

BOARD MEETING OF DECEMBER 1, 2010

At the call of the Chair, a Meeting of the Board of Directors of the Massachusetts Bay Transportation Authority was held at Ten Park Plaza, Offices of the Board, Third Floor, Boston, Massachusetts, on Wednesday, December 1, 2010 at 1:00 p.m.

There were present: Messrs. Jenkins, Alvaro and Whittle and the Misses Loux and Levin, being all members of the Board of Directors of the Authority.

Also in attendance were: the Secretary, Mr. Mullan, the General Manager, Mr. Davey, and Messrs. Mitchell, Davis, Wallace, DePaola, Kelley, Turcotte and Smith and the Misses Lynds and Charles.

The Chairman, Mr. Jenkins, presided.

The Recording Secretary kept the records of the Meeting and presented the Order of Business.

Chairman Jenkins called the 1042nd Open Meeting to Order.

The Chairman announced the start of the public comment period and introduced the first speaker, Ms. Marilyn MacNab, a resident of Boston addressed the Board. Ms. MacNab thanked Mr. Jim Folk for his years of experience for helping with the accessibility issues at the MBTA.

At this time, the Chairman closed the public comment period.

(A list of speakers is provided as an attachment to these minutes.)

The Minutes of the Meeting of November 3, 2010 were approved as presented. Director Alvaro abstained from voting on the Minutes because he was not in attendance.

The General Manager, Mr. Davey, gave the General Manager's Report. A copy of the report is added as an attachment to the Minutes.

Chairman Jenkins questioned what input did the Transit Riders' Union offer, and what type of input was received from MBTA employees. The General Manager, Mr. Davey stated that concerns raised were bus service issues and bikes on the Blue Line during rush hour. Mr. Davey said that the employees appreciate the collective efforts in recognition when they succeed. He said that employees want more training, a path to promotion and success, and to figure out how to get there.

Chairman Jenkins questioned how The RIDE Program is causing fiscal problems. The General Manager pointed out different initiatives to bring down or stabilize The RIDE cost. He noted that there is an internal committee in place to come up with proposals as to why people are taking The RIDE and if there are federal reimbursement opportunities. He also stated that the committee is looking into various marketing ideas.

Director Levin suggested that at some point that there is public engagement included in the process.

The General Manager's Report was accepted as given.

Mr. Frank DePaola, Assistant General Manager for Design and Construction, presented the immediately following item concerning Government Center Station Improvements. The following action was taken.

On motion, duly made and seconded, it was unanimously

VOTED: That the General Manager and Rail & Transit Administrator be, and hereby is, authorized to execute in the name and on behalf of the Authority, subject to the approval of the Massachusetts Department of Transportation (MassDOT) and in a form approved by the General Counsel, MBTA Contract No. A20PS03, Owner's Representative for the Government Center Station Improvements, with Shaw Environmental and Infrastructure of Massachusetts, Inc., for a sum not to exceed \$999,434.00 with a completion date of 60 months from the date of Notice to Proceed.

Mr. Daniel Smith, Deputy Director of Materials, presented the immediately following item concerning rubbish removal services.

Board Members expressed concern regarding the name change of the DBE participant and asked that the staff summary is changed to reflect the new vendor.

The following action was taken.

On motion, duly made and seconded, it was unanimously

VOTED: That the General Manager and Rail & Transit Administrator be, and hereby is, authorized to execute in the name and on behalf of the Authority, and in a form approved by the General Counsel, to place an order with Empire Recycling, LLC of Billerica, Massachusetts, to provide rubbish removal services for the MBTA's North side locations over an estimated two-year period, with an option for an additional year of service, at a total cost not to exceed \$865,008.00; said company being the lowest responsive and responsible bidder in response to an Invitation for Sealed Bids.

On motion, duly made and seconded, it was unanimously

VOTED: That the Board of Directors consistent with its vote of January 6, 2010 authorizing the General Manager and Rail & Transit Administrator to take any and all actions deemed necessary to accelerate economic stimulus projects funded under the American and Reinvestment Act of 2009 ("ARRA") hereby ratifies the General Manager and Rail & Transit Administrator's prior authorization to enter into contract P.O. No. 500000203 with Vossloh Track Material, Inc., of Reading, Pennsylvania, to furnish 27,300 linear feet of 115 lb. heat treated rail at a total cost not to exceed \$553,644.00.

Mr. Michael Turcotte, Assistant General Manager of Engineering and Maintenance, presented the immediately following item concerning Design Engineering for System Wide Transformer Replacement, Phase II.

Director Whittle asked for an explanation as to how the Authority purchases the transformers. Mr. Turcotte said that the transformers are purchased directly. He said that in Phase I, the transformers were included in the contract.

In response to Director Loux's inquiry, Mr. Turcotte explained the process of the professional service contract.

On motion, duly made and seconded, it was unanimously

VOTED: That the General Manager and Rail & Transit Administrator be, and hereby is, authorized to execute in the name and on behalf of the Authority, subject to the approval of the Massachusetts Department of Transportation (MassDOT), and in a form approved by the General Counsel, MBTA Contract No. P90PS01, Design Engineering for System Wide Transformer Replacement, Phase 2, with HNTB Corporation, for an estimated \$860,253.00, with a completion date of 36 months from the date of the Notice to Proceed.

Mr. Benjamin Blumenthal, Manager of Federal Programs, presented the immediately following item concerning the MBTA's Fiscal Year 2011 Federal Grant Program including grants pursuant to the American Recovery and Reinvestment Act of 2009.

In response to Director Alvaro's inquiry, Mr. Blumenthal stated that the Authority anticipates filing approximately \$285 million of federal grant funding of where \$57 million will be the 20% in which the MBTA provides.

On motion, duly made and seconded, it was unanimously

VOTED: That the General Manager and Rail & Transit Administrator be, and hereby is, authorized to execute in the name and on behalf of the Authority, and in a form approved by General Counsel, the Massachusetts Bay Transportation Authority's Fiscal Year (FY) 2011 Federal Grant Program including grants pursuant to the American Recovery and Reinvestment Act of 2009 with the Federal Transit Administration (FTA).

Mr. Jonathan Davis, Deputy General Manager and Chief Financial Officer, presented the proposed Debt Issuance and Management Policy.

On motion, duly made and seconded, it was unanimously

VOTED: That the Board of Directors approves the Debt Issuance and Management Policy in the form presented; and that the Deputy General Manager and Chief Financial Officer is hereby authorized and directed to submit the same, in the name and on behalf of the Authority, to the Commonwealth's Finance Advisory Board not later than December 31, 2010 in accordance with 976 CMR 2.04.

At the call of the Chair, a Roll Call Vote was taken, whereby it was unanimously

VOTED: To meet in Executive Session.

The Chairman announced to those present that the purpose of the Executive Session was to consider real estate, personnel and potential litigation matters; also, that the Board would not reconvene in Open Session following Executive Session.

On motion, duly made and seconded, it was unanimously

VOTED: To adjourn the 1042nd Open Meeting.

The meeting adjourned at 2:05 p.m.

A true record.

Attest:

Yolanda L. Reed
Recording Secretary
Board of Directors of the
Massachusetts Bay Transportation
Authority

DECEMBER 1, 2010

SPEAKERS DURING PUBLIC COMMENT PERIOD

1. Ms. Marilyn MacNab, resident of Boston