



NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT

BOARD MEETING

September 28, 2020

US: +1 312 626 6799

Webinar ID: 983 6196 2634

Held Online Due to COVID-19 Pandemic

Public Session – 10:30 a.m. (CST)

BOARD MEMBERS PRESENT:

Joe McGuinness
Jeff Good

Andrew Kostielney
Jim Arnold

Jerome Prince

STAFF PARTICIPANTS:

Michael Noland
Chuck Lukmann, Esq.
Steve Plesha
Nicole Barker

Tony Siegmund
Jessie Watts
Bill O'Dea
Kelly Wenger

Justice Anderson
Vic Babin
Derrick Wright
Christine Dearing

CALL TO ORDER

Mr. McGuinness called the meeting to order. Chuck Lukmann, NICTD's General Counsel, requested a roll call. Joe McGuinness, Andrew Kostielney, Jerome Prince, Jeff Good, and Jim Arnold were present.

BOARD MEETING MINUTES

Mr. Lukmann informed the Board that the Board Meeting Minutes of July 20, 2020 were before them for their consideration. Mr. Good made a motion to approve the board meeting minutes of July 20, 2020, Mr. Prince seconded, and on roll call vote, the motion passed unanimously.

RESOLUTION 20-12 UPDATING THE TITLE VI PROGRAM

Mr. Lukmann introduced Resolution 20-12, updating the Title VI Program. NICTD is a recipient of funds from the United States Department of Transportation, Federal Transit Administration ("FTA") for capital purchases, and preventive maintenance. Conditions associated with the funds require the District to conform to various FTA policies including updating its Title VI Program every three years. The District last updated its Title VI Program on September 29, 2017.

Kelly Wenger, NICTD Grant Administrator, discussed the terms and updates to the Title VI program. Mr. Arnold made a motion to approve Resolution 20-12 Updating the Title VI Program. Mr. Good seconded the motion, and on roll call vote, the motion passed unanimously.

RESOLUTION 20-13 ESTABLISHING A PROCUREMENT COMMITTEE FOR DOUBLE TRACK

Mr. Lukmann introduced and discussed the terms of Resolution 20-13, establishing a procurement committee for Double Track.

In accordance with the Design-Bid-Build Statutes and the Rail Projects Statute, NICTD has determined it to be necessary and convenient to establish and appoint members to a Procurement Committee to receive and open bids, quotes, and proposals for the Project. The Procurement Committee will consist of Anthony Siegmund, NICTD's Purchasing Manager, Kelly Wenger, NICTD's Manager of Grant Administration/DBE Compliance Officer, and Christine Dearing, NICTD's Chief Financial Officer. After discussion, section three was amended. Mayor Jerome Prince, NICTD's Lake County Trustee, has been added to the Procurement Committee.

The Procurement Committee will set meetings that are open to the public to receive and open bids or quotes for the Project. The Procurement Committee will set meetings that are not open to the public to receive and open proposals for the Project. Michael Noland will serve as NICTD's Executive for the procurements for the Project, and Mr. Noland will appoint other advisors to assist the Procurement Committee members in carrying out their duties and obligations. The Procurement Committee will make recommendations to the Board of Trustees on the award of contracts for the Project.

Mr. Arnold made a motion to approve Resolution 20-13, seconded by Mr. Good and on roll call vote, the motion passed unanimously.

RESOLUTION 20-14 AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DISTRICT

Mr. Lukmann introduced Resolution 20-14, authorizing the issuance of revenue bonds of the District. Mr. Noland discussed the terms of Resolution 20-14.

NICTD recently received news that Double Track will receive an allocation of fifty million six hundred thousand (\$50,600,000) from the Federal Transit Administration (FTA) as part of the FTA's Capital Investment Grant (CIG) program for the Double Track Northwest Indiana (Double Track) project. NICTD has been working with the FTA to complete the steps required to receive a Full Funding Grant Agreement (FFGA). NICTD was asked to put together a Financial Plan before the Risk Refresh Workshop. Last year, NICTD put together a Financial Plan at 30% design. NICTD now has completed 90% design plans and has an updated 90% cost estimate. The Financial Plan was refined accordingly. NICTD is requesting that the Board approve Resolution 20-14, authorizing the issuance of revenue bonds of the district.

Mr. Prince made a motion to approve Resolution 20-14, seconded by Mr. Good and on roll call vote, the motion passed unanimously.

RESOLUTION 20-15 REQUIRING FACE MASKS ON BOARD ALL COMMUTER TRAINS AND ON PROPERTY OWNED, OPERATED, OR MAINTAINED BY THE DISTRICT

Mr. Lukmann introduced Resolution 20-15, requiring facemasks on board all commuter trains and on property owned, operated, or maintained by the District. Mr. Noland discussed the terms of Resolution 20-15.

In accordance with state and local executive orders, NICTD requires masks or face coverings for all passengers and employees. In July, NICTD introduced a mask noncompliant car for those passengers who choose not to wear a mask as a response to complaints from mask-compliant passengers. NICTD does provide masks free of charge to all passengers and crew who need a mask. Prior to the introduction of the mask-optional car, passengers without masks were sitting next to mask-compliant passengers. Therefore, the mask noncompliant car was created to permit such passengers to ride while maintaining social distance from those passengers who comply. Since implementation of the mask noncompliant car, mask complaints have decreased dramatically, and our mask-compliant passengers appreciate the relocation of those who choose not to comply.

The state and local executive orders do not provide NICTD with clear powers of enforcement. If passengers refuse to wear masks, the transit industry standard has been to permit such passengers to ride. Without clear guidance on enforcing the orders, NICTD is unable to remove passengers who refuse to comply. NICTD asked that the board review resolution 20-15 and discuss any interest in moving forward with Resolution 20-15, requiring facemasks on board all commuter trains and on property owned, operated, or maintained by the District.

After discussion, Mr. Arnold made a motion to deny Resolution 20-15, seconded by Mr. Good and on roll call vote, the motion was denied.

PROCUREMENT RECOMMENDATIONS (Purchasing Packet Attached)

Tony Siegmund, NICTD's Purchasing Manager, presented two 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 the recommendation.

The first item was a bid for Ticket Vending Machines (TVMs). NICTD requested proposals for Ticket Vending Machines (TVM). Some of the enhancements of these replacement TVM's include handling cash transactions which will minimize the need for purchasing tickets directly through Collectors or Ticket Agents, reducing personal contact. The Staff recommended that BEA Transit Technologies LLC of Alameda, California be awarded the Contract for Ticket Vending Machines in the amount of Two Million, Twenty-Six Thousand, Four Hundred and Twenty-Two Dollars and 03/100 (\$2,026,422.03). NICTD requested that the Board grant the President the authority to issue the Notice to Proceed for TVM's at his discretion. Mr. Good made a motion to issue a Notice to Proceed for TVMs, seconded by Mr. Arnold, and on roll call vote, the motion passed unanimously.

The second item was a bid for Custodial Cleaning Services. NICTD requested competitive proposals from qualified companies for Custodial Cleaning Services at our stations and various offices located in Lake, Porter, and LaPorte Counties in Indiana and Hegewisch, Illinois. The length of the Agreement is for five (5) years with the possibility of further extensions. The Staff recommends that The Performance Companies, Inc. of Merrillville, Indiana be awarded the 5 Year

Contract for Custodial Cleaning Services for the not to exceed amount of One Million, One Hundred Fifty-Five Thousand, Seven Hundred and Fifty-Six Dollars and 13/100 (\$1,155,756.13). The Staff requested that the Board grant the President the authority to issue the Notice to Proceed for Custodial Cleaning Services at his discretion. Mr. Good made a motion to issue a Notice to Proceed for Custodial Cleaning Services, seconded by Mr. Arnold, and on roll call vote, the motion passed unanimously.

PRESIDENT'S REPORT

Double Track NWI Update

Mr. Noland gave a brief update on the Double Track Project. NICTD is working towards a Full Funding Grant Agreement (FFGA). NICTD is actively pursuing Real Estate with property acquisition for the project. NICTD is working to secure all critical third party agreements before the FTA Risk Refresh in October.

NICTD's goal is to complete 100% design of the project and go out to bid in January, 2021 and give a Notice to Proceed to contractors if NICTD receives a FFGA in early 2021.

West Lake Corridor Project Update

Mr. Noland gave a brief update on the West Lake Corridor Project. NICTD is very close to receiving a FFGA for this project. At the last meeting, the board approved the President to issue a Notice to Proceed to F.H. Paschen / Ragnar Benson, the design-builder, once the FFGA was received. F.H. Paschen / Ragnar Benson has submitted their executed contract to NICTD.

Once the FFGA is received, Mr. Noland will issue a Notice to Proceed. F.H. Paschen-Ragnar Benson started to proceed with design work with confidence that the West Lake Corridor Project will move forward. In Hammond, NICTD is renting a school as a project office that already has the necessary equipment needed to support the project engineering team This lease is a benefit to both NICTD and the City of Hammond.

NICTD has almost completed property acquisition for West Lake.

COVID-19 Operations/Status

Throughout the COVID-19 pandemic, NICTD has invested a tremendous amount of time and resources into taking enhanced precautions and implementing new procedures for the health and safety of passengers and train personnel. NICTD continues to review the Sanitized for rider Safety program to make NICTD's service even safer.

TICKET SALES, ADVERTISING, AND MARKETING REPORT

Nicole Barker, NICTD Director of Capital Investment & Implementation, presented the **Ticket Sales, Advertising and Marketing Report**. Ms. Barker discussed the changes in ticket sales. NICTD is down about 60% in ticket sales compared to last year.

Ms. Barker touched on Sanitized for Rider Safety, and some of the mask-up posters, ads, and commercials Group 7even developed in response to COVID and rider safety.

The South Shore Line has also offered free westbound rides on all trains starting July 1, 2020, through August 31, 2020. The free westbound rides apply to all South Shore Line stations.

OPERATIONS REPORT

Ms. Wenger summarized **Ridership**. Ms. Wenger provided changes from month-to-month in ridership during the pandemic compared to last year. Ridership continues to increase slowly each month since the low point during March and April of this year. Overall, transportation lines across the country are experiencing similar ridership losses.

Derrick Wright, NICTD Chief Operating Officer, commented on **On-Time Performance**. Mr. Wright discussed the changes in comparison to the previous year. NICTD's partnerships with the railroads that we intersect have seen significant improvements in comparison to last year. NICTD is also more experienced in PTC causing those delays to decrease.

Mr. Wright briefly touched on the Sanitized for Rider Safety program. NICTD is looking into using UV lighting to kill viruses at stations and on cars, enhancing our filtration systems, and continuing to evaluate how effective each system is to maximize safety. NICTD has received lots of positive feedback from riders on the cleanliness of our cars and stations and the program in general.

Victor Babin, NICTD Chief Engineering Officer, reported on the status of **Positive Train Control (PTC)**. NICTD continues to operate in PTC Extended Revenue Service Demonstration. In June, NICTD submitted its PTC Safety Plan to the Federal Railroad Administration (FRA) for final review. The FRA is actively reviewing the plan. NICTD anticipates receiving final approval in the fourth quarter. After NICTD obtains certification, NICTD will be in Full Service PTC Operation.

NICTD completed Metra interoperability testing, but did not complete 10 consecutive runs. Metra interoperability has been extended.

NICTD's latest locomotive software testing has been completed and submitted to the FRA. NICTD's Back Office Software continues to be tested and updated. Efforts to improve Computer Aided Dispatching functionality continue, and maintenance and operations training continue on an as-needed basis.

2021 BOARD OF TRUSTEES MEETING SCHEDULE

A 2021 Board of Trustees Draft Meeting Schedule was provided. Mr. Good made a motion to approve the 2021 Meeting Schedule. The motion was seconded by Mr. Prince and upon roll call vote, motion passed unanimously.

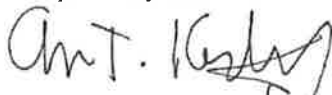
OTHER BUSINESS

None.

ADJOURNMENT

The next Board Meeting is scheduled for November 30, 2020. Mr. Arnold made a motion to adjourn. The motion was seconded by Mr. Good and upon roll call vote, motion passed unanimously.

Respectfully submitted,



Andrew Kostielney, Secretary



PROCUREMENT RECOMMENDATIONS

Proposals:

Administration Department

- **Ticket Vending Machines**
- **Custodial Cleaning Services**

VenTek International Petaluma, California	X	X	0%	X	X	X	X	X	X	X
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C. STAFF REVIEW

Team Evaluation Review:

The team was composed of three (3) individuals that evaluated the proposals on:

- i) Pricing Structure
- ii) Understanding and Technical Approach
- iii) Ability to Interface with NICTD’s Existing Infrastructure
- iv) Delivery and Goods

The evaluation review resulted in interviews with both firms.

Ticket Vending Machines	Totals	
Proposer	Score	Rank
BEA Transit Technologies LLC	248	1
VenTek International	192	2

The highest ranked proposer meets the criteria of DBE and has a participation of 0.76%.

The interviews revealed that BEA Transit Technologies LLC had the most comprehensive and advanced approach. The updated technology and adaptive equipment led evaluators to enter into negotiations with BEA Transit Technologies LLC.

Independent Cost Estimate: \$1,440,750.00. This estimate was determined to be low due to unanticipated needs, such as separate change machines and handheld devices for ticket agents and accounting staff, as well as the associated spare equipment.

D. RECOMMENDATION

The Staff recommends that BEA Transit Technologies LLC of Alameda, California be awarded the Contract for Ticket Vending Machines in the amount of Two Million, Twenty-Six Thousand, Four Hundred and Twenty-Two Dollars and ⁰³/₁₀₀ (\$2,026,422.03).

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for Ticket Vending Machines at his discretion.

RECOMMENDATION
Administration Department
Custodial Cleaning Services
September 28, 2020

A. SCOPE

The District has requested competitive proposals from qualified companies for Custodial Cleaning Services at our Stations and various Offices located in Lake, Porter, and LaPorte Counties in Indiana and Hegewisch, Illinois. The length of the Agreement is for five (5) years with the possibility of further extensions. Proposals were solicited and a private proposal opening was held at the Dune Park Offices on Friday, August 28, 2020.

B. ADMINISTRATIVE REVIEW

1. Legal Notifications

The request for Custodial Cleaning Services 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. Proposal Review

A total of ten (10) packets were requested for Custodial Cleaning Services prior to the proposal opening. The request resulted in the receipt of one (1) proposal.

3. DBE & Required Forms

The proposal was evaluated for responsiveness to determine if it 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).

Proposer	Eligible Bidder	Lower Tier	DBE %	Non-Discrim.	Rest. Lobby	Drug Free	Buy America	Cert. of Qual.	Illegal Act.	Iran Invst.
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The Performance Companies, Inc. Merrillville, Indiana	X	X	6%	X	X	X	X	X	X	X
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C. STAFF REVIEW

Team Evaluation Review:

The team was composed of three (3) individuals that evaluated the proposals on:

- i) Pricing Structure
- ii) Staffing Plan/Approach
- iii) Previous Similar Customer Experience
- iv) Financial Strength

After initially reviewing the proposal, the team met to clarify the proposal information and determined to interview the proposing firm.

Both the NICTD team members and the proposer were part of a Zoom meeting to identify experience and new COVID-19 related cleaning techniques. The interview revealed that The Performance Companies, Inc. had a comprehensive approach for performing custodial cleaning services at NICTD’s stations and offices.

Ticket Vending Machines	Totals	
Proposer	Score	Rank
The Performance Companies, Inc.	266	1

The proposer meets the criteria of DBE and has a participation of 6%.

Year	Services	Consumable Estimate	Total
2021	\$190,621.95	\$27,070.00	\$217,691.95
2022	\$196,340.61	\$27,882.10	\$224,222.71
2023	\$202,230.83	\$28,718.56	\$230,949.39
2024	\$208,297.75	\$29,580.12	\$237,877.87
2025	\$214,546.69	\$30,467.52	\$245,014.21
Grand Total	\$1,012,037.83	\$143,718.30	\$1,155,756.13

Independent Cost Estimate: \$1,085,325.00. This estimate was determined to be low due to the previously unidentified cost of consumables and supplies, as well as an increase to supply usage due to COVID-19 cleaning guidelines.

D. RECOMMENDATION

The Staff recommends that The Performance Companies, Inc. of Merrillville, Indiana be

awarded the 5 Year Contract for Custodial Cleaning Services for the not to exceed amount of One Million, One Hundred Fifty-Five Thousand, Seven Hundred and Fifty-Six Dollars and $\frac{13}{100}$ (\$1,155,756.13).

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for Custodial Cleaning Services at his discretion.