



Pittsburgh Regional Transit

TO: Performance Oversight Committee
Lori Mizgorski
Representative Nick Pisciotano

FROM: Michelle Zmijanac, Committee Chair

DATE: March 13, 2023

SUBJECT: Performance Oversight Committee – March 16, 2023

The next in-person (also virtually and conference call-in) meeting of the Performance Oversight Committee is scheduled for Thursday, March 16, 2023, immediately following the 9:00 a.m. Finance Committee meeting. The agenda is as follows:

1. Roll Call
2. Approval of Minutes of the February 16, 2023 Performance Oversight Committee Meeting
3. Proposed Resolutions:
 - a. Awarding of Bids (Anna Marie McKibben)
 - b. Authorization to Award Construction Contract for the First Phase of the Downtown-Uptown-Oakland Bus Rapid Transit Project (Greg O'Hare)
 - c. Authorization to Award Construction Contracts for the Underground Storage Tank, Drainage and Slab Replacement Project (Greg O'Hare)
4. Adjourn

cc: Other PRT Board Members

PERFORMANCE OVERSIGHT COMMITTEE MEETING

February 16, 2023

DRAFT

Board Committee Members

Michelle Zmijanac, Chair
Lori Mizgorski
Rep. Nick Pisciotanoq
Jeff Letwin

Other Board Member

Ann Ogoreuc (in-person)
John Tague Jr.
Ali Doyle

1. Approval of Minutes:

The Committee approved the minutes from the January 19, 2023 Performance Oversight Committee meeting.

2. Proposed Resolution:

The Committee first reviewed six procurement items and determined the bids to be in accordance with PRT's procurement policies and procedures, the prices fair and reasonable, the bidders to be responsible and the bids responsive.

The Performance Oversight Committee agreed to recommend the award of bids listed in the resolution for the total amount of \$2,018,182.76.

The second resolution reviewed was to authorize PRT to approve and ratify the terms of a Collective Bargaining Agreement with Port Authority Transit Police Association covering Transit police officers. It was reported that the current agreement expires on July 31, 2023 and that PRT staff and Police Association representatives have been engaged in good faith bargaining in an effort to reach a new agreement.

It was also noted at the meeting that the Police Association has voted to accept the terms and conditions of the amended agreement.

The Performance Oversight Committee agreed to recommend approval to approve and ratify the Agreement between PRT and the Police Association covering the terms and conditions of employment for the officers for the period August 1, 2023 through July 31, 2024, as set forth on the summary attached to the resolution as Exhibit A.

The next resolution reviewed was to authorize PRT to enter into a Cooperation Agreement with the Pittsburgh Water and Sewer Authority for the Mellon Terrace Bus Layover project.

It was reported that PRT operates bus service on a portion of Mellon Terrace, a public street in the city of Pittsburgh's Highland Park neighborhood. PWSA is in the process of finalizing plans to perform construction work along Mellon Terrace.

Currently there is insufficient space along Mellon Terrace for buses to layover without disrupting the flow of vehicular traffic. PRT therefore desires to construct a bus layover space and perform related roadway improvement work along Mellon Terrace.

In order to reduce the overall cost and duplication of tasks, and to maximize coordination and minimize the potential for conflicts or delays, PRT and PWSA have agreed that PWSA's contractors will also perform the construction on PRT's layover project, for which PRT will reimburse PWSA.

The Performance Oversight Committee agreed to recommend authorizing PRT to enter into the Cooperation Agreement with PWSA for this project.

Next at the meeting, Chief Safety Officer, Burt Jennings, updated the Committee on the Amended Public Transportation Agency Safety Plan.

It was explained at the meeting that since PRT is a recipient of federal and state funding, we are required to comply with all applicable federal and state laws, regulations and rules. On June 26, 2020, the Board authorized PRT to adopt and implement its first Public Transportation Agency Safety Plan to replace its previous System Safety Program Plan.

Pursuant to FTA regulations, PRT must review its PTASP on an annual basis to determine if further changes and/or updates need to be made. Should there be any necessary changes or updates, approval is required by the PRT's Board along with PennDot's Rail Transit Review Program.

It was noted at the meeting that PennDot's Rail Transit Review Program has preliminarily approved the plan. Due to the large amount of material included in the plan, it has been posted on PRT's website.

The Performance Oversight Committee agreed to recommend approving and implementing the 2022 Public Transportation Agency Safety Plan.

It was then reported at the meeting that in January 2019, PRT entered into agreements with Greenlee Partners, LLC and Buchanan Ingersoll & Rooney PC to provide governmental relations and legislative consulting services.

The agreements were for an initial term of three years and a total not-to-exceed amount of \$888,000, to be allocated by PRT among the two firms on an as-needed basis. Agreements also contained two option years to be exercised by PRT in its sole discretion.

In November 2021, the Board authorized PRT to exercise the first option year to extend Agreements through March 31, 2023 and increase the total not-to-exceed amount of \$1,137,206. PRT determined that the services performed by both firms have been satisfactory and in compliance with the agreement.

The Performance Oversight Committee agreed to recommend exercising the second option to extend the term of Agreements for an additional year to March 31, 2024, and to increase the previously authorized amount by \$292,650.50.

With no further business, the meeting was adjourned.

PROPOSED RESOLUTIONS

AWARDING OF BIDS

1. BIO-DIESEL FUEL (CHANGE ORDER)

At its February 2022 meeting, the Board authorized an Agreement with Guttman Energy for the purchase of bio-diesel fuel over a one-year period with an optional one-year period.

This contract permits PRT staff to “lock in” futures pricing in order to stabilize PRT’s fuel budget. At this time, staff is requesting the second-year option period be exercised to enable PRT to take advantage of the current futures market pricing at a time that benefits PRT. Since 2018, Guttman Energy successfully completed PRT’s bio diesel fuel contracts, and staff concludes that they had performed well throughout the duration of these contracts.

RECOMMENDATION: That an amendment be executed with Guttman Energy in the estimated amount of \$16,668,720.00, to exercise the optional one-year period. This would bring the total contract value to \$33,337,440.00.

This price for the additional one-year period is in accordance with the Agreement. Staff has determined that the pricing is fair and reasonable and consistent with the funds budgeted.

2. RAILROAD CROSS TIES

This bid was publicly advertised and ebusiness documents were distributed. Three firms accepted the invitation and three bids were received for railroad cross ties. The rail components will be used to service PRT’s LRV System and the delivery of this track material will span over an over an eight-month period.

The low bid from AJL Project Service, Inc, was deemed non-responsive and therefore ineligible for award.

RECOMMENDATION: That a contract be awarded to the low responsible bidder that submitted a responsive bid, Stella-Jones Corporation, in the estimated amount of \$135,800.00.

There has been no previous contract for this requirement. However, staff has determined the pricing to be fair and reasonable and consistent with the funds budgeted.

3. MERITOR DRIVE TRAIN AND AXLE PARTS

This bid was publicly advertised and ebusiness documents were distributed. Six firms accepted the invitation and six bids were received for Meritor drive train and axle parts over a two-year period.

RECOMMENDATION: That the contract be awarded to the low responsible bidders that submitted responsive bids as follows:

- Neopart Transit, LLC Lines 1-24: in the estimated amount of \$318,213.42
- Mohawk Manufacturing and Supply Co. Lines 25-73: in the estimated amount of \$343,948.58

The pricing represents a five percent increase from the previous contract prices for these parts two years ago. However, staff has determined the pricing to be fair and reasonable and consistent with the funds budgeted.

RESOLUTION

RESOLVED, that recommendations as set forth in the report are accepted and that the chief executive officer, chief financial officer and/or controller be, and hereby are, authorized and directed to execute such documents on behalf of Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit as shall be required for the entry of proper contracts covering those items recommended for acceptance.

**Port Authority of Allegheny County
Procurement Summary**

March 24, 2023

Item	Description	Number Of Bids	Lowest Responsive Bidder	Award Amount	2nd Bidder Amount	Annual Percentage Change to Previous Purchase
1	Bio-Diesel Fuel (Option Year)	N/A	Guttman Energy	\$16,668,720.00	N/A	N/A
2	Railroad Cross Ties	3	Stella-Jones, Inc	\$135,800.00	\$181,320.00	N/A - No Previous Contract
3	Meritor Drive Train and Axle Parts	6	Mohawk Manufacturing and Supply Co. (\$343,948.58), Neopart Transit, LLC (\$318,213.42)	\$662,162.00	N/A	5% Increase
4						
5						
6						

Total Purchases: \$17,466,682.00

SUMMARY OF RESOLUTION

Authorization to Award Construction Contract for the First Phase of the Downtown-Uptown-Oakland Bus Rapid Transit Project

Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit (PRT) is seeking to construct the first phase of the Downtown-Uptown-Oakland Bus Rapid project (Project) to improve reliability of transit service. This Resolution seeks authorization for PRT to enter into a contract for services related to Project.

Contract BRT-002 REBID (Contract), provides for the furnishing of all engineering, labor, material, equipment, tools, supervision, and incidental items necessary for the construction of transit-only lanes along Fifth Avenue, Liberty Avenue, and Sixth Avenues in Downtown Pittsburgh, including five new transit stations, pedestrian improvements, and traffic signal modifications. Work items for Contract generally consist of, but are not limited to, excavation, concrete and asphalt paving of roadways and sidewalks, intersection signal modifications and enhancements, new transit stations including real time arrival signage, fare vending machine integration, and CCTV systems, stormwater drainage system modifications, temporary and permanent pavement markings, and temporary traffic control during construction.

To perform the work for Contract, bid documents were prepared and publicly advertised by PRT. One bid was received and opened on February 21, 2023.

After review of the responsive bid by PRT staff and legal counsel, it has been determined that the bid of Independence Excavating, Inc., in the amount of \$27,893,876.00, for Contract, is the lowest responsive bid from a responsible bidder meeting PRT's requirements for Contract. Pursuant to PRT's applicable procurement policies, a post single-bid survey was performed which confirmed that the bid received was fair and reasonable based upon the costs of similar services.

It is recommended that Contract be awarded to Independence Excavating, Inc, in the amount of \$27,893,876.00, subject to the contractor completing all pre-award requirements

RESOLUTION

WHEREAS, Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit (PRT) is engaged in the design and construction of the first phase of the Downtown-Uptown-Oakland Bus Rapid Transit project (Project); and

WHEREAS, the work for Project includes, but is not limited to, the furnishing of all labor, material, equipment, tools, supervision, and incidental items necessary for the construction of transit-only lanes along Fifth Avenue, Liberty Avenue, and Sixth Avenues in Downtown Pittsburgh, five new transit stations, pedestrian improvements, and traffic signal modifications. Work items for the contract generally consist of, but are not limited to, excavation, concrete and asphalt paving of roadway and sidewalks, intersection signal modifications and enhancements, new transit stations including real time arrival signage, fare vending machine integration, and CCTV systems, stormwater drainage system modifications, temporary and permanent pavement markings, and temporary traffic control during construction; and

WHEREAS, in order to perform Project, bid documents were prepared for Contract BRT-002 REBID (Contract), and publicly advertised; and

WHEREAS, one bid for Contract was received and opened on February 21, 2023; and

WHEREAS, the bid of Independence Excavating, Inc., in the amount of \$27,893,876.00, is the lowest responsive bid, from a responsible bidder; and

WHEREAS, the respective bid of Independence Excavating, Inc, was reviewed by PRT's staff and legal counsel, and has been determined to be fair and reasonable and is recommended for award of Contract.

NOW, THEREFORE, BE IT RESOLVED, that the chief executive officer, chief development officer, chief engineer and/or director Capital Programs or their respective designees be, and hereby are, authorized to enter into agreement, in a form approved by counsel, with Independence Excavating Inc., in the amount of \$27,893,876.00, for Project, subject to the contractor's successfully completing the pre-award requirements, and to take all such other actions as may be necessary and proper to carry out the purpose and intent of this resolution.

FURTHER RESOLVED that PRT's chief executive officer, chief development officer, chief legal officer, chief engineer and/or director Capital Programs be, and hereby are, authorized to enter into any and all other agreements that may become necessary for completion of Project, provided that such contracts are all in respective forms subject to approval by PRT's legal counsel and are limited absent further PRT Board approval to those agreements that are within previously approved capital budget funds designated for this project, and to take any and all other actions as may be necessary and proper to carry out the purpose and intent of this resolution.

SUMMARY OF RESOLUTION

Authorization to Award Construction Contracts for the Underground Storage Tank, Drainage and Slab Replacement Project

Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit (PRT) is seeking to complete the Underground Storage Tank Drainage and Slab Replacement project (Project) at the following eight locations: East Liberty Garage, Collier Garage, Ross Garage, South Hills Village, South Hills Junction, Harmar Garage, West Mifflin Garage and Manchester Main Shop. The upgrades require three different contractors with various specializations. This resolution seeks authorization for PRT to enter into three contracts for services related to Project.

Specifically, SYS-23-02 G, P and E (Contracts) provide for the furnishing of all labor, material, equipment, tools, supervision, and incidental items necessary for the Project.

Contract SYS-23-02 G provides for General Construction work including, but not limited to, demolition and replacement of concrete pavement in support of the new underground storage tanks at all locations and demolition and replacement of interior concrete slabs within the Collier and East Liberty Bus Garages.

Contract SYS-23-02-P provides for Plumbing Construction work including, but not limited to, the demolition and replacement of underground storage tanks and associated plumbing systems at all locations and demolition and replacement of underground drainage systems within Collier and East Liberty Bus Garages.

Contract SYS-23-02-E provides for Electrical Construction work including, but not limited to, the demolition and replacement of electrical systems to support the new underground storage tanks.

To perform the work for the Contract, bid documents were prepared and publicly advertised by PRT. Two bids for Contract SYS-23-02-G, General Construction; two bids for Contract SYS-23-02-P, Plumbing Construction; and one bid for Contract SYS-23-02-E, Electrical Construction, were received and opened on January 31, 2023.

After review of the responsive bids by PRT staff and legal counsel, it has been determined that the bid of Michael Facchiano Contracting, Inc., in the amount of \$3,689,900.00, for Contract SYS-23-02-G, General Construction; the bid of Noralco Corporation, in the amount of \$5,383,615.00, for Contract SYS-23-02-P, Plumbing Construction; and the bid of Westmoreland Electric Services, LLC in the amount of \$494,250.00, for Contract SYS-23-02-E, Electrical Construction are the lowest responsive bids from responsible bidders meeting the PRT requirements for the Contract.

It is recommended that Contract SYS-23-02-G, General Construction, be awarded to Michael Facchiano Contracting, Inc., in the amount of \$3,689,900.00; Contract SYS-23-02-P, Plumbing Construction, be awarded to Noralco Corporation, in the amount of \$5,383,615.00; and Contract SYS-23-02-E, Electrical Construction, be awarded to Westmoreland Electric Services, LLC in the amount of \$494,250.000; all awards subject to the contractors completing the pre-award requirements.

RESOLUTION

WHEREAS, Port Authority of Allegheny County d/b/a Pittsburgh Regional Transit (PRT) is engaged in the design and construction of the Underground Storage Tank Drainage and Slab Replacement project (Project); and

WHEREAS, the work for Project includes, but is not limited to, the furnishing of all labor, material, equipment, tools, supervision, and incidental items necessary for: the demolition and replacement of the concrete paving over the underground storage tanks and removal and replacement of existing underground storage tanks at eight PRT locations, removal and replacement of concrete slabs and underground drainage systems within Collier and East Liberty Bus Garages, and removal and replacement of associated electrical systems to support the new underground storage tanks; and

WHEREAS, in order to perform Project, bid documents were prepared for Contracts SYS-23-02-G, General Construction, SYS-23-02-P, Plumbing Construction, SYS-23-02-E, Electrical Construction, Underground Storage Tank, Drainage and Slab Replacement (Contracts), and publicly advertised; and

WHEREAS, two bids for Contract SYS-23-02-G, General Construction, two bids for Contract SYS-23-02-P, Plumbing Construction, and one bid for Contract SYS-23-02-E, Electrical Construction, were received and opened on January 31, 2023; and

WHEREAS, the bid of Michael Facchiano Contracting, Inc., in the amount of \$3,689,900.00, is the lowest responsive bid from a responsible bidder among the bids received for Contract SYS-23-02-G, General Construction, the bid of Noralco Corporation, in the amount of \$5,383,615.00, is the lowest responsive bid from a responsible bidder among the bids received for Contract SYS-23-02-P, Plumbing Construction, and the bid of Westmoreland Electric Services, LLC, in the amount of \$494,250.00, is the lowest responsive bid from a responsible bidder among the bids received for Contract SYS-23-02-E, Electrical Construction; and

WHEREAS, the respective bids of Michael Facchiano Contracting, Inc., Noralco Corporation, and Westmoreland Electric Services, LLC, have been reviewed by PRT's staff and legal counsel and are recommended for award of the respective Contracts.

NOW, THEREFORE, BE IT RESOLVED, that the chief executive officer, chief development officer, chief engineer and/or director of Capital Programs or their respective designee be, and hereby are, authorized to enter into agreements, in forms approved by counsel, with Michael Facchiano Contracting, Inc., in the amount of \$3,698,900.00, for Contract SYS-23-02-G, General Construction; with Noralco Corporation, in the amount of \$5,383,615.00, for Contract SYS-23-02-P, Plumbing Construction; and with Westmoreland Electric Services, LLC, in the amount of \$494,250.00, for Contract SYS-23-02-E, Electrical Construction, subject to the contractors successfully completing the pre-award requirements, and to take all such other actions as may be necessary and proper to carry out the purpose and intent of this resolution.