



The Massachusetts Bay Transportation Authority

FTA-22-9-MBTA-CAT1-4

Corrective Action Plan (CAP)

BACKGROUND

Overview: FTA issued Special Directive 22-9 to require the Massachusetts Bay Transportation Authority (MBTA) to address findings documented in FTA's Safety Management Inspection (SMI) report released on August 31, 2022. Conducted between April 14 and June 30, 2022, FTA's SMI reviewed the MBTA rail transit system management, operations, and maintenance programs. This Special Directive identifies four findings requiring action that the MBTA must take to address FTA's findings. The findings and required actions outlined in this Special Directive will assist the MBTA in focusing its attention on balancing demands from operations and capital projects with workforce capacity and capability to inform resource prioritization.

PURPOSE

This Corrective Action Plan has been developed to address **Special Directive No. 22-9, Category 1: Managing the Impact of Operations, Maintenance, and Capital Project Requirements on the Existing Workforce**

FTA Finding

Managing the Impact of Operations, Maintenance, and Capital Project Requirements on the Existing Workforce

- Finding 4: MBTA requires additional oversight of contractor work sites.

FTA Required Action

- FTA recommends that MBTA review the inspection and resident engineering resources needed to ensure compliance with MBTA safety rules related to the Right of Way to ensure the safety of personnel while in active work zones through additional staffing, contractor resources, or a combination of approaches.

ANALYSIS AND RECOMMENDATIONS

Analysis

- The MBTA Capital Program and supporting departments must be properly staffed to oversee Contractor activities and ensure worker safety and enforce rules and regulations.

Recommendations

- MBTA will analyze the Capital Program oversight of contractors including all worksites that affect the MBTA Operations, Engineering and Maintenance and the Transit Facilities Maintenance departments.
- MBTA will create and implement a staffing plan to improve safety oversight of Capital Projects based on findings of gap analysis and workforce assessment review.
- MBTA will perform a best practice review and implement changes to internal Capital Program safety policies, procedures, manuals, and SOP's
- MBTA will engage Contractors to review their current safety practices including safety managers, training, specifications and policies.
- MBTA will investigate expanding its use of field staff augmentation services to provide increased and broader construction oversight on a near term basis and adding construction inspectors from the GLX program.



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ACTION PLAN

Description: Capital Program Support will work with MBTA's Engineering and Maintenance, Transit Facilities Maintenance, Human Resources, External Contractors, Labor Relations, and Safety to assess gaps, define roles and responsibilities, and develop a staffing plan required for the Capital Program oversight of construction activities. This will consist of:

- Analyzing the current MBTA/Contractor level of oversight and identifying areas of improvement including defining safety specific roles and responsibilities, inspection responsible parties, training, assessing gaps and formulating a staffing and resource plan
- Identifying and implementing solutions for near term staffing needs.
- Reviewing best practices to identify improvements and change/amend applicable policies and procedures accordingly.

PLAN STRUCTURE

#	Actionable Items	Description	Responsible Party ¹	Est Start ²	Est End ³
1	Establish Advisory Group	Establish an advisory group of internal stakeholders to review and guide implementation of the corrective action plan.	QCOO: Katie Choe Capital: Ryan Jordan	10/1/2022	11/4/2022
2	Strategic Planning Session	Conduct a strategic planning session for SD 22-9 Finding 4 implementation with the advisory group established in Actionable Item #1.	QCOO: Katie Choe GM: Lynsey Heffernan	11/7/2022	12/7/2022
3	Procure Consulting Services	Issue RFP or Task Order for consulting services to examine best practices for contractor oversight, review existing policies and procedures for contractor oversight related to right-of-way rules, and conduct a gap analysis of contractor oversight on MBTA projects.	QCOO: Katie Choe Capital: Ryan Jordan	12/1/2022	12/31/2022
4	Short Term Staffing	Assess near term staffing needs and supplement through contracted staff as needed.	Capital: Ryan Jordan	10/30/2022	2/10/2023
5	Contractor Engagement	Engage contractors to enhance compliance with right-of-way rules and procedures.	Capital: James Neider	10/30/2022	3/15/2023
6	Onboard Consultant	Onboard selected consultant.	QCOO: Katie Choe Capital: Ryan Jordan	1/1/2023	5/5/2023

¹ In the event of personnel or departmental changes, responsibilities for actionable items shall transfer to the new leadership.

² Est Start – Estimated Start Date

³ Est End Estimated Completion Date



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7	Best Practices Review	Conduct a best practices review of contractor oversight procedures in Rights-of-Way.	QCOO: Katie Choe Capital: Ryan Jordan	5/8/2023	7/10/2023
8	Review Oversight Policies and Procedures	Conduct a review of all policies and procedures related to contractor oversight on the right-of-way, particularly focused on compliance with right-of-way safety rules.	QCOO: Katie Choe Capital: Ryan Jordan Safety: Steven Culp Operations: Megan Chann OCE: Joseph Pavao	5/8/2023	8/14/2023
9	Gap Analysis of Current MBTA Staff and Contractors	Conduct analysis of MBTA departments on Capital Projects to identify gaps in performance, staffing, roles and responsibilities. Will commence once best practices review is completed. Incorporate into Workforce Assessment conducted under SD 22-9 Finding #1 corrective action plan.	QCOO: Katie Choe Capital: James Neider Safety: Steven Culp Operations: Megan Chann OCE: Joseph Pavao	7/11/2023	11/10/2023
10	Establish Recruitment and Hiring Plan	As documented in SD 22-9 Finding #1 corrective action plan, utilize adopted workforce assessment to develop a five-year strategic hiring and recruitment plan for positions deemed necessary to increase safety of personnel and assets on MBTA construction work sites.	QCOO: Katie Choe HR: Tom Waye Capital: James Neider Operations: Erik Stoothoff	10/1/2023	3/15/2024
11	CAP Verification	MBTA departments will evaluate actionable items/deliverables before submission to FTA to confirm there is reasonable evidence that the findings and this required action have been resolved, considering the scope and performance measures.	QCOO: Katie Choe Safety: Ron Ester	ongoing	

COMPLETION DOCUMENTATION

Performance Metrics

- Best Practices Review
- Policies and Procedures related to Contractor Oversight on the Right-of-Way
- Workforce assessment for contractor oversight
- Recruitment and hiring plan for contractor oversight



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Verification

The verification strategy for ensuring completion of the required work will be through establishing the existence of the following:

- An executed GEC award to the chosen consultant(s) if staff augmentation is warranted
- Best practices report
- GAP analysis report
- Finalized Capital Program Support (or other Departments) hiring plan

BUDGET/COST ESTIMATE

Overview:

The major cost for this CAP will be the inclusion of any new headcount as part of the hiring plan. As that plan is not yet developed, the cost is still unknown, so a range is provided. It should also be noted that any proposed new positions will be charged directly to projects and not the pool.

Segment Code	Cost Estimate
Staff Augmentation	\$1,000,000
Consultant Engagement	\$1,500,000
MBTA Hires (assumes 25 FTE, annual cost)	\$4,000,000
30% contingency	\$1,950,000
Total	\$8,450,000



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CORRECTIVE ACTION PLAN COMMITMENT

Responsible Parties

Department	Name	email	Signature
Capital Program Support	Ryan Jordan <i>Director of Construction Field Services</i>	[REDACTED]	
Operations	Erik Stoothoff <i>Acting Chief Operating Officer</i>	[REDACTED]	
Capital Delivery	Chris Brennan <i>Acting Chief of Capital Delivery</i>	[REDACTED]	
Engineering and Maintenance	Megan Chann <i>Deputy Chief of Engineering and Maintenance</i>	[REDACTED]	
Safety	Steven Culp <i>Chief of Safety Engineering and Construction</i>	[REDACTED]	
Human Resources	Tom Waye <i>Chief Human Resources Officer</i>	[REDACTED]	
Labor	Ahmad Barnes <i>Senior Director of Labor Relations</i>	[REDACTED]	
Capital Programs Support	Maureen McDonough <i>Acting Chief of Capital Programs Support</i>	[REDACTED]	
Finance	Mary Ann O'Hara <i>Chief Financial Officer</i>	[REDACTED]	
Office of Chief Engineer	Joseph Pavao <i>Chief Engineering Officer</i>	[REDACTED]	

Executive Leadership of Responsibilities Parties

DocuSigned by:

Jeffrey D. Gonneville
MBTA Deputy General Manager 12/29/2022

 Date

DocuSigned by:

David Panagore
MBTA Chief Administration Officer December 21, 2022

 Date

DocuSigned by:

James Neider
MBTA Chief of Capital Programs December 17, 2022

 Date



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DocuSigned by:

Katie J. Choe

December 22, 2022

Katie Choe

MBTA Chief of Quality, Compliance, and Oversight

Date

DocuSigned by:

Ronald Ester

12/30/2022

Ronald Ester

MBTA Chief Safety Officer

Date

DocuSigned by:

Steve Poflak

December 19, 2022

Steve Poflak

MBTA General Manager

Date