

Board of Directors Monthly Meeting

**Wednesday, October 25, 2023 | 12:00pm
Board Room at 110 Watervliet Ave.**

CDTA BOARD OF DIRECTORS MEETING AGENDA

Wednesday, October 25, 2023 | 12:00pm | Board Room at 110 Watervliet Ave

Board Item	Responsibility	Page
Call to Order	Jayne Lahut	
Approve Minutes of Wednesday, September 20, 2023		3
Recognitions	Carm & Jayme	
30 Years – Michele Gaudet-Heaton, Assistant Manager of Service Planning		
30 Years – Michelina Perez, Albany Operator		
Committee Reports: (Action Items Listed)		
Board Operations Committee (10/12/23)	Jayne Lahut	
• Resolution 33 - Approve By-Law Changes		8
Performance Monitoring/Audit Committee (10/18/23)	Dan Lynch	
• Resolution 34 - Approve Purchase Trolley Vehicles		14
• Resolution 35 - Approve Contract for Information Technology Services		16
• Resolution 36 - Approve Resolution to Accept State Funding		22
• Resolution 37 - Approve Resolution to Accept State Funding for CRTC		25
• Resolution 38 - Approve Contract for Workers' Compensation Excess Insurance		28
• Resolution 39 - Approve Contract for General/Auto Liability Insurance		31
• Resolution 40 - Approve Contract for Auto Physical Damage Insurance*		35
Community & Stakeholder Relations Committee (10/19/23)	David Stackrow	
Strategic & Operational Planning Committee (10/19/23)	Mike Criscione	
• Resolution 41 - Approve Resolution to Expand into Warren County		37
Chief Executive Officer's	Carm Basile	39
Report Board Member Comments	Everyone	
Executive Session		
• Collective Bargaining Update	Carm Basile	
Upcoming Meetings		
Wednesday, December 20, 2023 at 12:00pm in the Board Room at 110 Watervliet Ave		
Adjourn	Jayne Lahut	

**Additional Materials will be attached separately and/or emailed before the meeting.*

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

MINUTES OF WEDNESDAY, SEPTEMBER 20, 2023 BOARD MEETING

MEMBERS PRESENT

Jayne B. Lahut, Chairman
Michael J. Criscione, Vice Chairman
Peter D. Wohl

David M. Stackrow
Georgeanna M. Nugent
Patrick M. Lance

MEMBERS PRESENT REMOTELY

Daniel C. Lynch

MEMBERS EXCUSED

Jaelyn Falotico
Denise A. Figueroa, Treasurer

OTHERS PRESENT

Carmino N. Basile, Chief Executive Officer
Amanda Avery, General Counsel
Mike Colins, VP Finance & Administration
Chris Desany, VP Planning & Infrastructure
Lance Zarcone, VP Operations
Jaime Kazlo, Director of Corporate Communications
Gary Guy, Director of Transportation
Joe Landy, Troy Superintendent
Jack Grogan, Director of Risk Management

Stacy Sansky, Director of Procurement
Jonathan Scherzer, Director of Business Dev.
Emily DeVito, Communications Manager
Jeremy Smith, Director of Facilities
Dave Williams, Director of Maintenance
Rich Cordero, Director of Service Quality
Rich Nasso, Superintendent of Safety & Training
Thomas Guggisberg, Director of IT
Zachary Stever, President ATU Local 1321
Vanessa Fox, Executive Assistant

CALL TO ORDER - At 12:00 p.m., Chairman Lahut called the meeting to order and noted a quorum was present.

APPROVAL OF THE JUNE 28, 2023 BOARD MEETING MINUTES

Motion – Mr. Criscione
Seconded - Mr. Stackrow
Carried Unanimously

RECOGNITIONS

Carm Basile and Chairman Lahut presented the following awards and members offered their congratulations:
30 Years – Thomas Alesandrini, STAR Transportation Supervisor
30 Years – Richard Nasso, Jr., Superintendent of Safety & Training
35 Years – Joeseph Landy, Troy Transportation Superintendent

COMMITTEE REPORTS

BOARD OPERATIONS COMMITTEE - Report from Chairman Lahut

Operations Committee met on Wednesday, September 6, 2023 at 9:15am via Microsoft Teams and at 110 Watervliet Ave.

Administrative Discussion Items

- We reviewed the agendas and activities for the September meetings.

- Mike Collins provided updates on the on-going collective bargaining sessions with Amalgamated Transit Union, Local 1321. We remain apart on key matters, but more face-to-face meetings are scheduled, and we hope to bridge the gap during these sessions.
- Carm handed out a draft update to CDTA's by-laws that were last amended in 2010. The proposed changes are relatively minor and intended to make the by-laws a bit more contemporary in use of pronouns and consistent with the culture of the company and its focus on DEI.
- Committee members were asked to review the draft, make comments and edits. The document will be sent to the Board for consideration later this year.
- Carm also refreshed the committee with updates on a variety of topics including the Glens Falls rollout, Washington-Western BRT, and the Gateway Mobility Hub in downtown Schenectady.
- All of these projects are nearing completions with start dates expected later in the fall. Ribbon cuttings and grand openings will be scheduled.
- The next meeting of the committee is scheduled for Thursday, October 12, 2023 at 9:15am via Microsoft Teams and at 110 Watervliet Ave.

PERFORMANCE MONITORING COMMITTEE - Report from Dan Lynch

Performance Monitoring Committee met on Wednesday, September 13, 2023 at 12:00 pm at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Consent Agenda Items

Resolution 30 – 2023 - Approve Purchase of Articulated Buses

- We need to replace two buses on our Route 905 BRT corridor as part of our fleet replacement program. Staff recommends the purchase of two articulated buses to improve customer capacity on this line. We will procure these buses off our contract with New Flyer. Delivery is expected in fall 2024.
- The Authority hereby approves the purchase of two articulated buses from New Flyer of America, Winnipeg, Canada for a total price of \$1,917,634.

Motion – Ms. Nugent

Seconded – Mr. Wohl

Carried Unanimously

Resolution 31 - 2023 – Approve Contract for RRS Garage Maintenance

- We issued an Invitation for Bid for maintenance work at the Rensselaer Rail Station and garage. Three bids were received; and staff recommends a contract to the low bidder, James H. Maloy. Maloy has worked for us in the past and we were satisfied with their service.
- The Authority hereby approves a contract to James H. Maloy Inc. of Loudonville, for a total cost of \$423,528.

Motion – Mr. Criscione

Seconded – Mr. Wohl

Carried Unanimously

Resolution 32 - 2023 – Approve Contract for FLEX Plus Pilot Program

- We are initiating a pilot service from RRS to downtown Albany. We will use *FLEX* vehicles with a mobile application platform designed for transit connections, with real-time feeds; and multi-modal journey planning.
- A sole source contract is required due to the innovative nature of this new mobility software. The committee had a good discussion about this pilot program and agreed to move the recommendation to the full board.
- The Authority hereby approves a two-year contract to The Routing Company of Boston, MA for an amount not to exceed \$400,000.

Motion – Mr. Stackrow

Seconded – Ms. Nugent

Carried Unanimously

Administrative Discussion Items

- 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 had an unexpected uptick in receipts at 16% over budget this month; Customer revenue was over budget by 10% this month, and RRS revenue was up 20%. Wages continue to be under budget because of persistent headcount challenges. We are in a good financial position.
- Chris Desany gave the Non-financial Report. Fixed route ridership is up 18% this month, and 18% for the year; STAR ridership is up 7% for the month and 8% for the year; Fixed route on-time performance was at 70%; and STAR on-time performance was at 81%.
- As a reminder, a few months ago we changed how we report missed trips from an actual number to a percentage. We missed 1.2% of all scheduled trips. Many other similar size transit properties report missing 5% or more of their scheduled trips.
- Next meeting of the Committee is scheduled for Wednesday, October 18, 2023 at 12:00 pm via Microsoft Teams and at 110 Watervliet Avenue.

COMMUNITY AND STAKEHOLDER RELATIONS COMMITTEE - Report from Patrick Lance
Community and Stakeholder Relations Committee met on Thursday, September 14, 2023 at 11:15 am at 110 Watervliet Avenue, Albany and via Microsoft Teams.

Administrative Discussion Items

- Jon Scherzer provided an update on our recent community value survey, which outlined how CDTA is perceived by the community and customers. Trans Pro interviewed more than 400 residents throughout the Capital Region in a random phone survey.
- The results of the survey were positive with 85% of the community members saying CDTA is valuable to the community. Community members believe CDTA brings the most value with affordable transportation options for the region. They acknowledge that we are an integral part of the communities we serve and would like to see that continue. 98% of those surveyed said they are aware that CDTA is the transit provider in the Capital Region.

- The top, most important areas of service were identified as access to jobs, mobility options to low-income families and individuals, and providing transportation options to people with special mobility needs.
- When asked, 93% of participants said CDTA programs and service are a valuable part of the community. With our Universal Access program providing the most value to our community, followed by the Nature Bus, CDPHP Cycle! and our electric car share program, DRIVE.
- Jaime Kazlo provided the monthly earned media and community engagement report. Last month, CDTA earned 20 media placements in television, newspaper and radio.
- Stories focused on September service updates, changes to our FLEX service, the introduction of new CDPHP Cycle! bikes into our fleet and the one year anniversary of service in Montgomery County.
- CDTA participated in a number of local events to highlight our work in the community including the UNITE the City event, Italia fest, Mississippi Day and the annual Carrot Festival.
- Jaime outlined social media engagement and provided statistics for the last month. We saw an uptick in followers across all of our social media channels. Top posts included “How to take CDTA to Grafton Lakes State Park”, “Hop on the Nature Bus” and the announcement of our new Navigator app.
- Looking ahead, we will host a career fair at the CDTA Headquarters’ on September 21, kick off our “Men Wear Pink” campaign on September 29 which will showcase our new pink bus designs, welcome back our Fall Festival after a 3 year pause due to COVID, and host media events for the opening of our new Gateway Mobility Hub in late October and the launch of our third BRT line, the purple line in November.
- Next meeting of the Committee will be on Thursday, October 19, 2023 at 11:15 am via Microsoft Teams and at 110 Watervliet Avenue.

STRATEGIC AND OPERATIONAL PLANNING COMMITTEE - Report from Peter Wohl

The Strategic and Operational Planning Committee met on Thursday, September 14, 2023 at 12:00 am via Microsoft Teams and at 110 Watervliet Avenue.

Bus Inventory/Replacement Plan

- Lance Zarcone and Dave Williams provided an update on our bus inventory and replacement plan. The core of what we do is predicated on the safety and reliability of our rolling stock. We maintain a detailed accounting of our bus inventory which coupled with the condition/history of the vehicles, employee feedback, our capital plan and FTA guidelines, is used to inform our decisions on annual bus purchases.
- Our fleet is composed of 355 revenue and 40 non-revenue vehicles which vary in configuration (40’ buses, 60’ articulated buses, battery electric buses, paratransit vehicles, FLEX vehicles, and trolleys). Our fleet size has grown significantly over the past several years due to expansions in Montgomery County, several BRTs, Albany, and OGS services.
- Our most common 40’ fixed route vehicles have a minimum 500,000 mile or 12-year baseline for replacement consideration, with other vehicle types having different requirements. When vehicles are in good condition and have acceptable operating costs, we may keep them longer. We seek to maintain the average age of the fleet at six years or less.

- This year we took delivery of seventeen articulated buses, and six STAR buses. Next year we are scheduled to take delivery of two articulated buses, eighteen 40' buses, six STAR buses, two NX buses, and a trolley.
- We will continue to periodically review the plan with this Committee.
- Next meeting of the Committee will be on Thursday, October 19, 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 September 2023.

UPCOMING MEETINGS

- Subject to the call of the Chair, Chairman Lahut announced the following meeting date:
 - Wednesday, October 25, 2023 at 12:00pm at 110 Watervliet Avenue.

ADJOURNMENT - 12:40 PM

Motion – Mr. Wohl

Seconded – Mr. Criscione

Carried Unanimously

Respectfully submitted,

Georgeanna M. Nugent, Secretary

Dated: September 20, 2023

CAPITAL DISTRICT TRANSPORTATION AUTHORITY

Capital District Transit System, Capital District Transportation District, Inc.,
Capital District Transit System, Number One, Capital District Transportation District
Inc.; Capital District Transit System, Number Two, Capital District Transportation District, Inc.,
Access Transit Services, Inc., CDTA Facilities, Inc.

RESOLUTION NO. 33 - 2023

Adopting Revised Bylaws

WHEREAS the Public Authorities Law of the State of New York, Section 1306, empowers the Capital District Transportation Authority (“Authority”) to make and alter bylaws for its organization and internal management, and rules and regulations governing the exercise of its powers and the fulfillment of its purposes; and

WHEREAS the Authority has undertaken to review and recommend changes to the bylaws for itself and its subsidiaries; and

WHEREAS the proposed alterations have been provided to all of the members of the Authority, who are in agreement as to the proposed changes,

NOW THEREFORE BE IT RESOLVED that the Bylaws of the Authority and its subsidiaries dated October 25, 2023 are hereby approved and adopted in their entirety, as attached.

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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority

Capital District Transit System, Capital District Transportation District, Inc., Capital District Transit System, Number One, Capital District Transportation District, Inc.; Capital District Transportation System, Number Two, Capital District Transportation District, Inc.; Access Transit Services, Inc., CDTA Facilities, Inc.

BYLAWS

Pursuant to the authority contained in Section 1306, subdivision 5 of Article 5 of the Public Authorities Law, as set out in Chapter 460 of the Laws of Nineteen Hundred and Seventy of the State of New York, and in Chapter 461 of the Laws of Nineteen Hundred and Seventy of the State of New York, the Capital District Transportation Authority hereby approves the following Bylaws for the regulation of its activities and the activities of its subsidiaries.

ARTICLE I SEAL

The official seal of the Authority shall be in a design in circular form bearing the words and dates as follows:

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
STATE OF NEW YORK
1970**

ARTICLE II OFFICERS

The officers of the Authority shall be a Chair, Vice Chair, Secretary and Treasurer, all of whom shall be elected from among the Members of the Authority. Such officers shall be elected at the Annual Meeting of the Authority. All officers shall hold office until their successors are chosen and qualify in their stead.

ELECTION OF OFFICERS

The Chair shall appoint a nominating committee consisting of three members that shall consult and report at the annual meeting with nominations for officers for the coming year. In addition to those members nominated by the committee, the Chair shall accept nominations from the floor. Upon the close of nominations, individual or the full slate of officers may be voted upon, in such manner as agreed upon by the members. If written ballots are taken, they shall be opened and counted by the Chair in the presence of the chair of the nominating committee, whereupon the results shall be announced.

If any office shall become vacant by reason of death, resignation, disability or otherwise, an election to fill such vacancy shall be held after or at the occurrence of such vacancy provided that such election may be adjourned to a later meeting by a majority vote of Members present at any such first meeting.

DUTIES OF OFFICERS

Chair – shall preside at all meetings of the Authority. They may sign and execute on behalf of the Authority on all contracts, notes, bonds or other evidence of indebtedness when so authorized by resolution of the Authority and shall perform such other duties as may be assigned to them from time to time by the Authority. The Chair shall appoint all committees and committee chairs. The Chair shall serve as ex-officio member of all committees.

Vice Chair – shall perform the duties of the Chair in the event the office of the Chair is vacant, or in the event the Chair is unable to perform such duties by reason of illness, disability or absence, and shall perform all duties as the Authority may designate.

Secretary – shall review and sign the approved minutes of meetings of the Authority; sign and certify such notices, motions, resolutions or other documents as shall be required from time to time; and shall perform all duties as the Authority may designate.

Treasurer – shall act in an advisory capacity on financial matters as directed by the Authority or the Performance Monitoring committee and shall perform all duties the Authority may designate.

ARTICLE III COMMITTEES

There shall be four standing committees of the Authority, and such other committees as may be created from time to time. Members shall serve on committees when and as appointed by the Chair. The standing committees shall operate and serve the purpose set forth in their descriptions as follows:

Board Operations Committee – shall consist of five members including the Chair, who shall lead the committee, the Vice Chair, and chairs of the other standing committees. The Chief Executive Officer shall be an ex-officio member of the committee. The Chair may appoint a past chair to the committee. The committee will work with the Chief Executive Officer to assure the effective functioning of the Authority. The committee shall oversee the governance and advocacy activities of the Authority, develop appropriate training programs for Authority members, direct and update the duties and performance of the Chief Executive Officer and ensure that standing committees' function effectively.

Performance Monitoring/Audit Committee – shall oversee the operational and financial performance of the Authority. The committee will establish and oversee key elements of a programmatic and financial reporting process; review and report on financial performance to the Authority; present assessments of fiscal, operations and program performance; review and recommend contract awards and procurement actions; review internal and external audit reports; and provide counsel on major administrative initiatives.

Strategic and Operational Planning Committee – shall be responsible for the planning and development of the financial resources of the Authority. The committee will work with the Chief Executive Officer to develop an annual budget plan and oversee, prepare for, and host strategic work sessions. The committee will make recommendations to the Authority concerning strategic issues, formulate operational priorities consistent with the annual budget and capital plans. The

committee will be involved in formulating financial and operational performance targets and overseeing the development of short and long-range financial and operational strategies.

Community and Stakeholder Relations Committee – shall be responsible for the development of the Authority brand, its image, and relationships throughout the community. The committee will monitor stakeholder relationship strategies, especially with customers, potential customers and Authority employees. The committee will make recommendations regarding marketing and community outreach programs and oversee customer survey and development programs.

ARTICLE IV DIRECTORS

The Members of the Authority shall also serve as the Directors of the subsidiary corporations.

ARTICLE V EMPLOYEES

There shall be appointed by the Authority a General Manager who shall serve at the pleasure of the Authority and have the title of Chief Executive Officer. The Authority shall appoint counsel who shall be the legal advisor for the Authority and shall furnish such opinions, advice and counsel, as shall be required from time to time. The Authority may also retain other counsel as it deems necessary. All counsel shall serve at the pleasure of the Authority. The Authority shall also appoint such employees as may be required to carry out the work of the Authority. The Authority will fix and determine their qualifications, duties and compensation. The Authority may also retain or employ auditors, engineers and other consultants for rendering professional, management or technical advice.

DUTIES OF GENERAL MANAGER

The Chief Executive Officer shall be the General Manager for the Authority. The Chief Executive Officer shall be responsible to the Authority for the administration of its affairs. They shall exercise supervision of all administrative functions of the Authority within the framework of policies established by the Authority. They shall attend meetings of the Authority with the privilege of taking part in discussions and shall recommend such measures as may be necessary or expedient and shall perform other such duties and have such powers as may be prescribed for them by law or by the Authority. They shall have all necessary incidental powers to perform and exercise the duties and functions specified above or lawfully delegated to them. They shall report to the Members and to the Authority on the progress of all programs and initiatives.

ARTICLE VI GENERAL PROVISIONS

Fiscal Year – the fiscal year for the Authority shall begin on the first day of April.

Conduct of Meetings – a majority of the whole number of Members of the Authority shall constitute a quorum for the transaction of meetings.

These bylaws shall serve as the governing rules of order, unless superseded by State or Federal requirements. Where these bylaws are silent, Roberts Rules of Order shall be the governing authority.

Except as hereinafter provided or as otherwise specified by statute, the Authority shall have the power to act, for the transaction of any business or the exercise of any power of the Authority, by a majority of the Members at any meeting at which a quorum is present. A majority of the members present, whether or not a quorum is present, may adjourn any meeting to another time or place. Only members participating in any Authority meeting “in person” shall be counted in the minimum quorum required to transact business.

Members may participate by videoconference if the member cannot be physically present due to extraordinary circumstances, which preclude in person attendance. Members attending remotely may participate in discussions, but they are not counted in the minimum quorum to transact business or be eligible to vote on any action item presented to the board.

AUTHORITY MEETINGS:

Regular Meetings - shall be held on the last Wednesday of each month. Regular meetings shall be held at agreed places and at such time as agreed upon by the Authority.

Annual Meeting - the regular meeting in April shall be known as the annual meeting.

Special Meetings - may be called by the Chair or in their absence by the Vice Chair on the request of three members of the Authority. The purpose of a special meeting shall be stated in the call for the meeting. Except in case of emergency, at least three working days’ notice shall be given.

Committee Meetings - shall be scheduled at the call of the committee Chair.

Record of Meetings – the Secretary or person designated by the presiding officer of the meeting shall keep minutes containing a summary of all proposals, motions, resolutions or any other matter formally acted upon by the Authority; this will include the voting on all resolutions presented to the board. The minutes will be reviewed, corrected if necessary, and approved at the next scheduled meeting of the Authority.

Order of Business – at regular meetings shall be set by the Chair. The order of business and all other matters of procedure at each meeting of the Authority will be determined by the presiding officer. Any member may propose additional items for discussion by the board at any meeting of the board.

Indemnification – the Authority shall indemnify and save harmless members, directors and employees of the Authority and its subsidiaries in the amount of any judgement obtained against such members, directors and employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgement or claim arose occurred while the member, director or employee was acting within the scope of their duties; provided further that in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the Authority.

Except as otherwise provided by law, the duty to indemnify and save harmless prescribed by this article shall not arise where the injury or damage resulted from intentional wrongdoing or recklessness on the part of the member, director or employee.

Nothing in this subdivision shall authorize the Authority and its subsidiaries to indemnify or save harmless a member, director or employee with respect to punitive or exemplary damages, fines or penalties, or money recovered pursuant to section fifty-one of the general municipal law; provided, however, that the Authority shall indemnify and save harmless its members, directors and employees in the amount of any costs, attorneys fees, damages, fines or penalties which may be imposed by reason of an adjudication that they were acting within the scope of their duties, without willfulness or intent on their part, violated a prior order, judgement, consent, decree or stipulation of settlement entered in any court of this state or of the United States.

Upon entry of a final judgement against the member, director or employee, or upon the settlement of the claim, the member, director or employee shall serve a copy of such judgement or settlement personally or by certified or registered mail within thirty days of the date of entry or settlement, upon the Chief Executive Officer of the Authority; and if not consistent with the provisions of this section, the amount of such judgement or settlement shall be paid by the Authority or its subsidiaries.

The duty to defend or indemnify and save harmless prescribed by this section shall be conditioned upon – delivery by the member, director or employee to the General Counsel of the Authority or to its Chief Executive Officer of a written request to provide for their defense together with the original or copy of any summons, complaint, process, notice, demand or pleading within ten days after they are served with such document, and – the full cooperation of the member, director of employee in the defense of such action or proceeding and in defense of any action or proceeding against the Authority or its subsidiaries based upon the same act or omission, and in the prosecution of any appeal.

AMENDMENT OF BYLAWS

These bylaws may be repealed or amended by the Capital District Transportation Authority at any duly called regular meeting of the Authority, provided, however, that notice in writing specifying that the Bylaws are to be repealed or specifying the portions thereof to be amended shall be mailed or emailed to each Member of the Authority at least one week prior to the meeting at which such changes are to be passed upon.

These Bylaws may be repealed or amended by the Capital District Transportation Authority only by a two-thirds (2/3) vote of the whole number of the Members of the Authority.

Adopted by unanimous resolution of the Authority on DATE OF MEETING in Resolution Number XX-2023 and hereby certified.

Signed by CDTA Secretary
Georgeanna M. Nugent

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 34 - 2023**

Approve Purchase of Two Trolleys

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, 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 trolley service, and

WHEREAS, in 2019 a five-year contract was awarded to Hometown Trolley, d/b/a Double K, Inc., to purchase trolleys, and

WHEREAS, the Authority proposes to add two trolleys to its current fleet to allow for additional service opportunities next year, including Glens Falls, and

WHEREAS, staff now recommends the purchase of two (2) trolleys from this contract at a cost not to exceed \$202,267, for a total cost of \$404,534.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby approves the purchase of two (2) replacement trolleys from Hometown Trolley, d/b/a Double K, Inc., of Crandon, WI, at a cost not to exceed \$404,534, subject to compliance with all contract terms and requirements.
2. Authority Staff is hereby authorized to execute the necessary contract documents.
3. The source of funds for this purchase will be from the Capital Plan.
4. This Resolution shall take effect immediately.

CERTIFICATION

The undersigned, duly qualified and acting as Secretary of the Capital District Transportation Authority, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Capital District Transportation Authority held on the 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority

Agenda Action Sheet

Subject: Purchase of Trolleys from Existing Contract
Committee: Performance Monitoring/Audit
Meeting Date: October 18, 2023

Objective of Purchase or Service:

We propose to add two trolleys to our current fleet to allow for additional service opportunities next year. One of those opportunities may include supporting the summer trolley service in Glens Falls.

Summary of Staff Proposal:

In 2019 the Board awarded a five-year contract to purchase trolleys to Hometown Trolley (dba Double K, Inc). This contract allows CDTA to maintain a consistent look and feel for trolleys as it minimizes the types of parts required and is the same make and model of previous purchases. The Villager style trolley features a 6.8L gas powered engine and has seating for 32 passengers including two wheelchair positions.

Financial Summary/Cost:

The cost per vehicle is \$202,267, for a total cost of \$404,534 to be funded through our Capital Program.

Proposed Action:

I recommend that two trolleys be purchased from the existing Hometown Trolley contract for an amount not to exceed \$404,534.

Manager:

Lance Zarcone

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION NO. 35 - 2023**

Approve Contracts for Information Technology Support Services

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

WHEREAS, the Authority is empowered by N.Y. Public Authorities Law section 1306 (7) to retain or employ engineers and private consultants, and chooses to utilize consultants because the scope and timing of the services required make it impractical to employ such technical professionals, and

WHEREAS, the Authority desires to contract for information technology network and support services, and

WHEREAS, after issuance of a Request for Proposals to provide services in many different categories including network system, virtualization and security engineering, security operations center, security information and event management software, business continuity planning/disaster recovery software/services, help desk, and system administration, eighteen firms submitted proposals, seven firms participated in interviews, and

WHEREAS, after due diligence and review and as a result of the entire procurement and evaluation process, the Authority is satisfied with the competitive nature of the procurement, and

WHEREAS, the Authority now desires to award five separate one-year contracts, each with five one-year optional renewals, to:

- CDW-G of Vernon Hills, IL
- Dyntek of Albany, NY (Irvine, CA)
- Kyndryl of New York, NY
- MGT of Tampa, FL
- TEKsystems of Latham, NY (Hanover, MD)

The contract value over five years is not to exceed \$3,122,263, with no guarantee of work.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby awards five separate one-year contracts for Information Technology support services, each with five one-year extensions, to CDW-G of Vernon Hills, IL; Dyntek of Albany, NY (Irvine, CA); Kyndryl of New York, NY; MGT of Tampa, FL; TEKsystems of Latham, NY (Hanover, MD), subject to compliance with the terms and requirements of the proposal and contract documents.
2. The Chief Executive Officer is hereby authorized to execute the appropriate contract documents.

3. The source of funds will be from Operating and Capital Budgets determined by the type of project.
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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority

Agenda Action Sheet

Subject: Contract for Information Technology Services
Committee: Performance Monitoring/Audit
Meeting Date: October 19, 2023

Objective of Purchase or Service:

To provide Information Technology (IT) services that complement and enhance CDTA's existing Information Technology Department and staff.

Summary of Staff Proposal:

Given the constantly changing demands of the technology landscape, staff has identified several different categories of Information Technology services we either currently use, or anticipate needing in the future:

- Network System Engineering
- Virtualization Engineering
- Security Engineering
- Security Operations Center (SOC) Services
- Security Information and Event Management (SIEM) Software
- Business Continuity Planning / Disaster Recovery Software/Services
- Help Desk
- System Administration

The best tool for implementing a flexible and efficient model to utilize these services is by using term agreements. A term agreement is one such that firms are qualified, rate-verified, and vetted as able to perform one or more of the above functions on an "as needed" basis. The existence of a term agreement does not guarantee work for a firm, nor does it guarantee that a firm will have the opportunity to submit a scope of work on any specific project. CDTA enters into term agreements with professional firms that are determined qualified, and when services are needed, the Project Manager will request estimates from the firm(s) as necessary. We have been using this model in IT for the last five years, and the existing contracts are set to expire. We manage similar term agreements for engineering, planning, and legal services.

Staff developed a Request for Proposal (RFP) that included a detailed description of services required, response format and pricing templates. Evaluation criteria included experience and references, adherence to requirements, cost effectiveness, and DBE participation. 180 firms registered for this RFP, and 18 firms submitted responses. An evaluation team narrowed down the candidates to seven firms selected for interviews. Based on the evaluation process, I am recommending that the following firms be awarded contracts for such IT Services:

- CDW-G of Vernon Hills, IL
- Dyntek of Albany, NY (Irvine, CA)
- Kyndryl of New York, NY
- MGT of Tampa, FL
- TEKsystems of Latham, NY (Hanover, MD)

Financial Summary/Cost:

Over the last three years, most of this related work can be placed into one of five categories. The average investment in these areas is summarized below:

Category	Three-Year Average
Contractor	\$326,319
Project	\$21,755
Hardware	\$149,721
Software	\$6,634
Security	\$38,000
Total:	\$542,429

Based on this summary, the anticipated program of IT projects over the next several years, and expected CPI increases, we are budgeting \$3,122,263 across all areas, all vendors, over the course of the next five years. These costs are financed by our operating and capital (grant and internal) plans.

Proposed Action:

At this time, I am recommending that five, one-year contracts with five one-year extensions be awarded to the above firms. The annual financial value of each contract shall vary and be dependent upon current projects in need of IT services. There is no guarantee of work or minimum contract values. The fund source will be determined by the type of project.

Manager:

Christopher Desany

Cumulative Scorecard
for CDTA IT 100-1000

	TEK Systems - Latham, NY	Dyntek - Albany, NY	Repeat Business - Albany, NY	Kyndryl - New York, NY	Sligo - Albany, NY	Effervescen t - Leesburg, VA	Netula - New York, NY	22nd Century Technologies, Inc. Albany, NY	Abacus Service Corp - Southfield, MI	MGT Technology - Tampa, FL	MRCC - Billerica, MA	CDW-G - Vernon Hills, IL	V Group - East Windsor, NJ	Universal Equations - Fort Lee, NJ	Cogent Infotech - Pittsburgh, PA	i-Link Solutions - Herndon, VA	RAJ Technologi es - Plainview, NY	iSecure - Rochester, NY
Qualifications & Experience & References of Proposing Firm 50 Points	48	49	20	48	40	20	20	42	10	48	30	48	38	30	38	46	37	20
Adherence to Roles & Requirements 80 Points	80	80	20	80	20	20	20	62	10	80	30	73	67	20	58	58	58	20
Cost Effectiveness 60 Points	55	55	30	55	55	40	20	55	40	55	60	55	55	40	55	55	45	20
D/MWBE and/or SDVOB Participation 10 Points	0	4	10	0	10	0	10	4	4	0	4	4	10	0	10	10	10	10
TOTAL	183	188	80	183	125	80	70	163	64	183	124	180	170	90	161	169	150	70

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No.: 36 - 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 #K007548, Master Agreement, 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 THIRTEEN MILLION THREE HUNDRED SIXTY EIGHT THOUSAND, SEVEN HUNDRED FOURTEEN DOLLARS (\$13,368,714) 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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority Agenda Action Sheet

Subject: Resolution to Accept State Funding
Committee: Performance Monitoring/Audit
Meeting Date: October 18, 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 CDTA to execute an agreement with NYSDOT to accept \$13,368,714.

Summary of Staff Proposal:

NYSDOT provides a capital funding for the Accelerated Transit Capital Program (ATC) and the Transportation Modernization and Enhancement Program (MEP). CDTA was awarded \$5,184,162 in MEP funds and \$3,642,415 in ATC funds. Both MEP and ATC funds support the purchase of 40-foot buses and the State provides 100% of this funding.

We also receive annual Federal Transit Administration (FTA) funds through Section 5307 and Section 5339 programs. Section 5307 will fund non-revenue vehicles, preventive maintenance and the shelter replacement program, while Section 5339 will fund 40-foot buses.

The FTA funds 80% of these grants with the remaining 20% split between NYSDOT and CDTA. This year the NYSDOT 10% match to support 5307/5339 funded projects is \$4,421,217.

In addition, Federal Highway Administration funds were transferred from FHWA to FTA to support a BRT expansion study and the Vanpool program. Federal funds support 80% of the BRT expansion study and 50% of the Vanpool program. NYSDOT will contribute \$120,920, which is 10% of the total cost of these projects.

Financial Summary and Source of Funds:

NYSDOT Contract will fund a total of \$13,368,714

- 100% of the \$5,184,162 MEP program
- 100% of the \$3,642,415 ATC program
- 10% of 5339 & 5307 FTA grants for \$4,421,217
- 10% of FHWA grants for \$120,920

Proposed Action:

I recommend that we provide a Board resolution to NYSDOT to execute an agreement to accept \$13,368,714 in funding.

Manager:

Melissa Shanley, Grants Manager

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No.: 37 - 2023**

Authorizing the acceptance of \$40,300 from NYSDOT Contract C040877 for funding to pass through to the Capital Region Transportation Council (CRTC)

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 Region Transportation Council (CRTC) formally named CDTC, received a competitive award from the Federal Highway Administration’s “Safe Streets and Roads for All” program, and

WHEREAS, the Capital District Transportation Authority is CRTC’s “funding pass through” for federal and state funds, and

WHEREAS, the Capital District Transportation Authority (“Authority”) agrees to accept \$40,300 in funding from NYSDOT to pass through to the Capital Region Transportation Council (CRTC).

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

RESOLVED, that the Authority Board hereby authorizes and approves the NYSDOT funding to pass through to CRTC; 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 FORTY THOUSAND THREE HUNDRED DOLLARS (\$40,300) 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 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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority Agenda Action Sheet

Subject: Resolution to Accept State Funding for CRTC
Committee: Performance Monitoring/Audit
Meeting Date: October 18, 2023

Objective of Purchase or Service:

New York State Department of Transportation (NYSDOT) requires a CDTA Board resolution to accept state funding. The Capital Region Transportation Council (CRTC), formally named CDTC, received a competitive award from the Federal Highway Administration. Because we are CRTC's "funding pass through" for federal and state funds, this resolution allows us to execute an agreement with NYSDOT to accept \$40,300 on behalf of CRTC.

Summary of Staff Proposal:

CRTC was selected for a competitive award from the Federal Highway Administration's "Safe Streets and Roads for All" program, which is a Safety Action Plan that includes \$1,150,000 in federal funds. NYSDOT will contribute \$40,300 to this project to be managed by CRTC.

Financial Summary and Source of Funds:

NYSDOT Contract C040877 will fund a total of \$40,300.

Proposed Action:

I recommend that we provide a Board resolution to NYSDOT to execute an agreement to accept \$40,300 in funding to pass through to the CRTC.

Manager:

Melissa Shanley, Grants Manager

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 38 - 2023**

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, has received four proposals and has determined that the two-year proposal from Midwest Employers Insurance Company of Chesterfield, Missouri, with a retention level of \$1,000,000.00 per occurrence, at an annual premium cost of \$269,885, with a two-year cost of \$539,770, beginning November 10, 2023 through November 10, 2025, is most suitable for its needs.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby authorizes a two-year contract for the purchase of 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, 2023 through November 10, 2025, to Midwest Employers Insurance Company of Chesterfield, MO, with an annual premium cost of \$269,885, 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 from the 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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority Agenda Action Sheet

Subject: Contract to Midwest Employers Insurance for Workers Comp Excess
Committee: Performance Monitoring/Audit
Meeting Date: October 18, 2023

Objective of Purchase or Service:

Workers Compensation Excess Insurance provides insurance protection against high value and catastrophic Workers' Compensation claims. The Excess Insurance Market is a competitive 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 displayed in Exhibit A on page 2.

We have several claims projected to exceed our SIR levels over the next few years.

Summary of Staff Proposal:

USI Insurance and Benefit Services (our insurance broker for Workers Compensation Excess Coverage) approached four markets and received four proposals. Based on price and coverage options, Midwest Employers insurance company provided the best option, including a two-year proposal at the same rate. Based on our good experience, this proposal represents an annual premium reduction of \$102,000. The two-year policy is effective November 10, 2023, through November 10, 2025, at a cost of \$269,885 per year.

Financial Summary and Source of Funds:

The Midwest Employers cost for a two-year policy is \$269,885 per year (\$539,770 for both years) and is funded in our operating budgets.

Proposed Action:

I recommend that we select Midwest Employers for Workers' Compensation Excess Insurance for two years at \$269,885 per year.

Manager:

Jack Grogan, Director of Risk Management

Exhibit A

Workers Compensation Excess Insurance

Insurance Company	Limit	Deductible SIR	Annual Premium	Renewal Date
ACE American	Statutory WC/\$1,000,000	\$1,000,000	\$400,719	11/10/2023
Midwest Employers (1 or 2 year)	Statutory WC/\$1,000,000	\$1,000,000	\$269,885	11/10/2023
Safety National	Statutory WC/\$1,000,000	\$1,000,000	\$328,365	11/10/2023
Arch Insurance	Statutory WC/\$1,000,000	\$1,000,000	Indicated pricing in the \$330,000 to \$340,000 range	11/10/2023

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 39 - 2023**

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 \$514,600, 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 \$157,181, and the Non-Certified Acts of Terrorism coverage from Lloyd’s of London Insurance Company of New York, NY for \$27,078, for a total annual premium cost not to exceed \$698,859, that will take effect November 10, 2023 through November 9, 2024.

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, 2023 to November 9, 2024 from American Alternative Insurance Corporation of Princeton, NJ, at a cost of \$514,600, 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, 2023 to November 9, 2024 from Allied World Assurance Company of New York, NY, at a cost of \$157,181, 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 \$27,078, 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 \$698,859.
5. Authority Staff is hereby authorized to execute all necessary documents.
6. The source of funds for this insurance shall be FY2024/25 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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority Agenda Action Sheet

Subject: Auto & General Liability Insurance
Committee: Performance Monitoring/Audit
Committee Meeting Date: October 18, 2023

Objective of Purchase of Service: Auto & General Liability provides insurance protection for claims of injury and damage to people and property of others caused by the operation of our business. NFP Corp, formally Rose & Kiernan (R&K) pursued several markets to obtain competitive proposals for this insurance. We have a \$2 million self-insured retention (SIR) policy with \$13 million in excess coverage above our SIR. The SIR is similar to 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, for total excess coverage of \$13 million.

Our claims experience is good, but we are included in the overall transportation insurance market for pricing, which includes trucking and rail industries. The loss experience in the overall markets has not been good and markets have reflected this poor experience with large premium increases, or they decline to quote altogether.

Summary of Staff Proposal: NFP approached 34 markets but received only one proposal for our primary excess layer (\$8 million) and one proposal for our second excess layer (\$5 million). Although markets expressed interest because of our good loss experience, market underwriters indicate that our price points are too low and cannot match our incumbent's premium.

American Alternatives (incumbent) provided a renewal quote of \$514,600 for the first \$8 million layer of excess insurance. Allied World Assurance is the incumbent carrier for the second \$5 million-layer and provided a renewal quote of \$157,181. We also purchase coverage for Non-Certified Acts of Terrorism with Lloyds of London for \$27,078. This policy covers both the Liability and our Auto Physical Damage insurance program.

Finance Summary and Source of Funds: The one-year cost for Auto & General Liability Insurance is not to exceed \$698,859 and is funded in the annual operating budget. These premiums represent a 27% increase and are effective for one-year starting on November 10, 2023.

Proposed Action:

I recommend a contract to American Alternatives for the first \$8 million layer of excess coverage; a contract for the second layer of excess coverage of \$5 million to Allied World Assurance for \$157,181; and a contract for Non-Certified Acts of Terrorism coverage to Lloyds of London Insurance at a cost of \$27,078.

Manager:

Jack Grogan, Director of Risk Management

Note: The insurance carrier's addresses are on page two.

Carrier Addresses:

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

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

Excess Liability - \$5,000,000 above the \$8,000,000:

Allied World 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

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 40 - 2023**

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 Seventy-Eight Million Dollars (\$78,000,000.00) with a maximum of Thirty Million Dollars (\$30,000,000.00) 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 _____, of _____, for automobile physical damage insurance, with a \$15 million per occurrence limit, at an annual premium cost of \$ _____, and

WHEREAS, a \$5 million excess automobile and physical damage proposal was received from the _____, of _____, at an annual premium cost of \$ _____, and

WHEREAS, an additional \$10 million excess automobile and physical damage proposal was received from _____, of _____, at an annual premium cost of \$ _____, for a total of \$30 Million in coverage, and

WHEREAS, a \$15 million Terrorism Insurance proposal was received from _____) of _____, at an annual premium cost of \$ _____, 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 aforementioned insurance, as proposed, with an annual total cost of \$ _____.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby authorizes the purchase of automobile physical damage insurance for the policy period covering November 10, 2023 to November 9, 2024 from _____ of _____, for the first \$15 million coverage, for a total annual premium cost of \$ _____, subject to compliance with the terms and conditions of the contract.
2. The Authority hereby authorizes the purchase of \$5 million excess automobile physical damage insurance for the policy period covering November 10, 2023 to November 9, 2024 from _____ of _____, for a total annual

premium cost of \$ _____, subject to compliance with the terms and conditions of the contract.

3. The Authority hereby authorizes the purchase of \$10 million excess automobile physical damage insurance for the policy period covering November 10, 2023 to November 9, 2024 from _____ of _____, for a total annual premium cost of \$ _____, subject to compliance with the terms and conditions of the contract.
4. The Authority hereby authorizes the purchase of \$15 million Terrorism Insurance for the policy period covering November 10, 2023 to November 9, 2024 from _____ for a total annual premium cost of \$ _____, subject to compliance with the terms and conditions of the contract.
5. Authority Staff is authorized to execute all necessary documents.
6. The source of funds for this insurance shall be the FY2024/25 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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent., Secretary

**CAPITAL DISTRICT TRANSPORTATION AUTHORITY
RESOLUTION No. 41 - 2023**

Approve Expansion into Warren County

WHEREAS, the Capital District Transportation Authority (the “Authority”) is charged with the continuance, development, and improvement of transportation facilities, and **WHEREAS**, there have been discussions to expand services into Warren County and merge with the Greater Glens Falls Transit System (GGFT) over the past year, and

WHEREAS, staff has been working with Warren County, the City of Glens Falls, the local Metropolitan Planning Organizations, New York State Department of Transportation and the Federal Transit Administration to facilitate the expansion, and

WHEREAS, requirements of CDTA’s commitment and approval to execute the expansion include the following:

- 1) supporting and providing reliable transit service to the citizens of Warren County;
- 2) complying with the provisions and updates to the Public Authorities Law;
- 3) developing a transition plan that focuses on maintaining Federal interest, including the transfer of assets and plan for closing out and/or transferring grants;
- 4) not changing service at the time the merger is completed and will not consider changing service until appropriate outreach is performed and a ridership analysis is completed;
- 5) complying with all local, State and Federal regulations (including Title VI);
- 6) collecting mortgage recording tax from Warren County, and

WHEREAS, staff recommends formalizing the Board’s support and approval to expand transit service into Warren County, and to merge with the Greater Glens Falls Transit system.

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority’s Board hereby supports and approves the expansion of the service area into Warren County, merging with the Greater Glens Falls Transit system, and complying with the requirements listed above.
2. Authority Staff is hereby authorized to execute the necessary contract documents.
3. Budgetary numbers for revenue and expenses will be incorporated into the FY25 Operating and Capital Plans.
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 25th day of October, 2023.

Dated: October 25, 2023

Georgeanna M. Nugent, Secretary

Capital District Transportation Authority

Agenda Action Sheet

Subject: Authorize Expansion into Warren County
Committee: Strategic and Operational Planning
Meeting Date: October 19, 2023

Objective of Purchase or Service:

To formalize the Board's support and approval to expand our service area into Warren County, and to merge with the Greater Glens Falls Transit system.

Summary of Staff Proposal:

We have been discussing the plan to expand our service area into Warren County and merging with the Greater Glens Falls Transit system (GGFT) over the past year. GGFT is a small system that serves primarily a rural population, and it has become increasingly difficult to meet the demands of transit customers in that region. Finding qualified operators and technicians and providing efficient and reliable service is becoming more difficult every day. Due to these challenges, along with several recent staff retirements, the time is right to effectuate such a merger.

Staff has been working with Warren County, the City of Glens Falls, the local Metropolitan Planning Organizations, the New York State Department of Transportation, and the Federal Transit Administration over the last several months to facilitate this work. One of the requirements is a memorialization of CDTA's commitment and approval to execute the expansion. A summary of the provisions of such a resolution is as follows:

- The goal is to support and provide reliable transit service to the citizens of Warren County.
- It is subject to the provisions and updates to the Public Authorities Law.
- The development of a transition plan is required which among other things, focuses heavily on maintaining Federal interests, including the transfer of assets and plan for closing out and/or transferring grants.
- We are not changing service at the time the merger is completed and will not consider doing so until such time when appropriate outreach is performed, and a ridership analysis is completed.
- We will comply with all local, State, and Federal regulations (including Title VI).
- We will be collecting Mortgage Recording Tax (MRT) from Warren County.

Financial Summary/Cost:

We have budgetary numbers for revenue and expenses, the details of which will be incorporated into our FY25 operating and capital plans. This annual process is set to occur over the next few months.

Proposed Action:

I recommend the Committee advance to the full Board a recommendation to formalize the Board's support and approval to expand our service area into Warren County, and to merge with the Greater Glens Falls Transit system.

Manager:

Christopher Desany, Vice President of Planning and Infrastructure



Memorandum

October 25, 2023

To: Chairman of the Board
Board Members

From: Chief Executive Officer

Subject: CEO Report for October

Overview

We are in an incredibly busy period at CDTA that exemplifies who we are and why we matter to the people of our area. From new services to an expanded service area, to partnerships and events, and our brand – our great employees are connecting the Capital Region.

As we get ready to open the Purple Line BRT, there is a sense of accomplishment throughout our company. The Purple Line will connect downtown Albany, the College of St. Rose, Harriman Campus, downtown and uptown UAlbany campuses, and Crossgates Mall. Purple Line buses will operate through dense residential neighborhoods along one of the region’s busiest travel corridors. The Purple Line includes lots of first – our first dedicated busway, our first roundabout, and our first BRT line that will operate with a fleet of articulated buses. The purple and silver branding scheme is evident through the corridor with stations, pylons, heated sidewalks, and queue jumpers, which will make the BRT service fast and reliable. The Purple Line will be the icing on cake for CDTA, getting us to our goal of a 40-mile network of Bus Rapid Transit. It will seal our position as the only transit system in upstate New York with an advanced menu of services and amenities. It concludes more than 15 years of board commitment, vision, planning, and community outreach – hats off to the CDTA team for a job well done!

The opening of the Purple Line comes as our ridership continues to surge. At the same time, customer fares are ahead of budget (we increased this line significantly during budget preparation), and Universal Access accounts at an all-time high. For the first six months of our fiscal year, total ridership was 7.8 million, 18% more than it was at the same time last year. Ridership is up on BRT lines and on most trunk routes. There are some neighborhood and connector routes that have not seen ridership gains and there is more work to do in that regard. The increase in customer fare revenue and the addition of new Universal Access Accounts (we are now at 40) go hand-in-hand as we engage partners in the work we do, connecting them, their employees, students, and their customers. The outlook for CDTA is positive and it provides us with optimism as we move forward and think boldly as we work to be bigger and better.

The board resolution to merge Greater Glens Fall Transit and their assets and employees into CDTA illustrates our bold thinking and action orientation. It is another step forward in our work to expand CDTA and make us relevant to more people and more communities. The resolution was required by the FTA to allow for the transfer of assets purchased with federal funds.

Withing the next week or so, we will begin installation of CDTA bus stop signs along routes, paint GGFT buses blue and brand them as CDTA. Although we have been working behind the scenes in Glens Falls for months, this will be the first visible sign of a CDTA presence in that community. Installation of signs and branding of buses and equipment will be accompanied by engagement in the community that will include outreach, events and some marketing and promotion. We will formally absorb GGFT employees into CDTA in January when we will begin our operating practices. And we are working with the Federal Transit Administration and New York State officials regarding grants, operating assistance, and other administrative issues. The objective of this phased approach is to introduce our employees to Glens Falls and alert the community and our new customers to a new way to think about mobility.

We are putting the finishing touches on the Gateway Mobility Hub in downtown Schenectady. Located at the base of State Street, it is adjacent to exciting new developments, entertainment centers and Schenectady County Community College. The Gateway Hub is a larger center that will offer covered waiting areas for customers using the 10 bus routes that will serve it. The hub will be home to CDPHP *Cycle!* bikes and *Drive* cars. Appropriate landscaping, lighting, wayfinding signage and security enhancements are part of the hub, which is consistent with the developments that surround it. The Hub includes a restroom for our employees. We are working on a ribbon cutting ceremony and media event – details to follow.

Our negotiating team continues collective bargaining discussions with the Amalgamated Transit Union, Local 1321. These have been challenging sessions as we work towards an agreement that can be considered by our board of directors and by the ATU membership. This important work balances the needs of our employees, the needs of our company and considerations of our broader community. It will establish a structure of wages and benefits that we will use to attract and retain new people to CDTA, and it provides a foundation for the financial components of our company. The current contract expired in June and both sides are committed to an agreement that is fair, reasonable, and consistent with market conditions.

Earlier this month, we were joined by dozens of community leaders as we renamed Rensselaer Rail Station after the late Senate Majority Leader, Joseph L. Bruno. The Senator had a tremendous impact on the region, especially regarding economic development and infrastructure. He championed the need for better mobility and development of transportation gateways that provide appropriate services and amenities for people traveling to our region. The Joseph L. Bruno Rail Station is one of the region's crown jewels; we are proud of it and the services it provides.

The station naming event kicked off a busy fall at CDTA. Our full calendar coincides with the work we are doing to develop mobility connections, to increase ridership and to increase the value CDTA brings to our community of stakeholders, supporters, and partners. It is why we hold a Fall Festival at 110 Watervliet Avenue, it is why we support the American Cancer Society and participate in Men Wear Pink, featuring our incredible Pink Bus Pull, it is why we support the United Way and other community organizations. In turn, we have attracted Universal Access partners that are driving ridership and customer revenue. We welcomed new communities in Montgomery and Warren County, growing our service area for the first time in 50 years. And it is why our brand and reputation are stronger than ever.

In a few weeks, the board will hold its annual strategic planning retreat to focus more attention on our company, our challenges, and our opportunities. I am grateful for the cooperative work of the board and staff; thank you.

Performance Measures

Key Performance indicators that drive our company are included in monthly reports. These reports are reviewed and discussed at board committee meetings. The data in this report is for September, and it is compared to data from September 2022.

Performance metrics are strong, and company operating results are positive. Although we gauge the performance of our company using a variety of measures, ridership and customer revenue are leading indicators; and we are outperforming our industry. Year to date, total ridership is 18% ahead of this time last year. Our community presence is undeniable, and we constantly work to improve the CDTA brand and relevance throughout the region.

Total operating revenue was healthy in September, which represents the halfway point in our fiscal year. Customer revenue led the way, finishing the month 10% over budget; year to date, customer revenue is 5% over budget mirroring our impressive ridership gains. Wages continue to be under budget; this will change when we conclude our collective bargaining work. As we discussed in committee meetings, the churn of employees through the workforce makes it difficult to meet service requirements and to identify the reasons behind attendance, safety, and customer service issues. We continue to develop better ways to monitor operating results and to anticipate and adapt to issues and trends. Highlights for the month of September include:

Revenue:

- Operating revenue was 3% over budget.
- MRT was \$938,000, 10% below budget.
- Customer revenue was \$1.72 million, 9% over budget.
- Facility revenue was \$265,000, 6% over budget.

Expenses:

- Total expenses were 5% under budget.
- Salaries and wages were 12% under budget.
- Purchased transportation was 12% over budget.

Ridership Statistics:

- Total ridership was 1.46 million; 16% higher than last September.
- STAR ridership was 29,790; 8% higher than last September.
- FLEX ridership was 11,515; 35% higher than last September.
- NX ridership was 6,600; 14% higher than last September.

Maintenance/Transportation Statistics:

- We missed .7% of all trips (trip cuts were 580; last September, there were 858).
- There were 48 accidents with 29 categorized as preventable.
- Scheduled maintenance work was at 82%.
- On time performance for fixed route service was 69%. STAR operated within our 10-minute scheduling window 73% of the time.

Customer Service:

- Our call center processed 310 comments. There were 88 comments about STAR service.
- There were 777,000 page views at www.cdta.org.

Activity Report

Our activity report exemplifies the work we do to add value to our company. This work keeps our brand on full display throughout the Capital Region.

- On Thursday, September 21, I was interviewed by JoDee Kenny of Spectrum News for her InFocus show. We talked about the work CDTA does to make mobility connections and attract customers. We touched on BRT service and the impact of our bike share program. The segment was replayed several times over the next few days.
- On Thursday, September 21, Mike Collins, Kelli Schreivogl, and I met with staff from the U.S. Committee for Refugees and Immigrants. We talked about their programs to place qualified people in jobs. We will continue talking about ways to integrate their clients into our workforce.
- On Thursday, September 21, I attended a meeting of the CBA Board of Trustees. This was our first meeting of the school year; we reviewed record-breaking attendance and budget issues. Many CBA students use CDTA services to travel to/from the campus.
- On Friday, September 22, I chaired a meeting of the NYPTA Legislative committee. We discussed our messaging as we prepare for advocacy and budget discussions at the Capitol.
- On Monday, September 25, Mike Collins, and I met with Jacques Chapman and Zach Stever from the Amalgamated Transit Union. We discussed collective bargaining efforts and committed ourselves to a mutually beneficial resolution.
- On Tuesday, September 26, I met with Saratoga Springs Mayor Ron Kim and his staff members to talk about our services and the possibilities for a Mobility Hub in that community. The mayor has followed our work in other cities and is interested in advancing such a concept in the city.
- On Wednesday, September 27, Jaime Kazlo, Jon Scherzer and I attended the Center for Economic Growth's Annual Meeting at the Rivers Conference Center in Schenectady.
- On Thursday, September 28, I met with Sujata Chaudhry from Tangible Development to discuss our work on Diversity Equity and Inclusion. We talked about the next steps for us as we advance DEI initiatives at CDTA.
- On Thursday, September 28, I attended a meeting of the Regional Development Coordinating Council at the offices of the Capital Region Chamber. We talked about infrastructure issues and projects that are going on throughout the region.

- On Friday, September 29, we held our Men Wear Pink kickoff in the Albany Garage. Lots of energy around the October drive to raise awareness about breast cancer and all cancers that affect family and friends. Great to be with our employees and board members Jayme Lahut and Pat Lance as we kicked off the Men Wear Pink Campaign.
- On Monday, October 3, I was interviewed by Casey Bortnick of Spectrum News. He did a story about National Without Driving Week; I provided the CDTA perspective – the benefits and ease of using our services and programs.
- On Tuesday, October 3, we held an event to rename Rensselaer Rail Station. Moving forward the station is called the Joseph L. Bruno Rail Station. The late Senator’s family and friends joined us along with community leaders, and our Board Members. Special thanks to Jaime Kazlo and her team for getting this important event organized.
- On Wednesday, October 4, I was interviewed by Chris Onorato for a feature on Real Brothers Wear Pink. This video highlighted the work of CBA students who have embraced the pink cause and are raising awareness to support the ACS. I provided the CDTA perspective (and a Board Trustee perspective).
- On Thursday, October 5, I met with Joseph Alston who is Government Affairs Director at the NYS Business Council. We talked about the work we do and our connections to the business community. Joe is new to the Business Council, and we will talk again soon.
- On Thursday, October 5, after a three-year COVID hiatus, we hosted our Fall Festival. 110 Watervliet Avenue was turned into a field of fun, games, and educational components for nearly 500 elementary students who spent time with dozens of CDTA volunteers. Thanks to Jaime Kazlo and her team for organizing another successful CDTA showcase.
- On Friday, October 6, I attended the Women in Leadership Awards event at the Troy Hilton Garden Inn. The annual event, hosted by the Albany Business Review, highlighted achievements of women in leadership roles. Lisa Marrello was one of the honorees. Good to have Board member Pat Lance at our table.
- On Sunday, October 8, I traveled to Orlando for the annual APTA Transform Conference and EXPO. I was joined by several members of our management team and Pat Lance. Lots of great conversation about the transit industry. The Expo floor was filled with products and service opportunities to consider.
- On Monday, October 9, I moderated a CEO roundtable discussion titled Date Driven Workforce Investment. I was joined by three transit CEOs from around the country to talk about ways to measure investments in our workforce. Lots of discussion and questions from APTA attendees.
- On Wednesday, October 11, I met with 10 new employees as they began their CDTA career as bus operators. We talked about the work we do and the part they will play in CDTA success. It was interesting to see several transplants from Florida, all with bus operator experience. Our HR team continues their non-stop recruitment work.

- On Wednesday, October 11, I caught up with Andrew Mangini from the Martin Group. We meet periodically to talk about our messaging and outreach work. The Martin Group does work for CDTA and for NYPTA.
- On Thursday, October 12, I joined NYPTA executive committee members in a meeting with staff from Division of the Budget. It was good to get with DOB early in the budget season to talk about the need for consistent STOA funding levels.
- On Thursday, October 12, we hosted members of Leadership Capital Region (Chamber of Commerce). Participants spend time at local businesses understanding how they work, and their role in the community. We have been a regular stop on the leadership tours, and it is great to engage with them. Vanessa Fox organized this and provided a tour.
- On Monday, October 16, Lisa Marrello and I met with staff from the Division of the Budget. We provided an update on the work we are doing to expand our system, to introduce new services and to grow ridership. More of these meetings to come as we move through the budget development process.
- On Thursday, October 19, I joined several of our staff members in a meeting with representatives from Pay-by-Car. We are working with Pay-by-Car, which is powered by Easy Pass to implement a pilot program at the Joseph L. Bruno Rail Station. This will automate the payment process for customers who have Easy Pass.
- On Thursday, October 19, my wife Sheila and I joined Jaime Kazlo at a Men Wear Pink event hosted by Novus Clothing company.
- On Friday, October 20, we held our 7th annual Pink Bus Pull at CDTA. Lots of excitement with 22 teams on hand to support Breast Cancer Awareness. Our garage was full of Pull Fans decked out in pink; this is a signature event for CDTA that connects us with the community. Hats off to the repeat Pull Champions from the Albany Fire Department and thanks to Jaime Kazlo, Emily DeVito and Vanessa Fox for their work organizing this event.
- On Monday, October 23, I attended a meeting of the Colonie IDA/LDC. We heard several presentations about development opportunities in the town. We will consider incentives to support the developments at upcoming meetings.
- On Tuesday, October 24, I joined our leadership staff in a meeting with Tangible Development consultants as we deepen our commitment to Diversity, Equity, and Inclusion. More of these workshops to follow in the coming months.
- Earlier today, I attended the annual meeting of the United Way of the Greater Capital Region. I handed the chair baton to Brian Sano from National Grid. I believe in the mission of the United Way and have worked to make our chapter the best it can be. I have been on the board member for more than 10 years and Chair for the past 4 years. I will continue to serve on the board as the past chair.

Final Thoughts

As we enter into the holiday season, we have a lot to be thankful for as an organization. CDTA continues to grow and change the mobility landscape in the Capital Region. New services, capital improvement projects, increasing ridership and new partnerships all open the door to new opportunities and new audiences. This has never been more important as we look to attract the next generation of CDTA employees, all while keeping our current team happy and productive. There is no challenge too big or issue too small to keep us from moving forward and providing the very best service and community experience to our region. This is why I'm convinced-the best is yet to come!

CDTA Provides Mobility Solutions that Connect the Region's Communities