



**NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT  
BOARD MEETING**

**June 24, 2019**

**Northern Indiana Commuter Transportation District  
33 East U.S. Highway 12  
Chesterton, IN 46304-3514  
Public Session – 10:30 a.m. (CST)**

**BOARD MEMBERS PRESENT:**

Joe McGuiness  
Karen Freeman-Wilson

Jeff Good  
Andrew Kostielney

Ron Meer

**OTHERS PRESENT:**

Steven Lyons-Passenger  
Michael J McGee-Rail Industry Specialist, Inc  
Ken Fleetwood-BLN  
Sainath Reddivari-Lakeshore Engineering, LLC  
Zachary Trunk-IBEW  
Greg Price – Passenger  
Richy Reilly-BRC/TCU  
Ruth Schlamadinger-BRC/TCU  
Junell O'Donnell-Parsons  
Paul F. Willer-Passenger  
Carl Biek-Carson County Penil  
Marc Arena-Walsh  
Janice Reid-HDR  
Timothy Whalen-AECOM

Bruce Stahl-Passenger  
Joe Crnkovich-Retired SSL/NICTD  
Matt Moss-F.H. Paschen  
Gary Fisk-DLZ  
Jerry Bailey-IBEW  
Larry Gurganus-NRE  
Robert Keppen-BRC/TCU  
Rob Everer-Smart UTU  
Gerald Williamson – Passenger  
Mel Jessep-ACTS RY  
Julie O'Connor-CFWLCP  
Christopher Murphy-Structurepoint  
John Kennedy-Structurepoint

**STAFF PRESENT:**

Christine Dearing  
Chuck Lukmann, Esq.  
Anthony Siegmund  
Kelly Wenger  
Victor Babin  
Nicole Barker  
Boris Matakovic

Jessie Watts, Jr.  
Boris Matakovic  
Brianna Anderson  
Justice Anderson  
Holly Taylor  
Connor Nolan  
Steve Plesha

Kevin Dywan  
Amber Ketting  
Bill O'Dea  
Laura Harrington  
Robert Gerometta  
Bjarne Henderson

## **CALL TO ORDER**

Mr. McGuinness called the meeting to order.

## **MEETING MINUTES**

Mr. McGuinness requested approval of the Board meeting minutes from the March 22, 2019. Mr. Good motioned to accept the Public Session and Executive Session Board meeting minutes from March 22, 2019. Ms. Freeman-Wilson seconded the motion. The motion passed unanimously.

## **PUBLIC COMMENT**

Tod Bjornstad, President of South Shore Freight, welcomed the new Board Members and acknowledged the strength of their partnership with NICTD.

## **BOARD OFFICERS**

Mr. McGuinness, as new Chairman for NICTD Board, requested nominations for the remaining officers. Mr. Kostielney nominated Ms. Freeman-Wilson for Vice Chairperson. Mr. Meer seconded that nomination. The motion was approved unanimously. Mr. Kostielney nominated Mr. Jeff Good for Treasurer. Ms. Freeman-Wilson seconded that nomination. The motion was approved unanimously. Mr. Good nominated Mr. Andrew Kostielney for Secretary. Ms. Freeman-Wilson seconded the motion. The motion was approved unanimously.

## **RESOLUTION 19-07 AMENDED AND RESTATED GOVERNANCE AGREEMENT**

Chuck Lukmann, NICTD Counsel, introduced **Resolution 19-07, a Resolution Authorizing the Execution of an Amended and Restated Governance Agreement related to the Construction, Financing, Maintenance, Operation and Development of Certain Rail Projects and Authorizing Certain Other Related Matters in Connection Therewith.** In July 2019, the NICTD Board adopted a resolution authorizing the approval of the NICTD/NWI Regional Development Authority (RDA)/Indiana Finance Authority (IFA) Governance Agreement. On August 3, 2019, the Governance Agreement was fully executed. Since then, NICTD has been working with the RDA and IFA to advance the Double Track Northwest Indiana Project and West Lake Corridor Project. NICTD received indication from the Federal Transit Administration may require a greater local matching fund percentage for the projects than originally anticipated. As a result, as part of its 2019 Budget Bill, the Indiana Legislature made available one hundred and eight-five million dollars (\$185,000,000.00) from the Next Level Connection Fund with the ability to add twenty million dollars (\$20,000,000.00). Since then, NICTD, the IFA, and the RDA have negotiated and amended the Revised Governance Agreement. The Revised Governance Agreement updates the finance documents that were previously approved and adds the Double Track project. A similar resolution was passed by both IFA and the RDA last week.

Mr. Meer made a motion to approve Resolution 19-07. Motion seconded by Mr. Good; the motion passed unanimously.

**RESOLUTION 19-08 ACCEPTANCE OF TECHNICAL REVIEW COMMITTEE RECOMMENDATIONS ON RFQ SHORTLIST AND AUTHORIZATION TO RELEASE REQUEST FOR PROPOSALS FOR WEST LAKE CORRIDOR DESIGN/BUILD PROCUREMENT**

Mr. Lukmann introduced **Resolution 19-08, a Resolution Approving Short-List of Qualified Proposers for NICTD West Lake Corridor Project**. The Resolution approves the short-list of Proposers as including F.H. Paschen-Ragnar Benson Joint Venture, Walsh-Herzog Joint Venture, and Kiewit Infrastructure Co., and allows Mr. Noland, as the Authorized Representative for the West Lake Corridor Project, to request the proposals be issued to the three short-listed teams.

Mr. Meer made a motion to approve Resolution 19-08. Motion seconded by Mr. Good; the motion passed unanimously.

**RESOLUTION 19-09 APPROVING HIRING OF AECOM FOR DOUBLE TRACK FINAL ENGINEERING AND HDR FOR DOUBLE TRACK PROGRAM MANAGEMENT**

Mr. Lukmann introduced **Resolution 19-09, a Resolution Approving Professional Services Agreements for Double Track NWI Project**. Previously, NICTD requested proposals for two critical pieces of the project including final engineering and program management. AECOM was the successful proposer for Final Engineering. HDR was the successful proposer for Program Management Services.

Mr. Good made a motion to approve Resolution 19-09 approving the AECOM and HDR Program Management professional service agreements for the Double Track NWI Project. Motion seconded by Ms. Freeman-Wilson; the motion passed unanimously.

**PROCUREMENT RECOMMENDATIONS (Purchasing Packet Attached)**

Tony Siegmund, NICTD's Purchasing Manager, presented three bid recommendations to the board. The purchasing items are listed in the Recommendations that follow and the Board's vote was requested at the end of each Recommendation.

The first item was a bid for Rail Grinding to be used in the 2019 construction season. The Staff recommended that Loram, Inc. of Hamel, Minnesota, be awarded the Contract for Rail Grinding for a Not To Exceed of Three Hundred Fifty Seven Thousand, Seven Hundred Eleven Dollars 00/100 (\$357,711.00). The Staff requested that the Board grant the President the authority to issue the Notice to Proceed for Rail Grinding at his discretion. Upon a motion by Ms. Freeman-Wilson, seconded by Mr. Good, the motion passed unanimously.

The second item was the refurbishment of the NICTD 1000 locomotive. The Staff recommended that NRE of Mt. Vernon, IL, be awarded the Contract for Locomotive Refurbishment for the amount of Two Hundred Thirty Thousand, Nine Hundred Seventy One Dollars and 00/100 (\$230,971.00). The Staff requested that the Board grant the President the authority to issue the

Notice to Proceed for Locomotive Refurbishment at his discretion. Upon a motion by Ms. Freeman-Wilson, seconded by Mr. Meer, the board unanimously approved the procurement recommendation.

The third item was a sole source recommendation. The District awarded the contract for Double Track Engineering to HDR Engineering in March 2016 for \$4,000,000. This contract is referred to as the HDR Phase I Program Management contract. The approval was given on May 12, 2017 for 14 additional scope items as described below. Since this approval, four additional scope items were identified to keep this project moving forward. The District requested the Board grant the President the authority to approve supplements 15 through 18 in the amount of Eight Hundred Forty Three Thousand, One Hundred Sixteen Dollars and 00/100 (\$843,116.00). Mr. Meer made a motion to approve the procurement recommendation. Motion seconded by Mr. Good; the motion passed unanimously.

## **PROJECT MANAGERS' REPORT**

### **Double Track NWI**

Nicole Barker, Director of Capital Investment & Implementation and Project Manager for Double Track, provided an update on the Double Track-NWI Project. Double Track plans to request Entry into Engineering on or before June 28, 2019. The cost of the project is four hundred fifty-six million dollars 00/100 (\$456,000,000.00) including the financing cost of forty million dollars 00/100 (\$40,000,000.00). NICTD expects to hear from FTA on whether NICTD is granted Entry into Engineering for Double Track in November of 2019. Ms. Barker also provided a timeline with and without contingencies for the Board to review including dates for Full Funding Grant Agreement (FFGA), start of construction, and Revenue Service Date. Scope and schedule is expected to be reviewed by the PMOC on July 8. Management Capacity and Capability will be reviewed by the PMOC on July 9. The FTA and PMOC will be coming in for a Double Track Risk Workshop scheduled for August 6, 7, and 8. Ms. Barker expressed thank you to several parties and the board who have been involved and helped move the project along.

### **West Lake Corridor**

Chris Beck, Chief Infrastructure Development Officer and Project Manager for West Lake, provided an update on the West Lake Corridor Project. NICTD requested Entry into Engineering. NICTD expects to receive Entry into Engineering by September 1, 2019. This is a Design-Build procurement. The teams and our stakeholders thought this was the best method to use, because it will allow the contractors to innovate and come up with cost-savings methods. The next step would be to deliver the request for proposals to the short-list of proposers, which is scheduled for July 2. Proposals would be due in early December 2019. NICTD would then prepare authorization for a contingency contract to bring to the board in February of 2020. Mr. Beck also provided a timeline without contingencies for the Board to review including Full Funding Grant Agreement, Notices to Proceed, Substantial Completion, and Revenue Service Date. The cost of the project is projected at eight hundred and sixteen million dollars 00/100 (\$816,300,000.00) including End-Life rebuild program costs, real estate land acquisition, and

HDR costs. Mr. Beck mentioned other notable items including Third-Party Agreement Negotiations, Real Estate Right-of-Way Activities, Phase 1, Phase 2, Appraisals, Purchasing and Relocation, and the Rebuild of 32 Rail Cars to operate West Lake.

### **South Bend Realignment Update**

Mr. Beck advised the Board of the status of the South Bend Realignment Project. In 2017, NICTD hired DLZ to look at alternate alignments into the South Bend Airport. NICTD's current alignment goes over several crossings, which results in slower speeds totaling 16 minutes into the airport. NICTD's goal is to look at more time efficient options to reduce travel time into Chicago. DLZ came up with preferred alignments, but these received push back from communities. South Bend hired AECOM in 2018 to explore other economical approaches to the realignment. South Bend has now narrowed their recommendations down to downtown South Bend or the South Bend Airport. NICTD continues to work with the South Bend, St. Joe County, and collaborates to provide any necessary support. The city and the county continue to look at the greater impacts and various long-term options for the alignment. AECOM should have results in late August or September.

### **TICKET SALES, ADVERTISING, AND MARKETING REPORT**

Ms. Barker presented the **Ticket Sales, Advertising and Marketing Report**. Ms. Barker highlighted digital ticket sales, special events, and ongoing customer service efforts. Ms. Barker also shared some of the work Group 7even created including brochures, billboard ads, and social media campaigns.

### **OPERATIONS REPORT**

Kelly Wenger, NICTD Grant Administrator went over **Ridership** and discussed the issues that adversely affected service and ridership in January and February including the polar vortex that caused damage to Metra Electric District's (MED) catenary as well as a freight train derailment on the MED corridor, resulting in a multi-day suspension of passenger service.

Bill O'Dea, NICTD Chief Operating Officer, commented on **On-Time Performance**. Mr. O'Dea discussed the overall goal, average time of delays, and causes. NICTD's On-Time Performance is currently at 84% with average delays declining and working to be resolved.

Victor Babin, Chief Engineering Officer, reported the status of **Positive Train Control (PTC)** NICTD entered into Revenue Service Demonstration December 4. NICTD needed to hit one hundred (100) for the FRA to allow us to go into revenue service demonstration (RSD), which was successful. We entered into extended RSD in March. We have met all statutory requirements and deadlines to date. We have operated in excess of 1,200 trains, logged 40,000 miles of operations, and are currently running 25% of weekday and weekend trains under PTC control. Mr. Babin reported on daily trains, trouble tickets, the PTC Service Desk, and technical issues that are being addressed. NICTD will continue to add trains as we increase our reliability, resolve issues, and gain experience with PTC. Our goal is to have 100% of service with PTC by the end of the year. Then we will file our PTCSP with the FRA that is a mandatory document.

Review typically takes about 6 months and then we will receive our certification by the mandated date, December 31, 2020.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

The next meeting is scheduled for August 5, 2019. Mr. Kostielney made a motion to adjourn. Mr. Good seconded the motion. The motion passed unanimously.

Respectfully submitted,



Karen Freeman-Wilson, Vice Chairperson

# PROCUREMENT RECOMMENDATIONS

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## **Bids:**

### **Track**

- **Rail Grinding**

### **Mechanical**

- **NICTD 1000 Refurbishment**

## **Proposals:**

### **Engineering**

- **Double Track Engineering Change Orders 15, 16, 17 and 18 HDR**

**RECOMMENDATION**  
**Track Department**  
**Rail Grinding**  
June 24, 2019

**A. SCOPE**

The Track Department has requested bids for Rail Grinding for the 2019 construction season. Bids were solicited for Rail Grinding and a public bid opening was held at the Dune Park Offices on Thursday, May 17, 2019.

**B. ADMINISTRATIVE REVIEW**

**1. Legal Notifications**

The request for Rail Grinding was advertised throughout the region and nationally. The legal advertisements were placed in the following publications:

News Dispatch - Michigan City, Indiana  
The Times - Hammond, Indiana  
Chesterton Tribune - Chesterton, Indiana

**Gary Crusader - Gary, Indiana**

**South Bend Tribune - South Bend, Indiana**  
NICTD Plan Room

**2. Bid Review**

A total of five (5) packets were requested for Rail Grinding prior to the bid opening. The request resulted in the receipt of one (1) bid.

**3. DBE and Required Forms**

The bid was evaluated for responsiveness to determine if they could be accepted for further review.



It was determined that the firm submitted all the necessary forms and was approved by the appropriate NICTD Staff. All forms have been correctly submitted and were found to be within the guidelines set forth by the Federal Transit Administration (FTA).

Bidder	Eligible Bidder	Lower Tier	DB E %	Non-Discrim	Rest. Lobby	Drug Free	Buy America	Cert. of Qual.	Illegal Act.	Iran Invst.
Loram, Inc. Hamel, MN	X	X	0%	X	X	X	X	X	X	X

### C. ENGINEERING REVIEW & PRICE ANALYSIS

The bid was evaluated for responsiveness to the technical specifications. The bidder was responsive and met the technical specifications.

**The lowest and most responsive bid for Rail Grinding is \$357,711. This is 13.5% (\$42,711) more than the engineer's estimate of \$315,000.**

**Loram Inc.'s DBE amount is 0%.**

<b>Weekday Daily Rate (12 hours)</b>	<b>\$48,031.00 per day</b>
<b>Weekend Daily Rate (12 hours)</b>	<b>\$48,031.00 per day</b>
<b>Production Rate</b>	<b>\$1,027.00 per mile</b>
<b>Overtime Hourly Rate</b>	<b>\$4,003.00 per hour</b>
<b>Standby Rental Time (time the equipment is available for work, but is not operating at Railroad's discretion)</b>	<b>\$28,733.00 per 8 hour day</b> <b>\$31,934.00 per 12 hour day</b>
<b>Travel Rate (self powered)</b>	<b>\$24,469.00 per 8 hour day</b>
<b>Weather Delay (full days only)</b>	<b>\$28,733.00 per 8 hour day</b>
<b>Mobilization Costs</b>	<b>\$38,715.00 per event</b>
<b>Total not to exceed cost for 6 days</b>	<b>\$357,711.00</b>

## **D. DELIVERY**

Loram, Inc. can meet the District's request for these services in 2019. The work is currently scheduled for the first week of October.

## **E. RECOMMENDATION**

The Staff recommends that Loram, Inc. of Hamel, Minnesota, be awarded the Contract for Rail Grinding for a Not To Exceed of Three Hundred Fifty Seven Thousand, Seven Hundred Eleven Dollars 00/100 (\$357,711.00).

**The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for Rail Grinding at his discretion.**

**RECOMMENDATION**  
**Mechanical Department**  
**NICTD 1000 Refurbishment**  
June 24, 2019

**A. SCOPE**

The Mechanical Department has requested bids for the refurbishment of the NICTD 1000 locomotive. Bids were solicited for the refurbishment and a public bid opening was held at the Dune Park Offices on Friday, May 17, 2019.

**B. ADMINISTRATIVE REVIEW**

**1. Legal Notifications**

The request for Locomotive Refurbishment was advertised throughout the region and nationally. The legal advertisements were placed in the following publications:

News Dispatch - Michigan City, Indiana  
The Times - Hammond, Indiana  
Chesterton Tribune – Chesterton, Indiana

**Gary Crusader - Gary, Indiana**

**South Bend Tribune - South Bend, Indiana**  
NICTD Plan Room

**2. Bid Review**

A total of twelve (12) packets were requested for Locomotive Refurbishment prior to the bid opening. The request resulted in the receipt of one (1) bid.

**3. DBE and Required Forms**

The bid was evaluated for responsiveness to determine if the bid could be accepted for further review.

It was determined that the firm submitted all necessary forms and requirements and was approved by the appropriate NICTD Staff. All forms were correctly submitted and were found to be within the guidelines set forth by the Federal Transit Administration (FTA).

Bidder	Form 95	Eligible Bidder	Lower Tier	DBE %	Non-Discrim,	Rest. Lobby	Drug Free	Buy America	Cert. of Qual.	Illegal Act.	Iran Invst.
NRE Mt. Vernon, IL	X	X	X	0%	X	X	X	X	X	X	X

### C. ENGINEERING REVIEW & PRICE ANALYSIS

The Bid was evaluated for responsiveness to the technical specifications. The bidder was responsive and met the technical specifications.

**The lowest and most responsive bid for Locomotive Refurbishment is \$230,971.00. This is 3% (\$6,971.00) more than the engineer’s estimate of \$224,000.00.**

NICTD 1000 is currently a GP 38-2 locomotive that was manufactured in 1968. The last refurbishment was done approximately 19 years ago and was when the District purchased this unit. The refurbishment work will include changing the gear ratio to better accommodate maintenance of way activities, new wheel sets, new braking arrangements, installing a hot start to minimize idling in cold months, a full truck rebuild, minor structural repairs and a paint job.

Bidder	Description	Total Cost
NRE	Refurbishment of NICTD 1000	\$230,971

### D. DELIVERY

NRE can meet the District’s delivery schedule for 2019. The unit will leave the property in June and will be completed and returned before December 1, 2019.

## **E. RECOMMENDATION**

The Staff recommends that NRE of Mt. Vernon, IL, be awarded the Contract for Locomotive Refurbishment for the amount of Two Hundred Thirty Thousand, Nine Hundred Seventy One Dollars and <sup>00</sup>/100 (\$230,971.00).

**The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for Locomotive Refurbishment at his discretion.**

**RECOMMENDATION  
ENGINEERING  
DOUBLE TRACK ENGINEERING SUPPLEMENTS  
Sole Source  
June 24, 2019**

**RECOMMENDATION:**

The District awarded the contract for Double Track Engineering in March 2016 for \$4,000,000. The approval was given on May 12, 2017 for 14 additional scope items as described below. Since this approval, four additional scope items have been identified to keep this project moving forward and are described below.

The District is requesting the Board grant the President the authority to approve supplements 15 through 18 in the amount of Eight Hundred Forty Three Thousand, One Hundred Sixteen Dollars and 00/100 (\$843,116.00).

	<b>Supplement Description</b>	<b>Projected Cost</b>
1	2D/3D Visualization of Double Track Improvements for Marketing and Funding Tool	\$28,923
2	Update ridership forecast in stops model 3.0 and out to year 2040	\$24,507
3	Supplemental survey by VS Engineering	\$56,639
4	Additional Environmental Assessment for Added Parking at Ogden Dunes & DP	\$26,445
5	Additional Field Survey work relative to expansion of Ogden Dunes & DP	\$30,627
6	Alternate Freight and MC Alignments and Environmental Services	\$117,030
7	Public Meetings Workshops and Notifications	\$26,060
8	Conceptual Design for Michigan City Station and Parking	\$154,540
9	Design for Bailly Alternative	\$88,990
10	Additional Environmental Surveys and Report Updates	\$78,860
11	Section 106/4(F) documentation for Expanded Area of Potential Effect	\$362,337
12	Phase II Environmental Site Assessment	\$51,230
13	Quiet Zone Analysis for Michigan City	\$59,700
14	Additional Environmental Services	\$54,070
15	Environmental Re-Evaluation of project Change	\$44,533
16	Ogden Dunes Reconfiguration	\$5,000
17	Update to ridership, land use and financials	\$130,000
18	Additional FTA New Starts Effort	\$663,583
	<b>Total of PO's 1 through 14</b>	<b>\$1,159,958</b>
	<b>Total of PO's 15 through 18</b>	<b>\$843,116</b>
		<b>\$2,003,074</b>