



MINUTES OF EXECUTIVE SESSION
August 5, 2019

An Executive Session was held by the Board on August 5, 2019 at the NICTD offices at 33 East Highway 12, Chesterton, Indiana. The following Board members were present:

Jeff Good
Karen Freeman-Wilson

Joe McGuiness

Ron Meer

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 pursuant to I.C. § 5-14-1.5-6.1(b)(2)(B);
2. Collective bargaining pursuant to I.C. § 5-14-1.5-6.1(b)(2)(A); and
3. The purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties pursuant to I.C. § 5-14-1.5-6.1(b)(2)(D)

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 the 8th day of August, 2019.

Respectfully submitted,



Andrew Kostielney, Secretary

APPROVED:



Joe McGuiness, Chairman



**NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT
BOARD MEETING**

August 5, 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:

Jeff Good
Karen Freeman-Wilson

Joe McGuiness

Ron Meer

OTHERS PRESENT:

Steven Lyons-Passenger
Richard Curtis-Curtis Engineering Consulting Svcs.
Zachary Trunk-IBEW
Mike Martinez-WSP
Justin Elliot-WSP
Joe Crnkovich-Retired SSL/NICTD
Scott Nickerson-Crowe LLP
Gary Fisk-DLZ
Vince Epps-Metric

Gerald Williamson – Passenger
Tim Zorn-Post Tribune
Ismail Attallah-AES Services, Inc
Sean Fitzpatrick-Michigan City Council
Marc Arena-Walsh Construction
Timothy Whalen-AECOM
Greg Price – Passenger
Joe Zwierzynski-DLZ
Carrie Noland-President's Wife

STAFF PRESENT:

Michael Noland
Chuck Lukmann, Esq.
Anthony Siegmund
Kelly Wenger
Victor Babin
Nicole Barker
Bjarne Henderson

Jessie Watts, Jr.
Boris Matakovic
Brianna Anderson
Justice Anderson
Holly Taylor
Michael Rowe

Christine Dearing
Amber Kettring
Bill O'Dea
Laura Harrington
Chris Beck
Steve Plesha

CALL TO ORDER

Joe McGuinness called the meeting to order.

MEETING MINUTES

Mr. McGuinness requested approval of the Board meeting minutes from the June 24, 2019. Mr. Good motioned to accept the Public Session and Executive Session Board meeting minutes from June 24, 2019. Ms. Freeman-Wilson seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

None.

RESOLUTION 19-10 ADOPTING SMOKING, VAPING, AND E-CIGARETTES POLICY

Chuck Lukmann, NICTD Counsel, introduced **Resolution 19-10, a Resolution Adopting a Policy Prohibiting Smoking and the Use of Certain Related Products**. Ms. Freeman-Wilson made a motion to approve Resolution 19-10. Motion seconded by Mr. Good; the motion passed unanimously.

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 Auditing Services. The District is looking to engage an accounting firm to audit its financial statements and provide other auditing services as requested for the fiscal year ending December 31, 2019, with the option of auditing its financial statements for each of the four (4) subsequent fiscal years; with an option to renew for an additional five (5) years. Proposals were solicited and a proposal opening was held at the Dune Park Offices on Friday, May 24, 2019. The Staff recommended that Crowe LLP of Indianapolis, IN, be awarded the contract for Auditing Services with multiple Notice to Proceeds for a not to exceed amount of One Million, Sixty Nine Thousand, Two Hundred Seventy Five Dollars and 00/100 (\$1,069,275.00). The Staff requested that the Board grant the President the authority to issue the Notice to Proceeds for Auditing Services at his discretion. Upon a motion by Ms. Freeman-Wilson, seconded by Mr. Meer, the motion passed unanimously.

The second item was a sole source recommendation for Automated Air Brake Test Rack. The last test rack was purchased in 2010 from Knorr Brake and is capable of testing brake components manually and cost of this unit was \$142,430. I S Technology Solutions manufactures such a machine called the Valve Master. These units have the ability to run multi-step brake tests independently and without personnel involvement. These test results are saved on the software, along with serial number identification for quality control tracking. The FRA does not currently require tracking of these brake components but it is anticipated that this may

be required in the near future. This test rack also permits future programming and configuration of new brake components, which will occur when the District purchases new cars in the upcoming years. An automated test rack will allow District personnel to work on other functions of rebuilding brake components while these automated tests are being completed. The Staff requested the Board grant the President the authority to enter into a Contract for an amount of Two Hundred Six Thousand, Two Hundred Dollars and 00/100 (\$206,200.00) with I S Technology Solutions of Chicago, IL for an automated air brake test rack. The Staff requested that the Board grant the President the authority to issue the Notice to Proceed for an automated air brake test rack at his discretion. Upon a motion by Mr. Meer, seconded by Mr. Good, the board unanimously approved the procurement recommendation.

PRESIDENT'S REPORT

Double Track Northwest Indiana Project

On June 27, the State Budget Committee approved the Double Track Finance Plan. After the Finance Plan was approved, NICTD was able to request Entry into Engineering and request a project rating. Later this week, NICTD will be meeting with the Federal Transit Administration (FTA) for a Risk Workshop to go over a detailed risk review of the project.

In mid-November, NICTD hopes to receive a rating and Entry into Engineering. NICTD has brought on AECOM, who will perform the final engineering for the project, and BLN, who will continue Real Estate Services. NICTD is working with local funding partners to put together funding packages in preparation for the Double Track project.

South Bend Realignment Project Update

Mr. Noland advised the Board of the status of the South Bend Realignment Project. Originally, the South Bend Realignment consisted of moving NICTD's existing line to the west side of the South Bend International Airport terminal to attain a 90-minute travel time goal to Chicago. The City of South Bend requested that NICTD suspend its study to allow it to explore other alignment options that may be acceptable to the City and NICTD. The City of South Bend hired AECOM to perform this study. NICTD continues to work with the city, county and partners to provide any necessary support and come to an agreement on where the station will be located for the next 100 years. NICTD and partners are hoping to come to a resolution in the coming months.

One of the questions that arose is if South Bend helps fund the Double Track project, whether the NICTD Board would be willing to commit to having service to South Bend for "X" amount of years. Ms. Freeman-Wilson made a motion for the President to create a resolution to represent that NICTD will continue service to South Bend based upon their financial contribution to the project. The motion was seconded by Mr. Meer, and passed unanimously.

West Lake Corridor Project

Mr. Noland gave a brief update on the West Lake Corridor Project. A medium-high rating from the Federal Transit Administration was received in spring of this year. The FTA gave indications that they wanted NICTD to increase the local share from 50/50 to a 62/38. NICTD increased the state contribution to 62% and is now waiting to hear from the FTA whether Entry into Engineering has been approved. NICTD continues to advance with the project and is currently in the procurement stage for Design-Build. NICTD released a RFP and proposals are expected in early-December with a recommendation expected at the January board meeting.

Release of RFP for Rolling Specifications Consultant

NICTD will be going out to the market to procure 26 new rail cars. The Staff requested that the Board grant the President the authority to release an RFP for a Rolling Stock Consultant who will assist in developing the specs for the rail car procurement as well as oversee the fulfillment of the rolling stock order. Upon a motion by Ms. Freeman-Wilson, seconded by Mr. Good, the board unanimously approved the President to release an RFP for Rolling Stock.

Valparaiso South Shore Connect Bus Service

Mr. Noland introduced the Valparaiso-South Shore Line Connect Bus Service. The City of Valparaiso created a partnership with NICTD to further connect public transportation in the City of Valparaiso to the South Shore Line at the Dune Park Station. The City of Valparaiso will operate the weekday shuttle with three Chicago-bound trains and three Chesterton-bound trains mid-day, as well as three additional Chesterton-bound trains in the evening. NICTD requested the Board's support in this feeder bus service and for future feeder bus services in the future. Upon a motion by Ms. Freeman-Wilson, seconded by Mr. Good, the board unanimously approved the President to move forward with the Valparaiso South Shore Connect Service and future feeder bus services.

TICKET SALES, ADVERTISING, AND MARKETING REPORT

Nicole Barker, Director of Capital Investment & Implementation, presented the **Ticket Sales, Advertising and Marketing Report**.

Ms. Barker discussed the changes in ticket sales including single-ride tickets and digital sales.

Ms. Barker concluded by reviewing summer events and discussing upcoming events in August and September.

OPERATIONS REPORT

Kelly Wenger, NICTD Grant Administrator, went over **Ridership** and discussed the issues that adversely affected service and ridership in January and February. Ms. Wenger added that NICTD was trending up as June approached.

Mr. Noland reminded the Board that the disruption January 30-February 3, and again on February 12 resulted in an estimated loss of 34,813 passenger rides. With the weather and service disruptions, it took some time for passengers and businesses to return to normal service.

Bill O'Dea, NICTD Chief Operating Officer, discussed the **Bike on Trains** program. He stated that it continues to grow each year.

Mr. O'Dea commented on **On-Time Performance**. NICTD's goal was to improve weekend On-Time Performance and it has improved. NICTD is also working diligently to improve weekday Off-Peak train performance. NICTD superintendent, Jim Garrison, is working to resolve issues such as crew-reporting, mechanical issues, and interactions with Metra, Indiana Harbor Belt, and Amtrak. Week-day Peak is strong, but NICTD is aiming to improve in all aspects of On-Time Performance.

Victor Babin, Chief Engineering Officer, reported the status of **Positive Train Control (PTC)**. NICTD has run about 2,000 trains in Revenue Service Demonstration with approximately 75,000 miles. South Shore Freight has been performing field qualification testing on their locomotives. South Shore Freight was approved last week to enter into Revenue Service Demonstration, which they will start in mid-August. Mr. Babin reviewed daily trains being tested, service problem tickets, the PTC Service Help Desk, and technical issues that have been addressed. Mr. Babin also reported NICTD has eliminated one grade crossing in Hammond. Under a joint project with INDOT utilizing section 130 funds, NICTD has converted 19 grade-crossings from flasher-only to gates and flashers. One more will be installed at Hudson Lake. When the Double Track Project is complete, NICTD will reduce the grade crossings from 137 to 116. With the completion of South Bend Airport project, NICTD will reduce to grade crossings to 100. This will be a huge safety enhancement for the railroad.

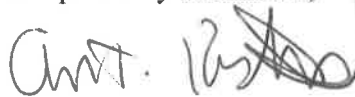
OTHER BUSINESS

The next board meetings are scheduled for September 30 and December 2 of 2019.

ADJOURNMENT

Mr. Meer made a motion to adjourn. Mr. Good seconded the motion. The motion passed unanimously.

Respectfully submitted,



Andrew Kostielney, Secretary

PROCUREMENT RECOMMENDATIONS

For Proposals:

Accounting

- **Auditing Services**

Sole Source:

Mechanical

- **Automated Air Brake Test Rack**



RECOMMENDATION
Accounting Department
Auditing Services
Proposal
August 5, 2019

A. SCOPE

The District is looking to engage an accounting firm to audit its financial statements and provide other auditing services as requested for the fiscal year ending December 31, 2019, with the option of auditing its financial statements for each of the four (4) subsequent fiscal years; with an option to renew for an additional five (5) years. Proposals were solicited and a proposal opening was held at the Dune Park Offices on Friday, May 24, 2019.

B. ADMINISTRATIVE REVIEW

1. Legal Notifications

The request for Auditing 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 four (4) packets were requested for Auditing Services prior to the proposal opening. The request resulted in the receipt of three (3) proposals.

3. DBE and Required Forms

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

It was determined that the firms 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 three (3) 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 interviews with all the proposing firms. An agreeable scope of work and price was negotiated between Crowe and NICTD and we have the basis for a successful contract.

Name	Score	Estimated Annual Fee
Crowe LLP Indianapolis, IN	95	\$98,500
RSM US LLP Schaumburg, IL	85	\$112,000
Katz, Sapper & Miller Indianapolis, IN	70	\$70,700

The Independent Cost Estimate (ICE) for Auditing Services was \$150,000 annually.

Crowe's commitment for DBE participation for this work is 9.78% annually.

D. RECOMMENDATION

The Staff recommends that Crowe LLP of Indianapolis, IN, be awarded the contract for Auditing Services with multiple Notice to Proceeds for a not to exceed amount of One Million, Sixty Nine Thousand, Two Hundred Seventy Five Dollars and ⁰⁰/100 (\$1,069,275.⁰⁰)

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceeds for Auditing Services at his discretion.

RECOMMENDATION
Mechanical Department
Automated Air Brake Test Rack
August 5, 2019

SOLE SOURCE RECOMMENDATION:

The District currently owns three air brake test racks. The latest test rack was purchased in 2010 from Knorr Brake and is capable of testing brake components manually and cost of this unit was \$142,430.

There is newer technology available that allows a test rack to be automated and also does computerized tracking of components and test results. I S Technology Solutions manufactures such a machine called the Valve Master. This type of unit has been manufactured since 1989 and its users include Amtrak, Metra, New Jersey Transit, and other rail agencies. These units have the ability to run multi-step brake tests independently and without personnel involvement. These test results are saved on the software, along with serial number identification for quality control tracking. The FRA does not currently require tracking of these brake components but it is anticipated that this may be required in the near future. This test rack also permits future programming and configuration of new brake components, which will occur when the District purchases new cars in the upcoming years. An automated test rack will allow District personnel to work on other functions of rebuilding brake components while these automated tests are being completed.

The District air brake personnel did visit the Amtrak Beech Grove facility in Indianapolis, IN to witness two of these automated machines in service. The visit confirmed the usefulness of this equipment and Amtrak personnel confirmed its operation is accurate and a large time saver. The test reports witnessed on the computer screens was that these machines are used continuously and on a daily basis.

The building of this unit will take approximately 20 weeks and delivery would be anticipated in the first quarter of 2020.

The District has reviewed the proposed pricing by I S Technology Solutions and has determined this pricing to be fair and reasonable based on previous orders of new brake test racks. The District has also negotiated a two year warranty on parts and labor and also a multi-year service agreement package that includes software upgrades. This procurement is considered a sole source as no other manufacturers of test racks produce this type of specialty equipment. All other test racks found were manual configuration similar to racks already owned by the District. Other agencies were consulted on this product and confirmed with other agencies that they too documented this automated test rack purchase as a sole source.

The Staff is requesting the Board grant the President the authority to enter into a Contract for an amount of Two Hundred Six Thousand, Two Hundred Dollars and 00/100 (\$206,200.00) with I S Technology Solutions of Chicago, IL for an automated air brake test rack.

The Staff is requesting that the Board grant the President the authority to issue the Notice to Proceeds for an automated air brake test rack at his discretion.