



**MINUTES**

**Meeting of the Massachusetts Bay Transportation Authority  
 Board of Directors**

**August 24, 2023, AT 10:00 A.M.**

**10 Park Plaza, 2<sup>nd</sup> Floor Board Room, Suite 2890  
 Boston, MA 02116**

***Public participation and comment occurred via written communication, voice message and in-person public comment.***

***This meeting was broadcast virtually.***

<b>BOARD MEMBERS PARTICIPATING IN-PERSON:</b>	Chair Tom Glynn, Director Robert Butler, Secretary Gina Fiandaca, Director Chanda Smart
<b>BOARD MEMBERS PARTICIPATING REMOTELY:</b>	Director Eric Goodwine
<b>BOARD MEMBERS ABSENT:</b>	Director Thomas Koch, Director Tom McGee

<b>Others Presenting and/or Participating for Various Portions of the Meeting:</b>	General Manager Phillip Eng, Assistant General Manager for Policy & Transit Planning Lynsey Heffernan, Director of Strategic Transit Planning Laura Gilmore, Acting Chief of Quality, Compliance and Oversight Meredith Sandberg, Deputy Director of Safety Assurance Mike Catsos, Chief Procurement and Contract Administration Officer Jeff Cook, Senior Director of Capital Transformation Gwen Dunlevy
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<b>Others Present:</b>	Mayor of Boston Michelle Wu, General Counsel Douglas McGarrah, Chief Counsel Kevin Scanlon, Counsel-Corporate Governance Noah Potash
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**OPEN OF MEETING/Call to order by the Chair**

Chair Tom Glynn called the meeting of the Massachusetts Bay Transportation Authority (“MBTA”) Board to order at 10:00 a.m. Noah Potash called the roll of the MBTA Board of Directors participating, being a quorum of the MBTA Board:

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>

<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

## **Public Comment Period #1**

Katie Calandriello and Preston Mueller of TransitMatters expressed concern about slow zones on the Red Line and Orange Line and urged that the “Show Your CharlieCard” program be extended.

Jarred Johnson of TransitMatters commented on the slowness of the Red and Orange Lines and cuts to Bus Route 1, stating that the end of the “Show Your CharlieCard” program reflects badly on the MBTA. He said that the Sumner Tunnel closure mitigation options showed that the MBTA can promote mode-shift and emphasized the need to be transparent about the MBTA’s unprecedented funding needs.

Sebastien Luu, a Chinatown resident, and member of the T Riders Union said that a maintenance backlog is a safety issue and the primary cause of the slow zones.

## **REPORTS**

### **1. Report from the General Manager**

General Manager Phillip Eng delivered his report, beginning by discussing the importance of safe and reliable service and progress at rebuilding the workforce. He welcomed the Mayor of Boston, Michelle Wu, to the meeting, then continued with a discussion of investments in the recently approved FY24 Budget. The General Manager then provided an update on Fare Transformation and discussed collaboration with CRRC on Red Line and Orange Line car production. Mr. Eng reviewed continuing work and inspections related to speed restrictions and announced a 16-day closure of the Ashmont

Branch and Mattapan Line in October. He then provided a brief update on recent safety incidents and discussed the organization's strategic goals. Mr. Eng celebrated the recent graduation of a Transit Police Academy class and thanked outgoing Chief Safety Officer Ron Ester, noting that Tim Lesniak will fill the role on an interim basis with oversight from Rod Brooks and Pat Lavin. Chair Glynn thanked Mayor Wu for attending and noted her work on transit policy. He also stated that two additional Board members are expected to be named soon. Secretary Fiandaca welcomed Mayor Wu and noted that she has been both a champion of public transportation and a regular rider. Mayor Wu said she was happy to be present and it was a gratifying moment for the City of Boston, which is home to much of the network and many of its employees. She said she hoped to have a new Board member appointed in September and said Boston was devoting additional resources to partnerships with the MBTA. Director Butler welcomed Mayor Wu, thanked Mr. Ester for his service, and thanked the General Manager for his work on the Collective Bargaining Agreement ("CBA") with Local 589. He then asked how far behind schedule Cubic is on the AFC 2.0 Fare Transformation contract. The General Manager said that staff are still assessing and that he would have more specifics shortly. Director Butler asked whether MBTA personnel are at the CRRC facility daily and Mr. Eng confirmed that they are. Director Smart thanked the General Manager for his work on the Local 589 CBA, welcomed Mayor Wu, and asked about delays on Orange Line service. The General Manager said that the system requires extensive work due to years of disinvestment and that the focus is on addressing the worst sections first. He noted that additional diversions will be needed and that additional trains will eventually reduce headways. Director Smart asked about a recent incident where a customer climbed on top of a Red Line train and

Mr. Eng said that he is working with Transit Police to address the issue. Chair Glynn asked how the customer experience is managed during service interventions. Mr. Eng said that the agency is working on proactive communications with riders, holding open houses and better overall coordination. Mayor Wu said that there was more lead time with the Red Line surge than with the previous year's Orange Line surge and asked whether the slow zones were expected to be resolved. The General Manager said that the slow zones on the diverted sections should be resolved, and that staff were working on coordinating the shuttle bus routes. Mayor Wu said she was happy to support outreach and that free commuter rail and bikeshare options should also be considered. She then asked about the phasing for AFC 2.0 with regards to fare policy. The General Manager said that fare policy will be coordinated with the rollout and that the technology allows for modifications.

## **ACTIONS & PRESENTATIONS**

### **2. Approval of July 27, 2023 and August 3, 2023 Meeting Minutes**

Chair Glynn requested a motion to approve the minutes of the July 27, 2023, MBTA Board meeting.

**On motion duly made and seconded, it was by roll call:**

**VOTED: To approve the minutes of the MBTA Board Meeting held on July 27, 2023.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

Chair Glynn then requested a motion to approve the minutes of the August 3, 2023, MBTA Board meeting.

**On motion duly made and seconded, it was by roll call:**

**VOTED: To approve the minutes of the MBTA Board Meeting held on August 3, 2023.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

### **3. MBTA Strategic Goals**

Assistant General Manager for Policy & Transit Planning Lynsey Heffernan began the presentation on the MBTA's Strategic Goals by providing context on how the goals would set the direction for the agency. She then covered coordination with other planning groups and reviewed the steps of the planning process. Director of Strategic Transit Planning Laura Gilmore discussed the strategic planning process and presented revisions to the agency's mission, vision, and values. She reviewed eight high-level goals and discussed how they relate to the agency's values. She then discussed metrics developed to monitor progress. Ms. Heffernan reviewed work to align the team for initial actions and discussed work on the Program for Mass Transit and understanding the baseline. She continued with a discussion of stakeholder engagement and assessing the MBTA's resources. Secretary Fiandaca asked about the timeline and Ms. Heffernan said that it falls between near and long-term planning. Director Goodwine asked about metrics on the budget and capital investment plan and Ms. Heffernan assessed the team's approach to designing metrics. Director Goodwine requested follow-up on the issue and asked if staff are looking at peer systems, which Ms. Heffernan said that they are. Director Smart asked about the transparency of decision-making processes and Ms. Heffernan said staff are working to make sure all voices are heard. Mayor Wu asked

about the timeline for a more tangible list of goals and Ms. Heffernan said it would probably be available in spring at the earliest. Mayor Wu encouraged staff to look for immediate projects that could be implemented, such as improved wayfinding. Ms. Heffernan agreed that near-term wins would allow the agency to create momentum to build on. Mr. Eng agreed on the need for improved wayfinding. Chair Glynn said that a metric for increasing the diversity of leadership was needed and Ms. Heffernan agreed.

#### **4. Safety Management Inspection Update**

Acting Chief of Quality, Compliance and Oversight Meredith Sandberg presented an update on the Safety Management Inspection, providing a brief overview of her office and reporting on finding closure progress. She noted that the FTA has relaxed reporting requirements under the Immediate Action Letter and that staff have requested the closure of a CAP under Directive 22-04. She then reviewed operational safety improvement pilots, including pilots on OCC Right-of-Way Worker Locations, Green Line Worker Ahead, and Exterior Vehicle Inspection. She concluded by summarizing overall progress on the SMI response.

#### **5. MBTA Transit Safety Plan Updates**

Deputy Director of Safety Assurance Mike Catsos presented updates to the MBTA's Transit Safety Plan, beginning with the requirements for updating the plan and the plan review process. He noted that the SMI and the Bipartisan Infrastructure Law have impacted this iteration of the plan. He then reviewed key updates to the plan. Chair Glynn noted that the plan was presented to the Safety, Health & Environment subcommittee.

**On motion duly made and seconded, it was by roll call:**

**VOTED:**

**As required by 49 CFR § 673.11 (a)(1), the MBTA Board of Directors hereby approves the Massachusetts Bay Transportation Authority Transit Safety Plan, dated August 23, 2023, and presented to the Board on August 24, 2023.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

**6. Safety Audit RFP**

Chief Procurement and Contract Administration Officer Jeff Cook presented a proposed request for proposals (“RFP”) for a Safety Audit, noting that state law requires an independent audit of the safety plan. He said the audit would also look at safety incidents and some other concerns. He recommended that the Board delegate some of the review of the process to the Safety committee.

**On motion duly made and seconded, it was by roll call:**

**VOTED:**

**That the MBTA Board of Directors hereby authorizes the MBTA Chief Procurement Officer to issue an RFP for an Independent Third-Party Safety Plan Auditor on the behalf of the Board.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

**7. On-Call Track Maintenance Contract**

Senior Director of Capital Transformation Gwen Dunlevy presented a contract for on-call track maintenance, noting that the contract will provide a critical tool to improve the state of good repair of track infrastructure and the quality of service. She

said it would support track rehabilitation on all lines and reviewed planned improvements to tracks and the related benefits. Ms. Dunlevy reviewed the procurement process and noted that the contract is federally funded. Director Butler asked how many bids were received and whether Middlesex Corporation was the low bidder. Ms. Dunlevy said that three bids were submitted. Chief Counsel Kevin Scanlon noted that Middlesex was the lowest eligible bidder because another bidder is not currently eligible to bid on federal trackwork. Director Butler asked staff to look into a fatality that occurred on another Middlesex Corp. project and the General Manager said that while that incident had been thoroughly reviewed, staff would assess the situation again. Director Butler asked if the agency would look at the subcontractors on the contract as well and Mr. Eng said that they would. Mayor Wu asked about the breakdown of trackwork performed in-house versus by outside contractors. Mr. Eng said there is a balance between in-house work and private sector assistance and that he could return with a percentage breakdown. Director Butler requested that staff return to the Board if the contract exceeds the winning bid price.

**On motion duly made and seconded, it was by roll call:**

**VOTED:**

**To authorize the MBTA General Manager to award and execute MBTA Contract No. T90CN02: On-Call State of Good Repair: Maintenance of Way and Track Support to The Middlesex Corp. in the amount of \$35,658,301 with a contract duration of 730 days after Notice-to-Proceed.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

**8. Diesel Low-Sulfur Fuel Procurement**



Mr. Cook presented the final agenda item, a proposed contract to procure diesel low-sulfur fuel. He discussed the agency's efforts to reduce greenhouse gas emission and reviewed accomplishments of the bus electrification project. He then discussed the role of diesel fuel and the approach to diesel procurements.

**On motion duly made and seconded, it was by roll call:**

**VOTED:**

**That the General Manager 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, a contract with Dennis K. Burke, Inc. to supply Diesel Fuel on an as needed basis, subject to price in effect at the time of delivery and at a total value of \$52,855,110.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

## **Public Comment Period #2**

Karen Mauney-Brodek, President of the Emerald Necklace Conservancy, discussed a study with recommendations regarding the Arborway bus facility and offered to provide initial summaries to the Board.

## **Adjournment**

Chair Glynn requested a motion to adjourn the MBTA Board meeting.

**On motion duly made and seconded, it was by roll call:**

**VOTED: to adjourn at 12:28 p.m.**

<b>Chair Glynn</b>	<b>Yes</b>
<b>Director Butler</b>	<b>Yes</b>
<b>Director Fiandaca</b>	<b>Yes</b>
<b>Director Goodwine</b>	<b>Yes</b>
<b>Director Smart</b>	<b>Yes</b>

Documents relied upon for this meeting:

- August 24, 2023 Agenda
- Minutes of July 27, 2023 Board Meeting
- Minutes of August 3, 2023 Board Meeting
- GM Report to Board 08.24.2023 v3
- 23.08.24 MBTA Goals and Metrics Overview- Board Deck- V4 FINAL
- 8. QCO Update AUG Board 2023
- 2023 Transit Safety Plan Update - Board Slides 8-23-23
- MBTA 2023 Transit Safety Plan for Board Approval
- MBTA 2023 Transit Safety Plan DRAFT 8-16-23
- Independent Auditor Board Deck 8.9.23 KPS edits 8.18.23 final final
- 7. On-Call Track Maintenance Contract
- Staff Summary Review - T90CN02 On-Call SGR Contract Track Support A Revised
- Dennis K Burke Bus and Commuter Rail Fuel Presentation for Board - v28.18.23jc