Board of Directors
Monthly Meeting

Wednesday, February 22, 2023 | 12:00pm
Board Room at 110 Watervliet Ave.
CDTA BOARD OF DIRECTORS
MEETING AGENDA
Wednesday, February 22, 2023 | 12:00pm | Board Room at 110 Watervliet Ave

<table>
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<tr>
<th>Board Item</th>
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<tr>
<td>Call to Order</td>
<td>Jayme Lahut</td>
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<td>Approve Minutes of Wednesday, January 25, 2023</td>
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**Recognitions**
- 20 Years - Eileen Iannone, Accounting Assistant
- 20 Years - Robin Lansing, Troy Operator
- 30 Years - Barry Rosebeck, STAR Operator
- 30 Years - Julio Feliciano, Albany Operator

**Committee Reports: (Action Items Listed)**
- Board Operations Committee (2/8/23) Jayme Lahut
  - Performance Monitoring/Audit Committee (2/15/23) Denise Figueroa
    - Resolution 03 - Approve Contract for TDP Consulting Services
    - Resolution 04 - Approve Contract for Website Support Services
    - Resolution 05 - Approve Contact for Fuel
    - Resolution 06 - Accept State Funding
- Community & Stakeholder Relations Committee (2/16/23) Jackie Falotico
- Strategic & Operational Planning Committee (2/16/23) Mike Criscione
  - Resolution 07 – Approve Updates to Title VI Program

**Chief Executive Officer’s Report**
- Carm Basile 22

**Board Member Comments**
- Everyone

**Upcoming Meetings**
- Wednesday, March 29, 2023 at 12:00pm in the Board Room at 110 Watervliet Ave

**Adjourn**
CALL TO ORDER - At 12:02 p.m., Chairman Lahut called the meeting to order and noted a quorum was present.

APPROVAL OF THE DECEMBER 21, 2022 BOARD MEETING MINUTES
Motion – Ms. Falotico
Seconded – Mr. Spairana
Carried Unanimously

COMMITTEE REPORTS

BOARD OPERATIONS COMMITTEE - Report from Chairman Lahut
Board Operations Committee met on Wednesday, January at 9:15am via Microsoft Teams and at 110 Watervliet Ave.

Administrative Discussion Items
- We reviewed agendas and activity for our January meetings.
- Lisa Marrello joined us with an update on advocacy. She summarized the Governor’s State of the State address, and any mentions of funding for public transit systems. This is the precursor to the Executive Budget request, which is scheduled to be released next month.
- Carm and Lisa will be meeting with state legislators, their staff and appropriate agency staff in the coming months and will keep the committee updated.
- Parking rates at Rensselaer Rail Station were last increased in April 2013. The rates are reviewed for adjustment every few years as good business practice. In late 2019, staff reviewed the rate structure and found that rates were in line to be adjusted.
- With rates new rates set to begin April 2020, the pandemic had other ideas and we put the action on hold.
• With travel by train having resumed in earnest and our rates for parking falling further behind comparable facilities, the time is right for the increase, which are modest. The new rate structure will be effective on Monday, April 3, 2023, and we will launch an outreach and promotional campaign to ensure that customers are aware of this.

• Revenue from parking funds maintenance and upkeep for the Rail Station and its associated facilities.

• The committee received a report on the Collective Bargaining Agreement and the process for negotiation. The agreement with the Amalgamated Transit union expires in June of this year.

• The next meeting of the committee is scheduled for Wednesday, February 8, 2023 at 9:15am via Microsoft Teams and at 110 Watervliet Ave.

PERFORMANCE MONITORING COMMITTEE - Report from Denise Figueroa
Performance Monitoring Committee met on Wednesday, January 18, 2023 at 12:00 pm at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Consent Agenda Items

Resolution No. 01 - 2023 – Approve Contract for Engine Oil Purchase

• Our contract for engine oil is about to expire; we issued an Invitation for Bids. Two bids were received, and staff recommends a contract to the low bidder, Brenntag Lubricants Northeast. They are the incumbent, and we are satisfied with their products and service.

• The Authority hereby approves a one-year contract with one optional renewal year to Brenntag Lubricants Northeast, New Hampshire, for an amount not to exceed $453,120.

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

Resolution No. 02 – 2023 – Approve 2022 Surplus Sales

• Each year we dispose of equipment, vehicles and parts that are beyond their useful life. Items are auctioned on eBay, sold for scrap metal, or recycled. Through these sales, $37,301 was returned to the operating budget.

• The Authority hereby approves the report on disposition of surplus items.

Motion – Mr. Wohl
Seconded – Mr. Criscione
Carried Unanimously

Audit Committee

• Sarah Matrose provided her quarterly report, which is in your packets.

• The Annual Independence and Objectivity Statement and the Internal Audit Charter were reviewed, and a written summary was provided.

Administrative Discussion Items

• Stacy Sansky provided the annual review of the Procurement Report; The report reviews the procurement process for change orders, sole source contracts and our Minority/Women Business Enterprise program. The complete report was included in your committee packets.
• Amanda Avery provided a quarterly review on the Risk Management and Workers’ Compensation Self-Insurance Accounts. The Committee determined that both accounts are adequate at this time.

• Mike Collins gave the Monthly Management Report. MRT continues to outperform budget projections. Customer fare revenue is 24% over budget and we received a $150,000 check for exceeding our advertising goals. Wages were over budget this month, but for the year wages remain almost 4% under budget. We are in a good financial position.

• Chris Desany provided the non-financial Report. Fixed route ridership continues to grow and is up 14% for the month, and 18% for the year; STAR ridership is up 7% for the month and 13% for the year; Fixed route on-time performance was 73%; STAR on-time performance was 77%. Missed trips have trended down the past few months but continue to be high due to headcount issues. There were 24 preventable accidents, and 14 non-preventable accidents. The absenteeism report shows that 11% of workdays are not worked.

• Next meeting of the Committee is scheduled for Wednesday, February 15, 2023 at 12:00 pm via Microsoft Teams and at 110 Watervliet Avenue.

COMMUNITY AND STAKEHOLDER RELATIONS COMMITTEE - Report from Patrick Lance

• The Community and Stakeholder Relations Committee met on Thursday, January 19, 2023 at 11:15 am at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Administrative Discussion Items

• Carm Basile provided a summary of advocacy efforts for the 2023 legislative season. Meetings with legislators at both the local and state level have begun. Our message of “more money means more mobility” is a central theme of our conversations.

• Jaime Watson provided a 2022 year-in-review report on Communications outreach, media relations and community engagement. Throughout the year, CDTA earned 177 earned media placements in television, newspaper, and radio. The top earning months were May, August and December with a combined 75 stories earned.

• Stories focused on new products and services and community partnerships. Some of the bigger initiatives contributing to the earned media placements were the start of service in Montgomery County, new Universal Access partnerships and federal investments received by CDTA as part of the Infrastructure Investment and Jobs Act.

• CDTA supported more than 100 organizations and businesses throughout 2022 with meaningful engagement opportunities that allows CDTA to showcase its brand and reach into the communities it serves.

• Jaime outlined goals and initiatives for the 2023 Communication and Community Engagement program. The plan will focus on highlighting new mobility options, community partnerships and new and creative ways to “tell the CDTA story.”

• Next meeting of the Committee will be on Thursday, February 16, 2023 at 11:15 am 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, January 19, 2023 at 12:00 am via Microsoft Teams and at 110 Watervliet Avenue.

Facility Condition Analysis Report (FCAR)

- Jeremy Smith gave an update on the Facility Condition Analysis Report (FCAR). We conduct facility condition assessments of our fixed building assets to inform the capital planning priorities over the next decade. CDTA retained WSP USA Inc. to perform in-depth visual condition assessments of the three operating divisions, both rail stations, 85 Watervliet and a sample of bus stops and shelters. We have been engaged in this work over the last several months.

- The evaluation team consisted of Facilities staff, architects, engineers, bus fleet experts and cost estimators. It performed site inspections using industry-standard rating scales and procedures as recommended by the FTA.

- Of the findings (deficiencies) found, the facilities ranked between 2.7 and 3.7 (on a scale of 1 to 5) across all the categories (substructure, shell, interiors, conveyance, plumbing, HVAC, fire protection, electrical, equipment, and site). Some of these findings were considered “high urgency”, half of which have been resolved or are in progress.

- Recommended budgets for repairs and replacements were provided and amount to approximately $16M. As expected, the Schenectady garage rated the lowest of all our facilities (“Marginal”). The Committee discussed addressing ADA issues, and how overall near-term investments should be considered carefully because at the same time we are planning for a replacement facility.

  o Chairman Lahut appointed an Ad hoc committee - West Facility and appointed the following members: Chaired by Mike Criscione, Georgie, Joe, Dan

- Next meeting of the Committee will be on Thursday, February 16, 2023 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 January 2023

UPCOMING MEETINGS
- Subject to the call of the Chair, Chairman Lahut announced the following meeting date:
  o Wednesday, February 22, 2023 at 12:00pm at 110 Watervliet Avenue.

ADJOURNMENT - 12:35 PM
Motion – Mr. Wohl
Seconded – M
Carried Unanimously

Respectfully submitted,

Joseph Spairana, Jr., Secretary
Dated: January 25, 2023
CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION NO. 03 - 2023

Approve Contract for Transit Development Plan Consulting Services

WHEREAS, the Capital District Transportation Authority (the “Authority”) is charged by Public Authorities Law section 1304 with the development and improvement of services within the Capital District, and

WHEREAS, the Transit Development Plan (“TDP”) is a service planning tool that is used for intelligent decision making, defining guidelines for categorizing and quantifying service levels, and

WHEREAS, the current TDP is several years old and requires updating and redeveloping, and

WHEREAS, in response to a duly issued competitive RFP, the Authority received multiple proposals, and has engaged in an evaluation process to find the provider best qualified and suited to meet the needs of the Authority, and

WHEREAS, after evaluation and due consideration, Authority staff recommends that a three-year TDP Consulting contract, with two optional one-year renewals, be awarded to Foursquare ITP of Washington, DC, for a total cost not to exceed $1,245,606.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby awards a three-year TDP Consulting contract, with two optional one-year renewals to Foursquare ITP of Washington, DC, for a total project cost not to exceed $1,245,606, subject to compliance with the contract documents.

2. Authority staff is hereby authorized to execute the required documents.

3. The source of funds shall be the Route Planning Restoration Program and the Authority capital plan.

4. This Resolution shall take effect immediately.

CERTIFICATION
The undersigned, duly elected 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 22nd day of February, 2023.

Dated: February 22, 2023

Joseph Spairana, Jr., Secretary
Subject: Consulting Services for Transit Development Plan
Committee: Performance Monitoring/Audit
Meeting Date: February 15, 2023

Objective of Purchase or Service:
To provide consulting services to guide the preparation of our Transit Development Plan (TDP), evaluate restructuring our route network, and explore further expansion of our system.

Summary of Staff Proposal:
The TDP is a service planning tool that is used for intelligent decision making that defines (industry-based) guidelines for categorizing and quantifying service levels. It also serves as our “strategic plan” for planning by guiding us on how to adjust existing service, and where to put new service.

The current TDP is several years old and is due to be redeveloped. We will address changes in travel patterns, regional development, and our organizational priorities. The TDP will also act as a “tactical plan” to increase transit ridership through improved service, fleet management, facilities planning, infrastructure, technology, and customer engagement.

We will also look at restructuring our services (including non-traditional modes) to adapt our system to changes in ridership demands after the COVID-19 pandemic. A framework will also be established for the expansion of the system to other counties.

A Request for Proposals was released in November outlining the scope of work. Staff reviewed proposals based upon firm experience, qualifications of assigned personnel, response to the scope, and D/MWBE participation. Five firms submitted proposals and three were interviewed. We recommend awarding a contract to Foursquare Integrated Transportation Planning, Inc. Foursquare and their subconsultants were the most qualified team based on staff experience on similar projects. Foursquare is a national firm with relevant work in 30 states, has completed 40 transit development plans, and is DBE/WBE certified. Portions of the project team are involved with the bus lane and priority corridor expansion studies, and we are very happy with their work.

Financial Summary/Cost:
Project cost is $1,245,606 (including contingency) for a three-year contract with two one-year extensions. The first year is financed by the Route Planning Restoration Program. This program provides funds under the American Rescue Plan Act of 2021 for public transportation planning associated with the restoration of transit service reduced due to the COVID-19 pandemic. The second year will be financed with our capital plan.

Proposed Action:
I recommend awarding a three-year contract, with two one-year extensions for planning consulting services to Foursquare ITP of Washington, DC for a value not to exceed $1,245,606.

Manager:
Ross Farrell, Director of Planning

Notes:
Cumulative scorecard attached.
1. **TYPE OF CONTRACT (check one):**
   - ___ Construction & Maintenance
   - ___ Goods, Commodities & Supplies
   - ___ Bus Purchase
   - X ___ Services & Consultants
   - ___ Transportation & Operational Services

2. **TERMS OF PERFORMANCE (check one):**
   - X ___ 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:**
   $1,245,606 (Not to Exceed)

4. **PROCUREMENT METHOD (check one):**
   - X ___ Request for Proposals (RFP)
   - ___ Invitation for Bids (IFB)
   - ___ Other

5. **TYPE OF PROCEDURE USED (check one):**
   - ___ Micro Purchases (Purchases up to $2,499.00)
   - ___ Sealed Bid/Invitation for Bids (IFB) (Over $100,000)
   - X ___ Request for Proposals (RFP)
   - ___ Small Purchases ($25,000 up to $100,000)
   - ___ Professional Services (Over $25,000)
   - ___ Sole or Single Source (Non-Competitive)

6. **SELECTION CRITERION USED:**
   - Number of Proposals/Bids Solicited # 42 or Advertised
   - Number of Proposals/Bids Received # 5

   Attach Summary of Bids/Proposals

7. **Disadvantaged/Minority Women’s Business Enterprise (D/MWBE) involvement**
   - Are there known D/MWBES that provide this good or service? Yes No
   - Number of D/MWBES bidding/proposing 2
   - D/MWBE Certification on file? Yes No Not Applicable
   - Was contract awarded to a D/MWBE? Yes No
   - Number of D/MWBE Subcontractors 1 (D/WBE)

8. **LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:**
   - Foursquare ITP
   - 1225 Eye Street, Suite 1125
   - Washington, DC 20005

9. **SOURCE OF FUNDS:**
   - Route Planning Restoration Program of the American Rescue Plan

10. **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)

11. **RESPONSIBLE STAFF CERTIFIES THE INTEGRITY OF THIS PROCUREMENT/CONTRACT:**
    - Stacy Sansky, Director of Procurement
    - DATED: February 15, 2023
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<th>Relevant experience and the successful completion of similar projects (in terms of scope and product) accomplished by the personnel assigned to the project. Extensive experience with feasibility studies for new BRT projects is required. (210 Points)</th>
<th>WSP-Troy, NY</th>
<th>FHI Studio-Hartford, CT</th>
<th>Nelson/Nygaard-New York, NY</th>
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<th>Qualified personnel assigned to the project. The experience of the Project Manager will be heavily weighed, as will the number of hours by key personnel (175 Points)</th>
<th>WSP-Troy, NY</th>
<th>FHI Studio-Hartford, CT</th>
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<th>Amount of work indicated to be accomplished within the budgeted amount for the study (140 Points)</th>
<th>WSP-Troy, NY</th>
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<th>Responsiveness to the RFP and understanding of the scope of products. (140 Points)</th>
<th>WSP-Troy, NY</th>
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<th>MWBE / DBE/SDVOB Participation (35 Points)</th>
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CAPITAL DISTRICT TRANSPORTATION AUTHORITY  
RESOLUTION NO. 04 - 2023

Awarding a Sole Source Contract for Website Support Services

WHEREAS, the Capital District Transportation Authority (the “Authority”) is charged by Public Authorities Law section 1304 with the development and improvement of services within the Capital District, and

WHEREAS, in 2014, the Authority redesigned the CDTA.org website, and

WHEREAS, the actual development of the web pages was competitively procured and completed by Navisite LLC of Andover, MA, and

WHEREAS, after completion of the website redesign, a support and maintenance contract was executed with NaviSite, and

WHEREAS, the support and maintenance contract is now expiring, requiring a new agreement to cover the current support levels plus smaller project-based development work, and

WHEREAS, a sole source contract with NaviSite is now recommended to ensure continuity and integration with the current website, and the quoted cost has been determined to be fair and reasonable, with a yearly fee of $103,6830 for years one through three and a 5% escalator in years four and five, for a total five-year value of $534,211, and

WHEREAS, the Authority now recommends the award of a website support services contract to NaviSite, with an initial term of one year and four optional one-year renewals.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby awards a website support services contract to NaviSite LLC of Andover, MA, subject to the vendor’s compliance with all of the terms and conditions set forth in the proposal and contract documents.
2. Authority staff is hereby authorized to execute a contract with NaviSite.
3. The source of funds shall be the operating and capital 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 22nd day of February, 2023.

Dated: February 22, 2023

Joseph Spairana, Jr., Secretary
Capital District Transportation Authority  
Agenda Action Sheet

Subject: Contract for Website Support Services Performance  
Committee: Monitoring/Audit  
Meeting Date: February 15, 2023

Objective of Purchase or Service:
To provide support services to enhance, maintain and support CDTA’s web site.

Summary of Staff Proposal:
In 2014, we redesigned the CDTA.org website. CDTA managed the project, set the direction for the design, and provided the technical expertise to connect pages to our back-end systems (e.g., trip planning, real time arrival information, alerts, etc.)

The actual development of the web pages was competitively procured and completed by Navisite LLC of Andover, MA. Upon system acceptance, CDTA entered a contract with Navisite for support and maintenance. The scope included moderate changes to the design, developing minor enhancements, testing, maintenance, backups, content management administration, accessibility compliance, and bug fixes.

The existing contract is expiring, and we need to put in place a new agreement that includes the current support we receive, and accommodations for smaller “project-based” new development work. Reasons to support this sole source recommendation include:

- Navisite is familiar with the many nuances of our architecture and its relationship to our requirements and therefore has full knowledge of CDTA needs.
- Utilizing this vendor will result in a zero net increase in vendors at CDTA.
- Utilizing this vendor will require no additional third-party integration or customization, which reduces the risk inherent in custom third-party vendor development.
- We have documentation on file noting the pricing is fair and reasonable. Because we reallocated some of the resources assigned to the work, it represents a year over year decrease in our blended hourly rate.

Financial Summary/Cost:
The cost of services is based on a twelve-month term with a minimum yearly fee of $103,680 for up to three years. Years four and five have a 5% escalator, for five-year value is $534,211. Any hours over the minimum amount must be explicitly approved by CDTA staff. We are recommending an additional $100,000 allocation for custom work not covered under the base support contract. This will be funded from our operating and capital budgets.

Proposed Action:
I am recommending that a one-year sole-source contract with four one-year renewals for maintenance, support, and development work be awarded to Navisite LLC of Andover, MA for an amount not to not exceed $634,211.

Managed By:
Christopher Desany, Vice President of Planning and Infrastructure
1. **TYPE OF CONTRACT (check one):**
   - _ Construction & Maintenance
   - _ Goods, Commodities & Supplies
   - _ Bus Purchase
   - _ Services & Consultants
   - _ Transportation & Operational Services

2. **TERMS OF PERFORMANCE (check one):**
   - _X_ 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:**
   - $634,211 (NTE) _ fixed _ estimated (circle one)

4. **PROCUREMENT METHOD (check one):**
   - _ _ Request for Proposals (RFP)
   - _ _ Invitation for Bids (IFB)
   - _X_ 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)
   - _X_ Sole or Single Source (Non-Competitive)

6. **SELECTION CRITERION USED:**
   - Number of Proposals/Bids Solicited _1_ or _ Advertised
   - Number of Proposals/Bids Received _1_

   Attach Summary of Bids/Proposals

7. **Disadvantaged/Minority Women’s Business Enterprise (D/MWBE) involvement**
   - Are there known D/MWBES that provide this good or service? Yes _ No
   - Number of D/MWBES bidding/proposing _0_
   - D/MWBE Certification on file? Yes _ No _ Not Applicable
   - Was contract awarded to a D/MWBE? Yes _ No
   - Number of D/MWBE Subcontractors _0_

8. **LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:** Navisite, LLC
   - 400 Minuteman Road
   - Andover, MA 01810

8. **SOURCE OF FUNDS:** _ Operating and Capital Budgets

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: February 3, 2023
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 to make purchases and enter into contracts providing for purchases designed to provide the necessary fuel for its omnibus transportation operations, and

WHEREAS, the purchase of fuel comprises a significant portion of the Authority’s annual budget, rendering it in the best interests of the Authority to enter into fixed-price fuel contracts to promote fiscal stability and to compensate for the volatile nature of the fuel market, and

WHEREAS, the Authority has closely monitored pricing for the purchase and delivery of Ultra Low Sulfur Diesel (ULSD) and winter blend additive, and

WHEREAS, the Authority has determined that due to the volatility of the market, it would be prudent to lock in future fuel purchases at a current quoted price of $3.05/gal for Ultra Low Sulfur Diesel and $.58 for winter blend additive, by entering into a contract with Mirabito Energy Products of Binghamton, NY, the incumbent provider of fuel, and

WHEREAS, Mirabito Energy Products has always provided competitive pricing and superior service to the Authority, and

WHEREAS, after due deliberation and discussion, the Authority has determined that the significant cost savings justifies the award of a seven month sole-source fuel contract to Mirabito Energy Products of Binghamton, New York, commencing in June 2023 through December 2023, for an estimated minimum contract value of $3,903,540.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby awards a seven month sole source fuel contract for purchase and delivery of ULSD at a fixed price of $3.05/gal, and a winter blend additive for $.58/gal, with an estimated minimum value of $3,903,540, subject to acceptance and satisfaction of all contract terms and requirements.
2. Authority Staff is hereby authorized to execute the necessary documents.
3. The source of funds shall be the FY2024 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 the 22nd day of February, 2023.

Dated: February 22, 2023

Joseph Spairana, Jr., Secretary
Subject: Contract for Diesel Fuel to Mirabito Energy Products

Committee: Performance Monitoring/Audit

Meeting Date: February 15, 2023

Objective of Purchase or Service:
To provide Ultra-Low Sulfur Diesel (ULSD) fuel for the fixed route fleet.

Summary of Staff Proposal:
The board gives staff authority to purchase fuel from our supplier without the traditional competitive bid process. A competitive bid process can take up to six weeks before the price is known. During this time, market pricing can change significantly, especially for a commodity like fuel.

To improve our ability to get better pricing, we receive daily pricing from our vendor (Mirabito) to monitor fuel markets and world news and events. When we identify a competitive price, we make the purchase on the day when pricing meets our goals.

Our goals are normally to secure a 12-month fuel supply, to ensure budget predictability and to pay a lower price (if possible) than our current price. Because of events over the past year, we are not in a position to purchase fuel at a lower cost. The best price we have seen in months is $3.05 per gallon. Our current price per gallon is $1.76 (our first budget draft used a price of $3.50).

On Friday, February 3, 2023 we entered into an agreement with Mirabito at $3.05 per gallon for the period from June 2023 through December 2023 (we also buy a winter blend additive for an additional .58 cents per gallon).

Financial Summary/Cost:
The seven-month contract price from June 2023 through December 2023 for 1.2 million gallons of diesel fuel is $3.9 million and it is funded in the operating budget.

Proposed Action:
I recommend awarding a seven-month diesel fuel contract, starting on or about June 1, 2023 to Mirabito Energy Products of Binghamton, NY for $3,903,540.

Manager:
Mike Collins, VP of Finance and Administration
1. **TYPE OF CONTRACT (check one):**
   - [x] Goods, Commodities & Supplies
   - Bus Purchase
   - Transportation & Operational Services

2. **TERMS OF PERFORMANCE (check one):**
   - [x] Exclusive Purchase Contract: Fixed cost for defined commodity with indefinite quantity

3. **CONTRACT VALUE:**
   - $3,903,540 (Minimum Value)
   - [ ] fixed
   - [ ] estimated
   - (circle one)

4. **PROCUREMENT METHOD (check one):**
   - [x] Invitation for Bids (IFB)
   - [ ] Other

5. **TYPE OF PROCEDURE USED (check one):**
   - [x] Sole or Single Source (Non-Competitive)

6. **SELECTION CRITERION USED:**
   - Number of Proposals/Bids Solicited: #1
   - Number of Proposals/Bids Received: #1
   - Advertised

   - Attach Summary of Bids/Proposals

7. **Disadvantaged Business Enterprise (DBE) involvement**
   - Are there known DBEs that provide this good or service? [ ] Yes [x] No
   - Number of DBEs bidding/proposing: 0
   - DBE Certification on file? [x] Yes [ ] No [ ] Not Applicable
   - Number of DBE Subcontractors: 0

8. **LEGAL NAME and ADDRESS OF CONTRACTOR/VENDOR:**
   - Mirabito Energy Products
   - 49 Court Street
   - Binghamton, NY 13902

9. **SOURCE OF FUNDS:**
   - FY24 Operating Budget

10. **RESPONSIBLE STAFF CERTIFIES THE INTEGRITY OF THIS PROCUREMENT/CONTRACT:**
    - Stacy Sansky, Director of Procurement
    - DATED: February 15, 2023
CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No.: 06 - 2023

Authorizing the implementation and funding in the first instance of the State Mass Transportation Capital program-aid eligible costs of mass transportation projects described in NYS Department of Transportation Agreement #K007407, Supplemental 5, annexed hereto, and appropriating funds therefor.

WHEREAS, State Mass Transportation Capital Aid is available to fund projects approved by the Commissioner of Transportation, provided such State funds shall not be used in substitution for the non-federal share of the federally funded portion of the projects.

WHEREAS, the Capital District Transportation Authority (‘‘Authority’’) desires to advance certain projects by making a commitment of advance funding of the costs of the projects; and

NOW, THEREFORE, by action of the Capital District Transportation Authority Board, duly convened it is hereby

RESOLVED, that the Authority Board hereby approves the above-subject projects; and it is hereby further

RESOLVED, that the Board hereby authorizes the Authority Comptroller to pay in the first instance ONE HUNDRED PER CENT [100%] of the projects; and it is further

RESOLVED, that the sum of NINE MILLION FIVE HUNDRED SEVENTY SIX THOUSAND, EIGHT HUNDRED EIGHTY THREE DOLLARS ($9,576,883) is hereby appropriated and made available to cover the cost of participation in the above phase of the projects; and it is further

RESOLVED, that in the event the costs of the projects exceed the amount appropriated above, the Authority shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chief Executive Officer thereof, and it is further

RESOLVED, that the Chair of the Board of Directors of the Capital District Transportation Authority be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Mass Transportation Capital Aid on behalf of the Authority with the New York State Department of Transportation in connection with the advancement or approval of the projects and providing for the administration of the projects and the Authority’s first instance funding of project costs and permanent funding
of the local share of federal-aid and state-aid eligible project costs (if any) and all project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the projects, and it is further

RESOLVED, 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 22nd day of February, 2023.

Dated: February 22, 2023

Joseph Spairana, Jr., Secretary
Subject: Resolution to Accept State Funding
Committee: Performance Monitoring/Audit
Meeting Date: February 15, 2023

Objective of Purchase or Service:
New York State Department of Transportation (NYSDOT) requires a CDTA Board resolution to reimburse for capital expenses. The resolution allows us to execute an agreement with NYSDOT to accept $9,576,883.

Summary of Staff Proposal:
NYSDOT provides a capital program through the Accelerated Transit Capital Program (ATC) and the Transportation Modernization and Enhancement Program (MEP). CDTA was awarded $5,184,162 in MEP funds and $4,002,721 in ATC funds. Both MEP and ATC funds support the purchase of 40-foot buses; ATC funds are also used as local match for articulated buses in the Washington-Western BRT Small Starts program. The State provides 100% of this funding.

We also receive annual Federal Transit Administration (FTA) funds through Section 5307 and Section 5339 programs. The FTA funds 80% of these grants with the remaining 20% split between NYSDOT and CDTA. This year the NYSDOT 10% match for 5307/5339 to support bus purchases is $390,000.

Financial Summary and Source of Funds:
NYSDOT Contract K007407, Attachment #5 will fund a total of $9,576,883
- 100% of the $5,184,162 MEP program
- 100% of the $4,002,721 ATC program
- 10% of 5339 & 5307 FTA grants for $390,000

Proposed Action:
I recommend that we provide a Board resolution to NYSDOT to execute an agreement to accept $9,576,883 in funding.

Manager:
Melissa Shanley, Grants Manager
CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION NO. 07 - 2023

Approve 2023-2026 Title VI Program

WHEREAS, the Capital District Transportation Authority (Authority) is charged with providing transit services within the Capital District Transportation District, and

WHEREAS, the Authority is subject to a number of state and federal statutes and regulations, including those found at 42 U.S.C. §2000 et seq. and 49 C.F.R. 21, and is further subject to the oversight of the United States Federal Transit Administration, and

WHEREAS, the Authority is required to develop and approve a comprehensive Title VI Program, to be submitted to the Federal Transit Administration for review every three years, and

WHEREAS, the Authority has reviewed and updated the Title VI Program, and after extensive review and discussion, now recommends the approval and submission of the 2023-2026 Title VI Program to the Federal Transit Administration.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby approves the 2023-2026 Title VI Program and directs its submission to the Federal Transit Administration.

2. This Resolution will not require any significant direct expenditure of public funds or result in any revenue.

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 the 22nd day of February, 2023.

Dated: February 22, 2023

Joseph Spairana, Jr., Secretary
Subject: Approval of Title VI Policy
Committee: Strategic and Operational Planning
Meeting Date: February 16, 2023

Objective
To Approve the latest Title VI Policy.

Summary of Staff Proposal
The Title VI statute is an FTA regulation designed to ensure equity when transit systems make major service and operational decisions. As a federal funding recipient and as a matter of good practice, we comply with Title VI regulations. The purpose of Title VI is to:

- Ensure that the level and quality of transit service is provided in a nondiscriminatory manner;
- Promote full and fair participation in transit decision-making without regard to race, color, or national origin;
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

CDTA follows its Title VI Program to make certain that decisions put our customers on a level playing field and do not unfairly favor or disfavor one demographic over another. The intent of Title VI is consistent with CDTA’s goal that service and fare decisions consider the impact to all customers. Title VI objectives have existed for many years, and we fully support its goals and intentions. We performed an analysis based on FTA guidelines to develop our final program. The detailed policy is available for review.

As a routine practice, we are required to re-submit our Title VI Program every three years. In summary, the program contains:

- General requirements, including a copy of Title VI notifications and a report of investigations
- Service monitoring standards that include level and quality of service
- An analysis of our adherence to service monitoring standards (we do comply)
- The definition of a “major service change”
- The definition of a “disparate impact”
- The definition of a “disproportionate burden”
- A Public Participation Plan that describes customer and stakeholder outreach procedures
- A Limited English Proficiency Language Assistance Plan that describes our strategy for addressing customers who do not read, write, or speak English well (provided under separate cover from the Title VI Policy document)

Proposed Action
I recommend approval of the 2023-2026 Title VI Policy.

Manager:
Ethan Warren, Senior Planner/Title VI Coordinator
Memorandum

February 22, 2023

To: Chairman of the Board
   Board Members

From: Chief Executive Officer

Subject: CEO Report for February

Overview
The past month has been full of activities, many of which revolve around ensuring our financial condition and positioning our company for continued success. Talking about the work we do, the ideas we have, and the outstanding workforce that drives CDTA never gets old for me. This is the foundation for who we are and what we want to accomplish as the region’s mobility manager.

We have spent the past few weeks telling the CDTA story – to elected leaders, staff members, and to many of our partners. Our story is central to advocacy for better funding of public transit systems across New York state. However, the CDTA story is different than others because it is laced with innovation, creativity and success. Our story focuses on the partnerships we are building. These are partnerships that are driving our ridership and relevance throughout the region. They are relationships built on trust and reliability, and they are stronger today than ever before, connecting people and places with economic opportunity. The work we do at CDTA matters and it is a vital part of the regional economic engine that drives the Capital Region.

The Governor’s Executive Budget Request calls for a 7.1% increase in state operating assistance for upstate transit systems. The EBR also includes a 25% increase for the MTA along with new funding mechanisms to ensure continued increases for the MTA. We were pleased with the Governor’s support for better mobility in our communities. After much discussion, the New York Public Transit Association has developed a position and messaging to legislative leaders that calls for equitable increases for transit systems across New York State. It also provides recommendations for new revenue sources to fund increases for upstate transit systems. All NYPTA members, including CDTA, have adopted this call to action and support for statewide increases in STOA. We will continue to meet with legislators in the coming weeks as state budget negotiations are ongoing.

As we develop our messaging for elected leaders, it provides an opportunity for us to detail our accomplishments and to articulate what CDTA will do with increased funding. We move from a position of strength and confidence. Our message is clear – we have built a strong network of programs and services. This network is driving a dramatic return of ridership that is unequaled anywhere in New York. Our menu of programs is second to none, consisting of a regional bike share program that grows year over year, an innovative on-demand service that has more requests than we can accommodate, a paratransit system that receives high marks from customers, and a new carshare program that highlights CDTA innovation and creativity. More
STOA is not a budget-filler for CDTA, it is a necessary financial component for a growing system that has demand from all parts of our region.

Work on the CDTA budget continues. Our operating and capital budgets serve as a guide for our staff in carrying out the work of the company. We use a bottom-up approach to construct the budget with lots of input from all departments regarding their plans and needs for the year. This has been built into the draft budgets that have been shared with the Strategic and Operational Planning committee. Now, we are at the point of getting the revenue and expense sides of the budget to match up – the work that is probably the most difficult. We are using the increased STOA numbers proposed in the Governor’s EBR and we have plugged in new fuel prices on the expense side of the consolidated budget. More work to be done and we will provide a balanced budget plan for the committee to consider in March.

Our work to merge the Greater Glens Falls Transit system into the CDTA family of services continues. We are meeting with elected officials in the city and county to get their support for this initiative. Our staff has completed an assessment of the GGFT resources, including vehicles, facilities, finances and their service deployment to ensure a smooth transition. As our meetings continue, we are hopeful that the Warren County Board of Supervisors will consider the merger in the coming weeks with an action to join the Authority.

We are deploying an outreach and communication plan to explain the new parking rate structure at Rensselaer Rail Station. Rates will increase by $2 per day and they are consistent with the rates that are levied at comparable facilities. It has been more than 10 years since rates were adjusted. The new rates will take effect on April 3.

I am pleased that the board authorized a contract award to Foursquare ITP to start work on our Transit Development Plan. The TDP provides a framework for the development of our service network. It includes a classification and quantification system for our services along with various productivity measurements. It is the guidebook for network development, and it aligns with our strategic planning efforts. With changes that occurred during the pandemic along with our swift recovery, it is likely that this TDP will be different than others, reflective of new demand generators, changed travel patterns and new organizational priorities at CDTA. The TDP will include assessments of new mobility options and technologies that drive our business. Our staff will provide periodic updates on this work, which is expected to take about a year to complete.

Our work in the community continues and there is seldom a day when we are not at an event, providing service to support a partner, or being called on to help in an emergency situation. This is a critical part of who we are and what we do. Credit to our employees who manage this at all levels of the company. We will highlight this work at our State of CDTA event on March 2. State of CDTA highlights the work we do and the partnerships that we have matured into a core part of our business. Our staff is developing a program for State of CDTA, which is now part of our annual events calendar.

We have engaged Tangible Development to help us raise the awareness of Diversity, Equity and Inclusion efforts and to chart a path forward for CDTA. This includes an organizational assessment and lots of training and awareness building. Tangible staff will provide a board presentation after the March meeting. More details will be provided as that date nears.

**Performance Measures**
Key Performance indicators for the company are included in monthly reports. Data is for January, and it is compared to data from January 2022.

Our success story spotlights CDTA innovation and creativity. Our financial condition is strong, allowing us to focus on expansion and introduction of mobility options that respond to the needs of our region. The CDTA business model stands on partnerships that feature Universal Access agreements. The UA concept has solidified our route network and driven us to build frequencies, span and support systems that are strong and dependable. They also help us introduce new mobility components like bikes, cars and flexible services.

After months of growth, we saw a slight slowdown in Mortgage Recording Tax. Receipts for January were $900,000, the first month that MRT has been below $1 million in three years. Despite the dip, year-to-date receipts from MRT are well ahead of budget expectations. At the same time, customer revenue continues to outperform expectations, this month we collected $1.87 million, 54% more than budgeted. The system is strong and well.

Total operating revenue in January was 25% ahead of budget; year to date, we are 28% ahead of budget. MRT was $900,000 in January, 14% over budget; year-to-date, MRT is 26% ahead of budget. Customer revenue was $1.87 million in January, 54% over budget; year to date, revenue from customers is 27% ahead of budget. Facility revenue was $234,000 in January, 47% over budget; year to date, facility revenue is 45% ahead of budget.

Total expenses in January were about 1% over budget; year to date, we are 5% under budget. Wages totaled $4.9 million in January, 2% over budget; year to date, the wage line is 3% under budget. Purchased transportation was 7% over budget as we continue to contract-out more flexible services; utility costs were 62% over budget due to high rates and seasonal adjustments. Most other expense lines were withing budget expectations.

Total ridership in January, was 1.1 million, 35% more than last January; year-to-date ridership is 11.4 million. Our growing ridership is 90% of where we were before the pandemic began. STAR ridership totaled 27,300 in January, 19% more than last January. NX ridership was 30% more than last January. There were 8,100 FLEX rides in January.

We missed 108 trips on the fixed route system; last January, we missed 593 trips. There is lots of improvement here with several things in play. More people available for work (new classes and better retention), improved management of daily work distribution, and refined scheduling processes. This has been happening for a few months and the results have been gradual. The challenge is for us to continue this work over the long term.

There were 38 accidents in January with 16 categorized as preventable. All preventive maintenance inspections were completed on time. Scheduled maintenance work was at 82%. On time performance for fixed route service was 75%. STAR service operated within our 10-minute scheduling window 81% of the time. There were 10,700 calls to the STAR reservation center.

Our call center processed 163 comments compared to 195 last January. There were 46 comments about STAR, the same as last January. Response time to close customer inquiries within 10 days was 85%. There were 739,000 page views at www.cdta.org.

Activity Report
This is an exciting time of the year with different activities and projects underway. Much of this work centers on advocating for CDTA and our industry, the work we do, and the people we
serve. We are also developing new opportunities and service expansion plans that are forward thinking and make the work we do matter to more people throughout our region.

- On Tuesday, January 31, I met with Brian O’Grady, the President of Health Plan Markets at CDPHP. Brian and I get together occasionally to talk about the work we do together and our health benefit coverages for employees and retirees.

- On Wednesday, February 1, Lisa Marrello and I met with Senator Jake Ashby. The Senator’s new district lines cover a good deal of our service area, and we spent time familiarizing him with our Universal Access program. We also talked about the need for more STOA. We will continue discussions with him in the coming weeks.

- On Wednesday, February 1, Lisa Marrello and I met with Assemblymember Angelo Santabarbara. We thanked the Assemblymember for his support of CDTA, especially our expansion into Montgomery County. We talked about STOA and the need to expand fund sources for this critical program. More discussion to follow.

- On Friday, February 3, Jon Scherzer and I met with the Saratoga, Warren, and Washington County Workforce Development Board. We were invited by Gary Dake, the CEO at Stewart’s to talk about the economics of transit service and ways they can help us expand what we do and how we do it. This meeting has already spun off several other meetings to discuss specific needs.

- On Friday, February 3, I chaired a meeting of NYPTA’s Legislative Committee to discuss the Governor’s Executive Budget Request and our response and messaging to legislators and staff.

- On Monday, February 6, I attended a NYPTA Board of Directors meeting at the offices of Capitol Hill Management, our new association manager. The agenda was filled with issues regarding advocacy for state operating assistance. Jaime Kazlo and Chris Desany joined me.

- On Tuesday, February 7, I met with Rabbi Matt Cutler and United Way Philanthropy Director Paige Hughes to talk about advocacy and giving campaigns for 2023.

- On Wednesday, February 8, Lisa Marrello and I met with John McDonald to talk about the NYPTA ask for state operating assistance. Assemblymember McDonald provided perspective for us and talked about the issues that upstate members are discussing. Since that meeting, we learned that transit is included as a priority item for the upstate caucus.

- On Wednesday, February 8, Lisa Marrello and I met with staff from Assemblymember Carrie Woerner’s office. We talked about the need for additional STOA and also discussed our work to merge the Glens Falls system into CDTA.

- On Wednesday, February 8, Lisa Marrello and I met with Assemblymember Mary Beth Walsh. We talked about the need for more service in Saratoga County, and connections to Albany and Glens Falls.
On Wednesday, February 8, Jaime Kazlo and I attended the Capital Region MARCOM awards event. MARCOM is the Capital Region chapter of the American Marketing and Public Relations Society. I received the Communicator of the Year award. Thank you to the MARCOM selection committee for this honor.

On Thursday, February 9, I spent time with the NYPTA Executive Committee to discuss proposals for dedicated tax revenue that can be part of the STOA funding streams. This is part of our advocacy work for the coming months.

On Thursday, February 9, I attended a meeting of the Regional Development Coordinating Council. The Council consists of CEO’s and other senior members of organizations that are involved in transportation and economic development activities.

On Friday, February 10, Mike Collins, Scott Sopczyk and I met with Glens Falls Mayor Bill Collins to continue discussions about merging Greater Glens Falls Transit with CDTA. We have most of the required items covered, next up is to meet with Warren County officials to advance this to their legislative body.

On Monday, February 13, Lisa Marrello and I met with Assemblymember Bill Magnarelli. The Assemblymember chairs the Transportation Committee, and he is well versed in the issues regarding transit funding. We talked about the work we do at CDTA and the need to solidify STOA fund sources. He supports this effort and will lead the way in budget discussions.

On Monday, February 13, I talked with Marlene Conner about micro transit services. Marlene is a consultant who specializes in this type of work; we discussed the programs that she is involved with and the work we are doing to expand FLEX and other mobility choices.

On Monday, February 13, I attended a meeting of the Colonie IDA and LDC. The board(s) took action on a proposal to build senior citizen housing in Latham, and we heard a presentation about a manufacturing facility near the Watervliet city line.

On Tuesday, February 14, I met with Sujata Chaudhry, CEO of Tangible Development. Tangible is our DEI consultant, and we talk regularly to ensure that we are advancing this work.

On Tuesday, February 14, I attended a meeting of the CDTC Administrative and Finance committee meeting. We considered changes to the CDTC operating handbook. We also discussed salary adjustments for staff and changes to IT policies and procedures. Finally, we are considering a new name for the organization with an accompanying branding campaign (to start in the spring).

On Wednesday, February 15, I chaired a meeting of the United Way Board of Directors. We heard several staff reports about new giving campaigns.

On Wednesday, February 15, Jaime Kazlo and I met with staff from Junior Achievement. We will again participate in JA’s mentorship program and will work with a class of students from Albany High School.
On Friday, February 17, I attended a meeting of the Center for Economic Growth Leadership Board (CEG). We heard presentations on business activity throughout the region.

On Tuesday, February 21, Jon Scherzer and I met with staff from the Warren and Washington County Workforce Development boards. Both boards are interested in CDTA mobility with the pending merger with Glens Falls. We expect this type of outreach to pick up as we get closer to a merger.

Earlier this morning, I met with Saratoga County Administrator Steve Bulger and Assemblymember Mary Beth Walsh. We talked about the work we do in Saratoga County, increasing demand, especially for new mobility options, and ways that the county and CDTA can work together.

Final Thoughts
As we advance our budget work, it is exciting to know that our board, staff and employees want CDTA to do more, to be more creative and engaged with partners. As we embark on a new TDP, our approach is forward thinking, filled with opportunities to make CDTA a bigger and better part of the Capital Region development engine. This would not be possible without the hard work and dedication of our employees who keep CDTA moving every day. We would not want it any other way!

CDTA Provides Mobility Solutions that Connect the Region’s Communities