



MINUTES OF EXECUTIVE SESSION

March 23, 2018

An Executive Session was held by the Board on March 23, 2018 at the NICTD offices at 33 East Highway 12, Chesterton, Indiana. The following Board members were present:

Mark Yagelski
Christine Cid
Mark Catanzarite

Kevin Kelly
David Prankus
Andrew Kostielney

Jim Biggs

Pursuant to the Notice of the Executive Session as posted and disclosed pursuant to Indiana law, the Board discussed the following:

- (1) Initiation of litigation, pending litigation, and litigation that has been threatened specifically in writing.
- (2) Collective bargaining.
- (3) Purchase of real property.

The governing body by approving these minutes certifies that no subject matter was discussed in the Executive Session other than the subject matter contained in the public notice and referred to above.

These Minutes dated this 23rd day of March, 2018.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "M. Yagelski", written over a horizontal line.

Mark Yagelski, Secretary

APPROVED:

A handwritten signature in black ink, appearing to read "Michael Repay", written over a horizontal line.

Michael Repay, Chairman



**NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT
BOARD MEETING**

March 23, 2018

**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:

Christine Cid
Mark Yagelski
Mark Catanzarite

Andrew Kostielney
David Prancus

Kevin Kelly
Jim Biggs

OTHERS PRESENT:

Timothy Whalen - AECOM
Steven Lyons - Passenger
Roy G. Benedict-Passenger
Paul Willer - Passenger
Dennis Metheny-Taxpayer
Karie Koehneke - Patrick Engineering, Inc
Connie Gramarossa - Bellas Barim
Charles Bradsky-NIRPC
Greg Price - Passenger

Lawrence Kirchner - TranSystems
Ismail Attallah - AES Services, Inc
Paul Vincent - RQAW
Earl Wacker - AECOM
Joe Crnkovich - SSL Retired
Gerald Williamson – Passenger
James Winters - NIRPC
Julie O'Connor - CFWLCP
Fred Owens - Milhouse Engineering

STAFF PRESENT:

Michael Noland
Chuck Lukmann, Esq.
Anthony Siegmund
Kelly Wenger
Christine Dearing

Amber Kettring
Jay Goodrich
Brianna Anderson
Nicole Barker
Justice Anderson

Jessie Watts, Jr.
Kevin Dywan
Chris Beck
Laura Harrington

CALL TO ORDER

Christine Cid called the meeting to order.

MEETING MINUTES

Ms. Cid requested approval of the minutes from the January 26, 2018 board meeting. Mark Yagelski motioned to accept the Public Session and Executive Session Board minutes for January 26, 2018. The motion was seconded by Jim Biggs. The motion was approved unanimously.

PUBLIC COMMENT

Roy Benedict, Passenger, commended staff on creating a more modern and accessible Timetable design for passengers to utilize.

PROCUREMENT RECOMMENDATIONS (Purchasing Packet Attached)

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

The first item was a competitive bid for tie plates to be used on a rail upgrade project from MP (mile post) 25.6 to MP 31.5. The Staff recommends that LB Foster, Pittsburgh, PA, be awarded the Contract for Tie Plates in the amount of Two Hundred Eighty Thousand Eighty Dollars 00/100 (\$280,080.00). Upon a motion by Mark Catanzarite, seconded by Jim Biggs, the board unanimously approved the procurement recommendation for tie plates.

The second item was a bid for the rail upgrade to furnish labor and equipment to install thirty-nine (39) continuous welded 115# rail strings at 1600' per string. Total length of rail installed will be 6 miles. The Staff recommends that Diversified Track Works of Geneseo, IL, be awarded the contract for the Rail Upgrade project for the amount of Three Hundred Forty-Five Thousand, Ninety Five Dollars and 00/100 (\$345,095.00). Upon a motion by Mark Catanzarite, seconded by Kevin Kelly, the board unanimously approved the procurement recommendation for the rail upgrade.

The third item was a bid for the East Chicago Train Station Improvements Project. The Staff recommends that AECOM of Chicago, IL, be awarded the contract for East Chicago Station Improvement Engineering for a not to exceed amount of One Million, One Hundred Eleven Thousand, Five Hundred Sixteen Dollars and 00/100 (\$1,111,516.00.) Upon a motion by Jim Biggs, seconded by David Prankus, the board unanimously approved the procurement recommendation for the East Chicago Station Improvement Engineering.

PRESIDENT'S REPORT

Proposed Fare Increase.

Mr. Noland introduced a proposed NICTD fare increase that, if approved, would begin on July 1, 2018. Mr. Noland explained that this would be a 5% across the board fare increase to support a portion of the costs of implementing Positive Train Control (PTC) for the railroad. The increase would apply to all station excluding Hegewisch. Hegewisch fares are controlled by Metra and were increased on February 1. He explained that NICTD will hold 5 evening public meetings in April to gather public comment on the proposal, and that comments are due by May 11, 2018. Legal notices will be placed in newspapers, and we will also collect comments via our website. NICTD will summarize the comments received and bring them to the May 18, 2018 Board meeting. NICTD will request the Board's action at the May 18 Board Meeting.

Double Track NWI and West Lake Corridor Project Update.

Mr. Noland provided an update on both the Double Track NWI and West Lake Corridor Projects. NICTD is pursuing federal funding in fiscal year of 2019 for both projects. In February, NICTD asked the Federal Transit Administration (FTA) to postpone rating each project in order to allow time for completion of NEPA for Double Track and to provide additional details on the financial plans in partnership with the Regional Development Authority (RDA) for both projects. For the West Lake Corridor Project, the FEIS/ROD was formally published March 9, 2018 in the Federal Register. Completion of NEPA is required before property acquisition can begin, Mr. Noland added that NICTD has not yet started acquiring properties for either project. NICTD anticipates on receiving Finding of No Significant Impact (FONSI) for Double Track by May 2018.

Mr. Yagelski stated that NICTD is trying to address these next steps as quickly as possible.

South Bend Realignment Update.

Mr. Noland advised the Board of the current status of the South Bend Realignment Project. The South Bend Realignment consists of moving NICTD's existing line to the west side of the airport terminal to attain a 90-minute travel time goal. The City of South Bend requested that NICTD suspend its study to allow the City time to explore other alignment options that may be acceptable to the City and NICTD. The City of South Bend hired AECOM to perform these studies.

Positive Train Control (PTC) Update.

Mr. Noland notified and updated the Board on the current status of the Positive Train Control (PTC) project. The Federal Railroad Administration (FRA) invited all railroads to Washington, DC to discuss the status of PTC. The FRA asked any railroads that qualify for a waiver to submit the waiver now. NICTD plans to submit the waiver, but also plans to complete PTC in December 2018.

TICKET SALES, ADVERTISING, AND MARKETING REPORT

Nicole Barker, Director of Capital Investment & Implementation, presented the **Ticket Sales, Advertising and Marketing Report**. Ms. Barker drew attention the fact that nearly 60% of NICTD ticket sales revenue is generated from digitally-purchased methods.

Ms. Barker reported the **Train Tracker (ETA Transit)** should be effective on the Website on April 1, 2018 and on the South Shore Line App in May when the company has integrated it into the new 4.0 version of the app.

Ms. Barker summarized some of the marketing opportunities Group 7even created including partnering with the Gary Railcats and South Shore Line's Spring Break Play-Cation Promotion.

Ms. Barker concluded by summarizing upcoming **Events** including the Bikes on Trains effective April 1st, Indiana Dunes Birding Festival and Cubs home game opener.

OPERATIONS REPORT

Kelly Wenger, NICTD Grant Administrator, explained trends in **Ridership** from 2018 in comparison to 2017. Ridership was down 0.1% in 2018, but our average weekday ridership over that period was up 0.3%.

Ms. Wenger commented on **On-Time Performance**. NICTD explained some challenges due to weather this winter. She discussed the range of delays through February 2018 to report that over 50% of our delays are in the 5-10 minute (short duration) range and over half of those affected are non-rush hour trains. Ms. Wenger also stated that NICTD will soon issue a report to Metra regarding Randolph and Kensington interlocking issues impacting our on-time performance.

Ms. Wenger discussed the current status of **Positive Train Control (PTC)** Testing will begin April 14, 2018 and NICTD will conduct operations testing on our trains which will temporarily remove as many as 7 cars at a time. NICTD will also have 3 cars out of service that are being equipped with PTC equipment.

OTHER BUSINESS

Mr. Noland recognized Acting Chief of Police, Jessie Watts, Jr., who was appointed in November and has now been promoted to Chief of Police. Mr. Noland stated that NICTD has the utmost confidence in Chief Watts.

ADJOURNMENT

Mr. Biggs made a motion to adjourn. The motion was seconded by Mr. Kelly. The motion was approved unanimously.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "M. S. Yagelski".

Mr. Yagelski, Board Secretary

PROCUREMENT RECOMMENDATIONS

For Bids:

Engineering

- **Tie Plates**
- **Rail Upgrade**

For Proposals:

Engineering

- **East Chicago Station Improvement Engineering**



RECOMMENDATION

Track Department

Tie Plates

March 23, 2018

A. SCOPE

The Track Department has requested bids for Tie Plates to be used on Rail Upgrade project from MP (mile post) 25.6 to MP 31.5. Bids were solicited for Tie Plates and a public bid opening was held at the Dune Park Offices on Wednesday, February 14, 2018.

B. ADMINISTRATIVE REVIEW

1. Legal Notifications

The request for Tie Plates 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 Tie Plates prior to the bid opening. The request resulted in the receipt of five (5) bids.

3. DBE and Required Forms

The bids were evaluated for responsiveness to determine if they could be accepted for further review.

It was determined that one of the firms did not follow the instructions and did not submit any of the correct forms or certificates and their bid was deemed non-responsive. All other firms correctly submitted the required forms 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.
LB Foster Pittsburgh, PA	X	X	X	0.0%	X	X	X	X	X	X	X
Happ's Inc. Chicago Heights, IL	X	X	X	0.0%	X	X	X	X	X	X	X
A & K Railroad Salt Lake City, UT	X	X	X	1.7%	X	X	X	X	X	X	X
Progress Rail Chicago, IL	X	X	X	13.2%	X	X	X	X	X	X	X

C. ENGINEERING REVIEW & PRICE ANALYSIS

The bids were evaluated for responsiveness to the technical specifications. All bidders were responsive and met the technical specifications.

The lowest and most responsive bid for Tie Plates is \$280,080. This is 12.5% (\$40,320) less than the engineer's estimate of \$320,400.

LB Foster's DBE amount is 0%. They did provide a good faith effort trying to locate DBE trucking firms that could deliver these items.

Bidder	Price/Plate	Quantity	Extended Cost
LB Foster Pittsburgh, PA	\$7.78	36,000	\$280,080.00
Happ's Inc. Chicago Heights, IL	\$8.50	36,000	\$306,000.00
A & K Railroad Salt Lake City, UT	\$8.59	36,000	\$309,240.00
Progress Rail Chicago, IL	\$11.98	36,000	\$431,280.00

D. DELIVERY

LB Foster can meet the District's delivery schedule of April 2018.

E. RECOMMENDATION

The Staff recommends that LB Foster, Pittsburgh, PA, be awarded the Contract for Tie Plates in the amount of Two Hundred Eighty Thousand Eighty Dollars 00/100 (\$280,080.00).

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceed for Tie Plates at his discretion.

RECOMMENDATION
Track Department
Rail Upgrade
March 23, 2018

A. SCOPE

The Track Department has requested bids from qualified contractors to furnish labor and equipment to install thirty-nine (39) pieces of continuous welded 115# rail. This is part of the rail upgrade project to replace 100# rail to 115# rail. This install represents 6 track miles of rail upgrade from MP (mile post) 25.6 to MP 31.5. Bids were solicited and a public bid opening was held at the Dune Park Offices on Wednesday, March 14, 2018.

B. ADMINISTRATIVE REVIEW

1. Legal Notifications

The request for the Rail Upgrade project 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 the Rail Upgrade project prior to the bid opening. The request resulted in the receipt of four (4) bids.

3. DBE and Required Forms

The bids were evaluated for responsiveness to determine if the bids could be accepted for further review.

It was determined that the firms submitted all necessary forms and requirements and were 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 96	Eligible Bidder	Lower Tier	DBE %	Non-Discrim.	Rest. Lobby	Drug Free	Buy America	Cert. of Qual.	Illegal Act.	Iran Invst.	Bid Bond
Diversified Track Works Geneseo, IL	X	X	X	71.0%	X	X	X	X	X	X	X	X
J Track Lisle, IL	X	X	X	10.0%	X	X	X	X	X	X	X	X
Rail Works Minooka, IL	X	X	X	9.7%	X	X	X	X	X	X	X	X
Reinhart Railroad Const. Fallston, MD	X	X	X	0.0%	X	X	X	X	X	X	X	X

C. ENGINEERING REVIEW & PRICE ANALYSIS

The bids were evaluated for responsiveness to the technical specifications. All bidders were responsive and took no exceptions to the technical specifications.

Engineer’s estimate: \$696,965
 Lowest & responsive bid: \$345,095
 Lowest & most responsive bidder was 50.5%
 less than staff estimate \$351,870

Bidder	Total Project Price
Diversified Track Works Geneseo, IL	\$345,095.00
J Track Lisle, IL	\$667,000.00
Rail Works Minooka, IL	\$985,000.00
Reinhart Railroad Const. Fallston, MD	\$2,709,420.00

The District has checked references from Diversified Track Works and no areas of concern were identified. The large separation in bids is due to the low bidder identifying a secondary use for the old 100# rail. Most of the bidders credited a scrap steel price amount for the old rail and the low bidder identified an end user for the 100# rail and was able to credit this sizeable amount into the overall price of the contract.

D. DELIVERY

Diversified Track Works can meet the District’s outage schedule for April and May of 2018. The schedule allows for 3 separate five (5) day outages to complete the work. Diversified Track

Works has submitted a schedule to complete the entire project within two of the three 5 day outages.

E. RECOMMENDATION

The Staff recommends that Diversified Track Works of Geneseo, IL, be awarded the Contract for the Rail Upgrade project for the amount of Three Hundred Forty-Five Thousand, Ninety Five Dollars and ⁰⁰/100 (\$345,095.00).

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

RECOMMENDATION
ENGINEERING
East Chicago Station Improvement Engineering
Proposal
March 23, 2018

A. SCOPE

The District is looking to engage an engineering firm to complete the design for the East Chicago Train Station Improvements Project. The main purpose of the project is to install a secondary head house to minimize congestion in the existing head house. The project is being funded partially with a Federal Railroad Administration (FRA) grant. Proposals were solicited and a proposal opening was held at the Dune Park Offices on March 2, 2018.

B. ADMINISTRATIVE REVIEW

1. Legal Notifications

The request for the East Chicago Station Improvement Engineering 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 twenty (20) packets were requested for the East Chicago Station Improvement Engineering prior to the proposal opening. The request resulted in the receipt of one (1) proposal.

3. DBE and 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 of the necessary forms and met the requirements and were 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).

C. STAFF REVIEW

Team Evaluation Review:

The team was composed of five (5) individuals that evaluated the proposals on:

- Project Understanding / Technical Approach
- Project Management / Execution Plan
- Qualifications of Project Personnel
- Demonstrated efficiency in managing similar projects
- Demonstrated capability to properly & timely complete the Project

The evaluations resulted in a personal interview with AECOM. Although only one proposal was received, the content of the technical proposal was well prepared and covered all the key aspects of the project as described in the RFP (request for proposals). NICTD continued the process by negotiating the scope of work and price as described by the Brooks Method. An agreeable scope of work and price was negotiated between AECOM and NICTD and we have the basis for a successful project.

	District ICE	AECOM Original	AECOM Negotiated
Design Services	\$853,000	\$861,028	\$781,923
Construction Management (CM) Services	\$375,000	\$572,540	\$329,593
Total Design & CM	\$1,228,000	\$1,433,568	\$1,111,516

The Independent Cost Estimate (ICE) for East Chicago Station Improvement Engineering was \$1,228,000.

AECOM’s commitment for DBE participation for this work is 9.95% (\$110,595).

D. RECOMMENDATION

The Staff recommends that AECOM of Chicago, IL, be awarded the contract for East Chicago Station Improvement Engineering for a not to exceed amount of One Million, One Hundred Eleven Thousand, Five Hundred Sixteen Dollars and ⁰⁰/100 (\$1,111,516.⁰⁰)

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceeds for the East Chicago Station Improvement Engineering at his discretion.