and is expected to be voted on this week.
- On Tuesday, September 21, I was interviewed on WTEN 10 about our work in Montgomery County, specifically, discussions with the Amsterdam City School District to assist them in moving students throughout the community. This is tied to WTEN's reporting on the shortage of yellow school bus drivers.
- On Tuesday, September 21, I met with staff from the State Economic Development office and the Albany Parking Authority to talk about ways to advance our concept for an intermodal center in downtown Albany.
- On Wednesday, September 22, I met with Sandy Misiewicz to talk about her first few months as CDTC Executive Director. Sandy is doing a great job and we will work together to make sure the partnership between CDTA and CDTC remains strong.
- On Wednesday, September 22, I met with Andrea Crisafulli, CEO of Crisafulli Plumbing and Heating. They are CDTA neighbors, located on Industrial Park Road. They have rehabilitated their corporate headquarters, which is home to about 200 employees. We talked about things we might be able to do together.
- On Wednesday, September 22, I attended a meeting of the Christian Brothers Academy Board of Trustees. This was our first meeting of the school year and we talked about the progress of our students during the pandemic, reviewed school finances, and learned about new ways to attract students. CBA students use CDTA services to get to school.
- On Thursday, September 23, I attended a retirement party for Mike Franchini. Mike has been the CDTC Executive Director for almost 10 years and retired over the summer. It was great to see a large turnout of people from the region's transportation community. We wish Mike a safe and healthy retirement.
- On Friday, September 24, I attended a United Way training session on Diversity, Equity and Inclusion led by Phil Burse from In Our Own Voices. This was an interesting and somewhat different approach to DEI training, which was useful and thought-provoking.

- Earlier this morning, we held an authority staff meeting. It is good to get our entire management staff together (TEAMS is a big help) to talk about the work we are doing and to keep everyone involved in our activities.

Final Thoughts

As we move through the COVID-19 pandemic, there have been shifts in our work, our impact, and our results. People are more comfortable traveling, and they are relying on CDTA to ensure their safety and to help them make connections. At the same time, they want us to be a voice on mobility, economic development, and community engagement. Making the community better is important to us and we stand ready to work with our partners to move the Capital Region forward.

CDTA Provides Mobility Solutions that Connect the Region's Communities

Copy: Director of Corporate Communications

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 41 - 2021**

Approve the Purchase of Sixteen 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 October 2020, 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 requires sixteen (16) fixed route revenue vehicles for the Washington/Western corridor Purple Line BRT, and

WHEREAS, Authority staff recommends purchasing sixteen (16) articulated buses from New Flyer of America, Inc. of Winnipeg, MB Canada, at a cost of \$828,340 per vehicle, plus an additional \$5,100 per vehicle for an extended engine warranty, for a total cost of \$13,335,040, with anticipated delivery in August 2022.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby approves the purchase of sixteen (16) articulated buses from New Flyer of America, Inc., at a total cost of \$13,335,040, 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. The source of funds will be 80% from the WWBRT grant and 20% from the Capital Reserve Fund.
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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority Agenda Action Proposal

Subject: Fixed route articulated bus purchase from New Flyer of America.

Committee: Performance Monitoring/Audit

Committee Meeting Date: October 20, 2021

Board Action Date: October 27, 2021

Background:

As work advances on the Washington Western Bus Rapid Transit (WWBRT), vehicles need to be ordered to prepare for service. This will be our first BRT line operating all articulated vehicles.

Purpose:

To provide fully branded articulated buses for the WWBRT.

Summary of Proposal:

Articulated buses were competitively procured through the RFP process in October 2020. This contract was awarded to New Flyer of America, in part, in anticipation of the new WWBRT line.

Staff recommends purchasing sixteen articulated buses at a cost of \$828,340 per vehicle. There is an additional cost to include an extended warranty for engines. The projected delivery is slated for August 2022.

Financial Summary and Source of Funds:

The WWBRT grant will fund 80% of this purchase and the remaining 20% will be funded from our capital reserve fund.

Description	Unit Cost	Quantity	Extended Cost
Articulated Bus	\$828,340	16	\$13,253,440
Cummins Extended Warranty	\$5,100	16	\$81,600
TOTAL:			\$13,335,040

Prepared by:

Stacy Sansky, Director of Procurement

Project Manager:

Lance Zarcone, Director of Maintenance

Memorandum

October 20, 2021

To: Members, Performance Monitoring/Audit Committee

From: Lance Zarcone, Vice President of Operations

Subject: Fixed Route Articulated Bus Acquisition

Background:

On October 28, 2020, the CDTA Board of Directors awarded a five-year contract to purchase articulated vehicles from New Flyer of America, LLC. Staff recommends the purchase of sixteen additional vehicles for fixed-route service operations from this contract.

Justification:

The vehicle model is an articulated New Flyer Xcelsior heavy-duty transit bus. This articulated bus is 60' long, comprised of two passenger areas and connected by a joint mechanism. The mechanism allows the vehicle to bend when the bus turns a corner yet has a continuous interior. It has three doors and almost twice the seating capacity of a standard 40' bus. Buses will have passenger amenities such as WIFI and USB charging ports. These buses will have a similar design to the articulated buses currently operating on Route 5 but with a new color scheme. The BRT Purple Line will be silver with a purple accent.

These 16 buses will be utilized on the Washington/Western corridor with an anticipated delivery of August 2022.

Recommendation:

Staff recommends purchasing sixteen articulated vehicles from New Flyer for the WWBRT line for a total cost of \$13,335,040.

Copy: Chief Executive Officer
Director of Procurement

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
ACCESS TRANSIT SERVICES, INC.
RESOLUTION No. 42 - 2021**

Approve Sole Source One-Year Contract for Northway Commuter Service

WHEREAS, the Capital District Transportation Authority and its subsidiaries (“Authority”) is charged with the continuance, further development and improvement of transportation within the Capital District transportation district, and

WHEREAS, the Authority has undertaken to provide Northway Commuter Service (“NX”) between Saratoga and Albany, which is currently operated by another entity pursuant to contract, and

WHEREAS, the current contract with Upstate Transportation of Saratoga, LLC will expire in November, and

WHEREAS, COVID-19 has significantly reduced ridership and service levels on the NX corridor, making it challenging to define our needs for the purpose of a competitive procurement, and,

WHEREAS, Upstate Transportation of Saratoga, LLC, has agreed to continue the NX service and hold pricing from the current contract, and

WHEREAS, Authority staff recommends an additional one-year sole source contract be awarded to Upstate Transportation of Saratoga, LLC, for the Northway Express Service for an amount not to exceed \$1.5 million, expiring on November 30, 2022.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby awards an additional one-year sole source contract to Upstate Transit of Saratoga, LLC, for an amount not to exceed \$1.5 million, subject to the contractor’s compliance with the terms and conditions of the contract documents.
2. Authority Staff is hereby authorized to execute all contract documents.
3. The source of funds for the Northway Commuter Service shall be from the FY2022/23 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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority Agenda Action Proposal

Subject: Contract award for NX service to Upstate Transportation of Saratoga, LLC.

Committee: Performance Monitoring/Audit

Committee Meeting Date: October 20, 2021

Board Action Date: October 27, 2021

Background:

The contract for NX service is set to expire in November and because of pandemic related service challenges, and the probability of not getting competitive bids, we recommend a one-year contract extension.

Purpose:

This contract will maintain commuter service for NX customers.

Summary of Proposal:

Upstate Transit was awarded a contract for the Northway Express (NX) service in 2015. As a result of COVID, service levels were continuously adjusted last year which led to extending our contract for an additional year. That contract expires in November.

Because the pandemic continues to affect ridership levels, it is difficult to draft an RFP defining the needs that allow potential vendors to prepare a competitive response. Upstate Transit agreed to hold pricing from the current contract. Staff recommends a one-year sole source contract be awarded to Upstate Transportation of Saratoga, LLC for the Northway Express for an amount not to exceed \$1.5 million.

Financial Summary and Source of Funds:

This contract for \$1.5 million is funded through the FY2022/FY2023 Operating Budgets.

Prepared by:

Stacy Sansky, Director of Procurement

Project Manager:

Lance Zarcone, Vice President of Operations

Memorandum

October 20, 2021

To: Members, Performance Monitoring/Audit Committee

From: Lance Zarcone, Vice President of Operations

Subject: NX Contract Extension

Background:

CDTA provides the Capital Region with a menu of mobility options, fixed-route, commuter, and paratransit services. CDTA's commuter service, Northway Express (NX), connects people from park and ride locations in Saratoga County to destinations in downtown Albany. The NX service is provided by a contractor with CDTA owned coach style buses. The service operates Monday through Friday except for major holidays.

In 2015, Upstate Transit of Saratoga was awarded a one-year contract with an option to extend the agreement annually for up to four additional years, that expired November 30, 2020. An additional one-year extension was awarded in September 2020 that expires on November 30, 2021.

Justification:

Transit properties across the country have experienced decreases in ridership due to COVID. CDTA has made several service changes to keep our employees, our customers and the community safe. Service levels are continuously adjusted to meet ridership demand.

The NX service currently provides six morning and six afternoon trips. Many businesses (and the state in particular) continue to work at reduced capacity and current ridership is much lower than average.

Because of the pandemic, NX ridership continues to fluctuate and drafting an RFP that accurately defines service needs would be difficult for a vendor to respond to.

Recommendation:

Staff is recommending that an additional one-year extension for \$1.5 million be awarded to Upstate Transportation of Saratoga LLC, that will expire November 30, 2022.

Copy: Chief Executive Officer
Director of Procurement

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION NO. 43 - 2021**

Retroactive Contract Approval for Emergency Repairs to
Rensselaer Rail Station Parking Garage Top Deck

WHEREAS, the Capital District Transportation Authority (the “Authority”) is charged with the continuance, development, and improvement of transportation facilities within the Capital District Transportation District, and

WHEREAS, the Authority currently owns and operates a parking facility at the Rensselaer Rail Station (RRS), and

WHEREAS, the Authority has previously authorized the award of a competitively-procured contract for the rehabilitation of the parking garage surface deck, and

WHEREAS, a recent inspection of the parking garage by the manufacturer has identified the membrane on the top deck requires immediate repair, prior to the upcoming winter season, and

WHEREAS, the manufacturer of the RRS membrane recommended local contractors with experience using their products to make the repairs prior to the upcoming winter season, and

WHEREAS, two vendors were contacted for proposals, and one complete proposal was received from PCC Contracting, Inc., of Schenectady, New York, and

WHEREAS, PCC Contracting, Inc., is experienced in this type of work and has performed satisfactorily for the Authority in the past, and

WHEREAS, staff now recommends a retroactive emergency contract be awarded to PCC Contracting, Inc. of Schenectady, NY for deck repairs at the RRS parking garage in an amount not to exceed \$156,000.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby approves a retroactive emergency repairs contract to PCC Contracting, Inc. of Schenectady, NY, for an amount not to exceed \$156,000, subject to compliance with the terms and conditions of the contract documents.
2. The Chief Executive Officer is hereby authorized to execute the contract documents.
3. The source of funds will be from the FY2022 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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority Agenda Action Proposal

Subject: Retroactive contract approval for emergency repairs at to the Rensselaer Rail Station (RRS) top deck.

Committee: Performance Monitoring/Audit
Committee Meeting Date: October 20, 2021
Board Action Date: October 27, 2021

Background:

The Rensselaer Rail Station (RRS) is about 20 years old and requires preventive maintenance to ensure its useful life. The parking structure is no exception. Because we experienced significant inclement weather this summer, it added to the normal deterioration of the top deck membrane, that now requires repair.

Purpose:

The membrane on the RRS top deck requires repair and must be rehabilitated prior to the upcoming winter season.

Summary of Proposal:

The manufacturer of the RRS membrane assessed the state of the deck membrane and recommended local contractors experienced in working with their product to make the repairs. Two local vendors were contacted for proposals. One was unable to complete the work required. The other, PCC Contracting, Inc. provided a complete proposal including fees for the rehabilitation. PCC Contracting is experienced in this type of work and has performed preventative maintenance work for CDTA.

Staff recommends a retroactive contract be awarded to PCC Contracting, Inc. of Schenectady, NY for deck repairs at the RRS for an amount not to exceed \$156,000.

Financial Summary and Source of Funds:

This project for \$156,000 will be funded through the FY2022 Capital Plan.

Prepared by:

Stacy Sansky, Director of Procurement

Project Manager:

Jeremy Smith, Director of Facilities

Memorandum

October 20, 2021

To: Performance Monitoring/Audit Committee

From: Christopher Desany, Vice President of Planning and Infrastructure

Subject: Rensselaer Rail Station (RRS) Deck Repairs

Background

Major capital assets require ongoing preventive maintenance to ensure a useful life. The RRS parking structure is no exception. Since its opening in 2001, it has experienced a greater than expected need for ongoing attention. In 2018, the top deck was stripped, and a new membrane installed. In 2020, that project was completed and closed out. Since then, several areas have delaminated and are in need of additional repairs. Some of these repairs were expected based on the Operations and Maintenance Plan.

The rehabilitation involves addressing a separation of the membrane along the joints on the top deck. This deterioration began this past spring. Torrential rains that we experienced in July caused further infiltration that needs to be addressed prior to the upcoming winter season, and a traditional procurement cycle would preclude us from doing that.

The manufacturer of the product (Kelmar) visited the site and was given the appropriate background. The manufacturer provided information for a regional installer who has worked with them in the past, but it was suggested that we use local vendor who could begin work as soon as possible.

Justification

Two local vendors were engaged to provide feedback and cost proposals. One vendor determined that they could not complete the scope provided. The other firm, PCC Contracting Incorporated, provided a proposal and did discovery work to provide an accurate assessment and fee. PCC has extensive experience with applicable restoration and new construction projects that include masonry, plaster, concrete, and waterproofing for historic buildings, commercial and mixed-use buildings, civil infrastructure, and parking structures. Additionally, PCC has previously done work for our preventive maintenance program. Our Director of Facilities and Rail Station Manager worked with PCC to finalize the details.

Recommendation

I recommend a retroactive emergency procurement for deck repairs for an amount of \$156,000 from PCC Contracting Inc. of Schenectady, NY.

Copy: Chief Executive Officer
Director of Procurement
Director of Facilities

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION NO. 44 - 2021**

Approve contract for Workers' Compensation Third-Party Administration Services

WHEREAS, the Capital District Transportation Authority (the "Authority") is empowered by Public Authorities Law section 1306(15) to provide for the insurance or self-insurance of the Authority's operations as required by law, and

WHEREAS, by Resolution dated August 14, 2002, the Authority resolved to initiate a self-insurance program for workers' compensation and has further determined to self-insure its obligations for NY State disability (at statutory levels), and

WHEREAS, the Authority has considered two proposals received for services of a Third-Party Administrator (TPA) to help it reliably and efficiently meet its needs in administering the program, and has concluded that the proposal of Future Comp of Buffalo, New York, with an estimated cost of \$300,000.00 per year, best meets the Authority's needs;

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby awards a Third-Party Administration services contract with an initial period of three years, with two additional optional one-year renewals to Future Comp of Buffalo, New York, subject to compliance with the contract and other documents.
2. The Chief Executive Officer is hereby authorized to execute all required documents.
3. The source of funds shall be the Authority's Operating Budget.
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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority Agenda Action Proposal

Subject: Award recommendation for Third Party Claims Administration to Future Comp of Buffalo, NY.

Committee: Performance Monitoring/Audit
Committee Meeting Date: October 20, 2021
Board Action Date: October 27, 2021

Background:

CDTA uses a Third-Party Administrator (TPA) to manage Workers' Compensation and Disability claims on our behalf.

Purpose:

To secure a TPA to manage Worker's Compensation and Disability Claims; and to obtain Excess Insurance for Worker's Compensation.

Summary of Proposal:

A Request for Proposals (RFP) was issued to manage CDTA's Worker's Compensation and Disability Claims and to provide Workers' Compensation Excess Insurance. Optional pricing was also requested to transfer all open claims from our incumbent provider to a new provider.

Two proposals were received. As a result of the review process, staff recommends that the Board award a contract to Future Comp of Buffalo, NY (the incumbent provider) for an approximate cost of \$300,000 per year. Cost estimates are based on the number of claims filed each year of the contract.

Upon Board approval this contract will be executed immediately. This contract will be for three years with two optional one-year renewals.

Financial Summary and Source of Funds:

The estimated cost is \$300,000 per year and will be funded through the operating budget.

Prepared by:

Stacy Sansky, Director of Procurement

Project Manager:

Jack Grogan, Director of Risk Management

Memorandum

October 20, 2021

To: Members, Performance Monitoring/Audit Committee

From: Jack Grogan, Director of Risk Management

Subject: Worker's Compensation and Disability (TPA Services)

Background:

CDTA is self-insured for Workers Compensation and Disability Claims. A Third-Party Administrator (TPA) manages these claims on our behalf. The current contract for services is set to expire. A Requests for Proposals (RFP) was issued for these services and two proposals were received. Staff evaluated these proposals based on price, experience and approach to this work and found that the incumbent, Future Comp best suited our current needs.

Future Comp uses USI Insurance Services to provide Excess Workers' Compensation Insurance. USI provides broker services to find competitive access to the Excess Workers' Compensation market. Future Comp is one of the largest third-party administrators in the Northeast.

Justification:

Future Comp's proposal provides more experience, quality, and better pricing. As the incumbent, we are very pleased with their performance.

Cost estimates are based on the number of filed claims and Future Comp has proposed to keep the cost to manage claims at the same rates as the prior contract. The average cost per year is \$300,000.

Recommendation:

Staff is recommending a 3-year contract with two optional one-year renewals for Third-Party Claims Administration services be awarded to Future Comp, of Buffalo, NY for approximately \$300,000 per year.

Copy: Chief Executive Officer
VP of Finance & Administration

CDTA HR 31-7000

Criteria	Future Comp- Buffalo, NY	Constitution-Hartford, CT
Cost of Services 120 Points	118	53
Capacity to Provide Service 75 Points	70	32
Contractor Services Proposal 60 Points	47	17
Access to Markets for Excess Insurance 30 Points	29	7
DBE and/or MWBE Participation 15 Points	0	0
TOTAL	264	109

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 45 - 2021**

Approve 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, only one quote was received and 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 \$337,500, 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 \$115,000, and the Non-Certified Acts of Terrorism coverage from Lloyd’s of London Insurance Company of New York, NY for \$21,190, for a total annual premium cost not to exceed \$473,690 that will take effect November 10, 2021 through November 9, 2022.

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, 2021 to November 9, 2022 from American Alternative Insurance Corporation of Princeton, NJ, at a cost of \$337,500, 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, 2021 to November 9, 2022 from Allied World National Assurance

Company of New York, NY, at a cost of \$115,000, subject to compliance with the terms and conditions of the contract.

3. The Authority hereby authorizes the purchase of Non-Certified Acts of Terrorism coverage from Lloyd's of London Insurance Company for \$21,190, 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 \$473,690.
5. Authority Staff is hereby authorized to execute all necessary documents.
6. The source of funds for this insurance shall be FY2022/23 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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority

Agenda Action Proposal

Subject: Auto & General Liability Insurance

Committee: Performance Monitoring/Audit

Committee Meeting Date: October 20, 2021

Board Action Date: October 27, 2021

Background: Auto and General Liability insurance provides liability coverage caused by the operation of our business. Rose & Kiernan (R&K) provides broker services to obtain Auto and General Liability Insurance for CDTA. We have maintained 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 coverage protection.

Our claims experience is very good, and we have never come close to piercing our \$2 million SIR. However, because CDTA is included for insurance purposes in the broader transportation market, which includes trucking and rail, we are subject to loss trends that affect the overall transportation market. The commercial auto insurance segment continues to see increased loss activity and higher loss payouts.

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

Summary of Proposal: R&K approached 20 markets but received only one quotation for our primary layer. Although markets expressed interest because of our good loss experience, market underwriters deem our price points as too low and cannot match our incumbent premium. Exhibit A (attached) summarizes the renewal offer.

American Alternatives is one of our incumbent carriers and they provided a renewal quote of \$337,500 for the first \$8 million layer of excess insurance. The incumbent carrier for the second \$5 million-layer, Allied World National Assurance quoted \$115,000 for the second layer (\$5 million) of excess insurance above the first layer. We also purchase coverage for Non-Certified Acts of Terrorism with Lloyds of London for \$21,190. This is also included in our Auto Physical Damage insurance program.

It is recommended that we award American Alternatives the first layer of excess coverage at \$8 million for Auto & General Liability at a cost of \$337,500. It is also recommended that we award Allied World the second layer of excess coverage at \$5 million above the first layer at a cost of \$115,000. Finally, it is recommended that we select the Non-Certified Acts of Terrorism coverage for \$21,190 through Lloyd's of London Insurance Company. These one-year policies represent a 5.8% increase and take effect on November 10, 2021.

Finance Summary and Source of Funds: The total one-year cost for the Auto & General Liability Insurance is not to exceed \$463,690 and it will be funded through the FY2022/23 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	\$8 million	\$337,500	A+
B. Allied World	\$5 million excess above \$8 million	\$115,000	A+

Non-Certified Acts of Terrorism - Carrier	Excess Insurance Coverage	Premium	Insurance Rating
Lloyd's of London	\$13 million	\$21,190	A

Total Premium = \$473,690

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 32nd Floor
New York, New York 10022

Memorandum

October 20, 2021

To: Members, Performance Monitoring/Audit Committee

From: Jack Grogan, Director of Risk Management

Subject: Auto and General Liability Insurance

Summary:

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

Our claims experience is very good, but we are included in the overall transportation insurance market for pricing, which encompasses trucking and rail industries. The loss experience in the overall markets has not been good and markets reflect this poor experience with large premium increases and/or declining to quote. Altogether over 18 companies declined quoting our program because they could not match our incumbent carriers pricing or were no longer in the public entity/transportation marketplace. We received only one proposal for our primary layer for auto & general liability insurance.

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

American Alternatives is our incumbent carrier, and they provided a renewal quote of \$337,500 for the first \$8 million layer of excess insurance. The incumbent carrier for the second \$5 million-layer, Allied World National Assurance Company quoted \$115,00 for the second \$5 million layer. We also purchase coverage for Non-Certified Acts of Terrorism with Hiscox/Underwriters at Lloyds of London for \$21,190. This policy will cover both the liability and auto property/physical damage exposures.

Recommendation:

Based on the quotations for auto & general liability insurance, we recommend awarding American Alternative the first \$8 million excess layer for \$337,500 and Allied World National Assurance Company for the second \$5 million layer for \$115,00. It is recommended that we select the Non-Certified Acts of Terrorism with Lloyd's of London for \$21,190. The total premium cost will be \$473,690. The insurance renewals be effective November 10, 2021, through November 9, 2022.

Copy: Chief Executive Officer
VP of Finance & Administration

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 46 - 2021**

Approve 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 at a value of Sixty Million Dollars (\$60,000,000.00) with a maximum of Twenty-five Million Dollars (\$25,000,000.00) per occurrence 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 per occurrence limit, at an annual premium cost of \$256,382, and

WHEREAS, an excess automobile and physical damage quote was obtained from Homeland Insurance Company of Delaware of Plymouth, MN, with limits of \$5 million, in excess of Lexington’s \$25 million limit, for an annual premium cost of \$25,000, 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, with a proposed annual premium of \$256,382, effective November 10, 2021 through November 9, 2022, and excess automobile and physical damage insurance from Homeland Insurance Company of Delaware of Plymouth, MN, with an annual premium cost of \$25,000, effective November 10, 2021 through November 9, 2022, for a total annual premium cost of \$281,383.

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, 2021 to November 9, 2022 from Lexington Insurance Company of Boston, MA, and excess automobile physical damage insurance from Homeland Insurance Company of Delaware of Plymouth, MN, for a total annual premium cost of \$281,383, 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 FY2022/23 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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority Agenda Action Proposal

Subject: Auto Physical Damage Insurance

Committee: Performance Monitoring/Audit

Committee Meeting Date: October 20, 2021

Board Action Date: October 27, 2021

Background: Auto Physical Damage insurance is rated and priced based on the dollar value of our fleet. The current value of our fleet is about \$60 million with our fleet garaged at three separate locations. We currently have a \$30,000,000 per occurrence limit with deductibles ranging from \$2,500 dollars 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 (our broker) approached several markets and received only one proposal from our incumbent, Lexington Insurance. Exhibit A on the following page summarizes the program components.

The premium of \$256,382 reflects the fleet value of \$60 million. Last year, Lexington decreased the occurrence limit from \$30,000,000 to \$25,000,000, but we decided to purchase an additional \$5 million layer to bring our occurrence limit back to \$30 million. This year again, R&K obtained excess physical damage quotes from Homeland Insurance Company for \$5 million in excess of Lexington's \$25,000,000 limit (see exhibit A).

It is recommended that we award Lexington Insurance of 99 High Street, Boston, MA to provide Auto Physical Damage Insurance for \$256,382 effective November 10, 2021, for a period of one year. It is also recommended that we select Homeland Insurance Company of Delaware of 605 Highway 169 North Suite 800, Plymouth, Minnesota to provide \$5 million additional excess coverage for \$25,000 effective November 10, 2021, for a period of one year.

Finance Summary and Source of Funds: The total cost of the Auto Physical Damage Insurance for one year is \$281,383, which is an \$8,000 decrease from last year, and it is budgeted in the FY20212/23 operating budgets.

Prepared By:

Jack Grogan, Director of Risk Management

Project Manager:

Jack Grogan, Director of Risk Management

EXHIBIT A

Auto Physical Damage Insurance

2021-22 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	\$0.405
Premium	\$256,382

2020-21 Homeland Insurance Program

(Insurance Rating A+)

Program Components	Insurance Coverage
Excess Property Limit	\$5,000,000
Premium	\$25,000

Total Premium = \$281,382

Memorandum

October 20, 2021

To: Chairman, Performance Monitoring/Audit Committee
Members, Performance Monitoring/Audit Committee

From: Jack Grogan, Director of Risk Management

Subject: Auto Physical Damage Insurance Renewal

Background:

Lexington Insurance a division of AIG is the current carrier and has been for many years. Our Broker (Rose & Kiernan) did conduct extensive marketing for alternative options; however, the incumbent Lexington Insurance was the only carrier to provide a quotation.

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 a period of one-year effective November 10, 2021, through November 9, 2022. A variety of deductibles are included in the insurance program as follows; \$20,000 for buses, \$5,000 for Trolleys, and \$2,500 for Service Vehicles. The maximum coverage per occurrence is \$25,000,000 at any one location and the maximum loss per vehicle is \$810,000 per unit.

The value of our fleet is \$60 million. Last year, Lexington decreased the occurrence limit from \$30,000,000 to \$25,000,000. R&K has obtained excess auto physical damage quotes from Homeland Insurance Company for an additional layer of \$5 million in excess of Lexington's \$25,000,000 limit.

Recommendation:

It is recommended that we award the auto physical damage insurance contract to Lexington Insurance for \$256,382 and Homeland Insurance Company of Delaware to provide excess coverage for \$25,000. The total premium is \$281,383 and is budgeted in our FY2021/22 operating budgets.

Copy: Chief Executive Officer
VP of Finance & Administration

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 47 - 2021**

Approve 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 American/Chubb of Philadelphia, Pennsylvania, with a retention level of \$1,000,000.00 per occurrence, at an annual premium cost of \$299,782, beginning November 10, 2021 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, 2021 through November 9, 2022 to ACE American/Chubb of Philadelphia, PA, with an annual premium cost of \$299,782, 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 FY2022/23 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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

**Capital District Transportation Authority
Agenda Action Proposal**

Subject: Contract Award to ACE American/CHUBB for Workers' Compensation Excess Coverage.

Committee: Performance Monitoring/Audit
Committee Meeting Date: October 20, 2021
Board Action Date: October 27, 2021

Background:

The Workers Compensation Excess Insurance Market is a specialty market with a small number of insurance companies willing to provide insurance quotations.

We have purchased excess insurance each year since we self-insured in 2002. Our current program has a \$1 million self-insured retention (SIR) level with no coverage limit for any claim that exceeds the current SIR. We pay all claim costs up to \$1 million of each occurrence. A variety of insurance options were provided which are included in Exhibit A on page 2.

In late 2019, the excess insurance market began tightening 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.

We have several 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 three quotes for our current coverage, and two quotes for alternative options summarized in Exhibit A. Based on price and coverage options, it is recommended that we select ACE American/Chubb insurance to provide workers compensation excess coverage. The one-year policy is effective November 10, 2021, to November 9, 2022, at a program cost of \$299,782; a 13% increase from last year.

Financial Summary and Source of Funds:

The Workers Compensation Excess Insurance premium is \$299,782 and is budgeted in the FY2022/23 operating budget.

Prepared by: Jack Grogan, Director of Risk Management

Project Manager: Jack Grogan, Director of Risk Management

Exhibit A

Workers Compensation Excess Insurance

Insurance Company	Limit	Deductible SIR	Annual Premium
ACE American/Chubb-Option 1	Statutory WC/\$1,000,000 EL	\$1,000,000	\$299,782
Midwest Employers-Option 1	Statutory WC/\$1,000,000	\$1,000,000	\$349,012
Safety National-Option 1	Statutory WC/\$1,000,000 EL	\$1,000,000	\$331,434
Safety National-Option 2	Statutory WC/\$1,000,000 EL	\$1,250,000	\$295,753
Safety National-Option 3	Statutory WC/\$1,000,000 EL	\$1,500,000	\$273,850

Memorandum

October 20, 2021

To: Performance Monitoring/Audit Committee
From: Jack Grogan, Director of Risk Management
Subject: Workers Compensation Excess Insurance

Background

Workers Compensation Excess Insurance provides insurance protection for claims generated by employee injuries when claim costs reach certain levels. Our excess insurance level kicks in at \$1 million, meaning CDTA pays claim costs up to \$1 million and the excess carrier pays all costs above that. The renewal of our Workers Compensation Excess coverage is for a period of one year; November 10, 2021, to November 9, 2022.

We use a broker, USI Insurance and Benefit Services, and they approached three markets and received three quotes for the same \$1 million SIR program we had last year. We also received two alternative quotes for higher SIR's of \$1,250,000 and \$1,500,000. The options are summarized in exhibit A and are not recommended.

Because of the volatile marketplace and overall losses in the excess market, this year the minimum quoted SIR was \$1 million. And the best price received for our current program was by ACE American/Chubb for \$299,782; a 13% increase from last year.

Recommendation

It is recommended that a one-year contract with ACE American/Chubb be awarded in the amount of \$299,782 beginning on November 10, 2021.

Copy: Chief Executive Officer
VP of Finance & Administration

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 48 - 2021**

Approve the Safety Management System Plan

WHEREAS, the Capital District Transportation Authority (Authority) is a recipient of federal funds for assistance with capital and operating expenses, and

WHEREAS, the Federal Transit Administration (FTA) requires that all public transit agencies develop and submit a new organizational Safety Management Plan (SMS), and

WHEREAS, the SMS is a formal process to communicate and manage safety from the leadership level of the Authority to all employees, and the contents of the SMS will help enhance our commitment to safety and meet the standards set by the FTA, and

WHEREAS, the draft SMS plan has been submitted to the FTA for review, their comments and recommendations have been incorporated and the Authority now recommends approval of the 2021 SMS plan in accordance with FTA requirements.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby approves and adopts the 2021 SMS plan in accordance with FTA requirements.
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 27th day of October, 2021.

Dated: October 27, 2021

Mark Schaeffer, Secretary

Capital District Transportation Authority Agenda Action Proposal

Subject: Approval of Safety Management System (SMS) Plan

Committee: Performance Monitoring/Audit

Committee Meeting Date: October 20, 2021

Board Action Date: October 27, 2021

Background:

The FTA requires all public transportation agencies to adopt a Safety Management System (SMS) plan which must be approved by the board on an annual basis. The safety plan will enhance our safety efforts and fully meet FTA standards.

Purpose:

SMS is a formal process to communicate and manage safety throughout the organization.

Summary of Proposal:

The SMS takes a top down, data driven approach to mitigate risk and ensure corrective actions. It includes four main components:

- Safety Management Policy – Establishes management accountability and responsibility for safety.
- Safety Risk Management – Develops a process to identify safety hazards, assess risk and mitigate risks.
- Safety Assurance – This process ensures the implementation of our plan, and actions to measure the effectiveness of risk mitigation efforts and to report results.
- Safety Promotion and Communication – A key part of the safety effort is communication, cooperation, and teamwork. The objective is to drive the importance of safety throughout the organization using a variety of methods to deliver and reinforce messages, and to ensure that messages turn into action.

The FTA has reviewed our SMS plan and made recommendations which we have incorporated. Based on this review, staff recommends approval of the 2021 SMS plan in accordance with FTA requirements.

Financial Summary and Source of Funds:

No impact

Prepared by:

Rich Nasso, Manager of Safety & Training

Project Manager:

Rich Nasso, Manager of Safety & Training

Memorandum

October 20, 2021

To: Chairman, Performance Monitoring/Audit Committee
Members, Performance Monitoring/Audit Committee

From: Rich Nasso, Manager of Safety and Training

Subject: Approval of Safety Management Systems (SMS) Plan

Background:

The Federal Transit Administration (FTA) requires all public transportation agencies to adopt a Safety Management System (SMS) plan. The safety plan must be approved by the board on an annual basis. SMS is a formal process to communicate and manage safety throughout the organization. The contents of the plan enhance our safety efforts and fully meet the standards set by the FTA.

Plan Overview:

The SMS is a top down, data driven approach that seeks to mitigate risk and to ensure corrective actions. The plan includes Key Performance Targets that are segmented into four main components:

- Safety Management Policy – Establishes management accountability and responsibility for safety. Most of this work is intended to get everyone in the organization to understand that safety is a shared responsibility that requires attention, interaction, and collaboration of people across departments.
- Safety Risk Management – Develop a consistent process to identify safety hazards, and to assess and mitigate risks. This risk identification process is focused on making efforts proactive rather than reactive. This includes good data collection, consistent trend analysis and delegation of authority to address issues and to fix problems.
- Safety Assurance – This process ensures the implementation of our plan, along with actions to measure the effectiveness of risk mitigation efforts and to regularly report the results. This includes management of safety data, development of reporting procedures/expectations and an appropriate system of follow up actions to make the program better. It also includes an expectation that we are working with local and state officials to share information, to collaborate and to effectuate improvements in the regional safety network.

- Safety Promotion and Communication – A key part of the safety effort is communication, cooperation, and teamwork. The plan hinges on our ability to develop a safety culture within the organization and among our employees. Our objective is to drive the importance of safety throughout the company using a variety of methods to deliver and reinforce messages, and to ensure that messages turn into action. The creation of safety committees at each operating division is a big part of this work. This serves to involve employees in the safety program at all levels of the company.

Recommendation:

We recommend approval of the SMS plan in accordance with FTA requirements. A copy of the plan is **attached separately**.

Copy: Chief Executive Officer
VP of Finance & Administration
Director of Risk Management

