

# **Tompkins Consolidated Area Transit, Inc.**

## **Special Meeting of the Board of Directors**

### **January 5, 2023 | 3:00pm via Zoom**

#### **Attendees**

Board Members: Deborah Dawson; Jennifer Dotson; Lisa Holmes; Ducson Nguyen; Frank Proto; Gary Stewart; Denise Thompson

TCAT Staff: Susan Brock; Erik Amos; Taylor Hessler; Curt Parrish; Phil Smith; Scot Vanderpool

#### **Call to Order**

Chair D. Thompson called the meeting to order at 3:01 pm.

#### **Action Items**

Chair Thompson asks for a motion to move the farebox replacement award resolution; L. Holmes moves it, D. Dawson seconds.

S. Vanderpool read some of the resolution aloud and answered questions about the selected vendor for the new fareboxes. He said that Genfare offered all the options we needed/were looking for: cash, smartphone, Cornell's magstripe issue. The other two options considered were lacking either a good option for Cornell, or an option for cash fare for those who don't have smartphones. C. Parrish said the Genfare system also takes a lot of liability off of TCAT folks and puts it into the system's hands. It will give a lot of flexibility for larger and smaller buses, and also the capability for on-demand type systems.

L. Homes said she supports this and understands the need for replacement asap. She had a question about the \$1.4M in ARPA funds and asked if this shows up in the budget currently as unallocated funds. S. Vanderpool said that is correct (meaning this purchase would reduce that fund balance by the \$1.4M). She asked about the ongoing cost for this, and if it has been factored into the 2023 budget already. S. Vanderpool said it has been factored in and the 'monthly hosting cost' will be around \$4756.55, so yearly cost of \$57,078.

L. Holmes asked how the new payment would compare to the current system that is not properly serving us. S. Vanderpool says it is comparable, and the repair work for the current fareboxes is making up more of the current cost.

D. Dawson was curious about what the \$4700 a month represents in terms of what the anticipated farebox revenue will be per month, and wanted a ballpark estimate of what we have been losing monthly, because of the shortcomings of the current system. S. Vanderpool said approx. 60% of the current fareboxes have not been functioning properly and therefore ridership data is not accurate which makes it difficult to even give an accurate ballpark estimate. E. Amos said they roughly estimated that TCAT could be losing \$10-20,000 a month. Even though they can't pinpoint an exact number, the amount of revenue loss is significant.

D. Thompson asks for clarification that the new system is capable for magstripe cards, smartphones, cash fare, and TCAT cards. E. Amos said that the system is not compatible with the current Cornell cards, that open the doors and everything, but it will accommodate magstripes and there are other prox cards available. She also asked for details about other agencies that are using the Genfare system that are comparable to TCAT, and what references were they able to provide? C. Parrish said Broome County

uses Genfare; they highly recommend them. CENTRO uses them and had expressed a few issues, but that's to be expected and no worse than the other contending systems.

F. Proto asked for the method by which we are paying for this. C. Parrish said there will be milestone payments for the initial implementation, although the exact milestone dates have not yet been determined. Then there will be a monthly subscription that will kick in after the system is completely set up to function.

How long will installation take? S. Vanderpool said it will be implemented in a couple of buses at a time, hopefully starting in February and installation will probably finish up in July.

Will they provide maintenance as well, or only installation? It was answered that there is some maintenance built into the cost, there will be trainings, and the maintenance on the devices themselves should be easy. Spare parts are also built into the contract, and should also be plug-and-play repairs that can be done on the road, with limited downtime for the repair. The vault system is also improved and will automatically sort cash fares.

F. Proto asked if there is any salvage value of the current Avail system. S. Vanderpool said that is an ongoing conversation that will require an evaluation of all the IT/farebox systems we are using and their continued usefulness or lack thereof.

F. Proto asked attorney S. Brock about a contractor situation from many years ago that was also classified as an LLC, that we allegedly had some issues with, and if this current company could cause issues as well. S. Brock did not recall the specific occurrence he was referring to, but assured him that a company being classified as an LLC by itself is not any cause for concern.

J. Dotson expressed she wished there was a different option, but understands what is currently needed. The Resolution was approved with a vote of 7-0-0 as follows:

#### **Resolution 2023 – 01 Farebox Replacement Award**

WHEREAS, Tompkins Consolidated Area Transit, Inc.'s (TCAT's) current validating farebox system has been failing over the past few years, and

WHEREAS, TCAT needs to replace the current validating farebox system with a new working validating farebox system, and

WHEREAS, prompt replacement of the current validating farebox system is required for accurate passenger counts and data and to stem income losses, and

WHEREAS, TCAT's Request for Proposal #401-2022 Farebox Replacement System, dated October 11, 2022, together with Addendum 1 (undated), Addendum 2 (dated October 28, 2022), and Addendum 2B (dated October 28, 2022) (collectively, the "RFP") solicited proposals for replacement of TCAT's current validating farebox system on all its transit buses, and

WHEREAS, TCAT received responses from three companies, on or before the RFP response due date of November 17, 2022, from:

Token Transit, Inc.

Cubic Transportation Systems, Inc.

Genfare, LLC, and

WHEREAS, TCAT's selection and evaluation team (Erik Amos, Gian Fountain, Mike Smith, Scot Vanderpool, and Dameon Allen) reviewed the responses and selected for presentations the companies of Token Transit, Cubic, and Genfare, LLC, and

WHEREAS, as a result of the presentations, TCAT's team recommends award to Genfare, LLC to replace the current validating farebox system with a new validating farebox system, therefore be it

RESOLVED, that the TCAT Board of Directors selects Genfare, LLC as the contractor to replace the current validating farebox system with a new validating farebox system, and it is further

RESOLVED, that the TCAT Board of Directors authorizes the Chairperson of the Board and the General Manager to execute a contract with Genfare, LLC to replace the current farebox system with a new validating farebox system, all as described in the RFP and Genfare, LLC's proposal, in an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000) (based on a combination of Genfare's base and alternative solutions) paid from ARPA funding, subject to the approval of TCAT's attorney.

Adopted by the TCAT Board of Directors on the 5th day of January, 2023.

The next Resolution of the table was **Resolution 2023-xx ITS (Avail) System Improvements with Swiftly Extension**. F. Proto moves and L. Holmes seconds to open the resolution for discussion.

S. Vanderpool says this is just an extension of the current contract, saying Swiftly has been valuable. E. Amos explains Swiftly is a software service we've had for a year; it has been used mostly by the customer service department to communicate with riders about service disruption which has been frequent this past year. It utilizes the existing CAD/AVL hardware and RGTFs feed to generate and communicate the data. It uses the Avail data/hardware and gives us the info that Avail should be giving us, and sometimes they do, but it isn't in a friendly format. Swiftly can interface with the transit app; Avail does some of these things, Swiftly just does it a bit better. Swiftly sometimes provides better time predictions of the buses on the app for riders. It also can update Google predictions in certain cases. This resolution is for renewing the Swiftly contract, with the addition of a second module that helps with 'on-time performance', which has 2-3 things rolled into it: on-time performance; database connection which allows us to get a lot of the data we need for recording (easy data extraction), that we have not been able to get easily from Avail; mileage data, that should be spontaneous instead of having to extract and individually analyze the data that we have to do with Avail. There is also the continued interface with customers through the apps and website. Renewing and upgrading the Swiftly system will save time as well. There wasn't any discussion from the Board and the resolution passed as follows with a vote of 7-0-0:

#### **Resolution 2023– 02 ITS (Avail) System Improvements with Swiftly—Agreement Extension**

WHEREAS, Tompkins Consolidated Area Transit, Inc. (TCAT) is utilizing Avail Technologies for its real-time system, and entered into a one-year agreement with Swiftly, Inc., effective December 6, 2021, for Swiftly, Inc. to improve functionality in

some areas, including passenger facing-arrival/departure predictions, detour re-routing, and rider alerts, and

WHEREAS, Swiftly, Inc. has a unique solution to address these deficiencies through its software as a service (SaaS) cloud-based model, which provides Real-time Passenger Information, Live Operations, Rider Alerts, and Service Adjustments software modules, and

WHEREAS, based on independent research and queries to other public transit agencies, TCAT staff has verified that the functionality of Swiftly, Inc.'s modules that upgraded TCAT's ITS real-time system as described above is available only from Swiftly, Inc., and

WHEREAS, TCAT has benefited from Swiftly, Inc.'s services and TCAT staff recommends entry into a one-year agreement extension with Swiftly, Inc., therefore be it

RESOLVED, that the TCAT Board of Directors finds Swiftly, Inc. is the sole source of software to continue the upgrades of TCAT's ITS real-time system as described above, and it is further

RESOLVED, that the TCAT Board selects Swiftly, Inc. as the sole source vendor of software solutions for continued improvement of passenger information, rider alerts, live operations data, and data TCAT requires for service adjustments, and it is further

RESOLVED, that the TCAT Board of Directors authorizes the Chairperson of the Board and the General Manager to execute a one-year extension of the agreement with Swiftly, Inc. to provide the SaaS modules described above and related hardware, all as described in the Swiftly order form and in Swiftly's Software as a Service Terms and Conditions, in an amount not to exceed Seventy-Four Thousand Five Hundred and Eighty-Two Dollars (\$74,582.00) for the one-year extension, subject to the approval of TCAT's attorney.

Adopted by the TCAT Board of Directors on the 5<sup>th</sup> day of January, 2023.

The next resolution on the table was the Approval of the Penn Power Group, contracted mechanics. D. Dawson moved, L. Holmes seconded to open the resolution for discussion. S. Vanderpool explains the maintenance department is down to nine mechanics, and they are having a hard time keeping up with the demand. This resolution would provide a way to improve and keep buses on the road. Even though the cost to TCAT would be significant for the interim, the mechanics are needed. Penn Power's costs were less than that of a company considered from California, for which TCAT would have to cover the cost of hotels, on top of the higher rates. With Penn Power, TCAT only has to cover the cost of transportation, to and from Syracuse, on top of the hourly rate. The goal is to bring a couple of mechanics in, to try get our PM services back to where they need to be and avoid sending a bus out that is many miles overdue for a PM inspection. It will be temporary, as we do have a few mechanics coming in for interviews, but we need some guaranteed help in the meantime. S. Vanderpool anticipates a question about the UAW and how they feel about this, he clarifies that he has already spoken with many of the mechanics and they want to feel supported and want to get us to the point of stability. We aren't taking any work away from anyone, union mechanics can still get all the overtime they want. So far, this avenue is supported by our UAW team and we feel this is really critical.

D. Dawson asked how many mechanics is our goal? S. Vanderpool responds that 12 is our goal, we have 9 currently so we are looking for 3 more. To add to this, the green piece, we have 1 mechanic that is concentrating solely on the Gadabout buses, and only 4 of the 9 are seasoned mechanics, the others

have come from the bus operator/bus handler positions; consequently, they still need more training and to be updated with our processes.

D. Thompson had some concerns. She asked if this group has mechanics will be knowledgeable about electric buses? What is the tracking system set in place to make sure the efficiencies are there (for the contracted mechanics), that we are going to get what we are paying for? S. Vanderpool said that Penn Power has assured TCAT that these mechanics will be qualified. They are technicians that have been working on school buses, heavy duty trucks, etc. Within the contract, if someone is not working out for any reason, they can be replaced by a different technician. They are going to come in with experience and the experience we need. They will be prepped ahead of time, as to what we are looking for from them as well. To the second part of the question, we haven't previously, but have now set up a tracking system to promote accountability. We are measuring and displaying everything that each mechanic is doing each day. Every piece of work. What will be really important with the incoming Penn Power technicians is that they are under the same scrutiny, same accountability as our own current mechanics, it won't work otherwise. They have the same priorities that our other mechanics are facing. Both groups will have the same expectations. These answers satisfied the board and the resolution was passed with a vote of 7-0-0 as follows:

**RESOLUTION 2023-03**  
**APPROVAL OF PENN POWER GROUP, LLC D/B/A PENN FLEET SERVICES**  
**AS TCAT, INC.'S FLEET MAINTENANCE AND RELATED SUPPORT**  
**SERVICES CONTRACTOR**

WHEREAS, despite its ongoing recruitment efforts, TCAT, Inc. (TCAT) is experiencing a shortage of mechanics, and

WHEREAS, mechanic staffing levels recently and unexpectedly dropped to a level that requires immediate utilization of a contractor to temporarily provide fleet maintenance and related support services, and

WHEREAS, procurement of such a contractor by sealed bids or competitive proposals is infeasible because the public exigency will not permit a delay resulting from competitive solicitation if TCAT's bus service is to be maintained, and

WHEREAS, on December 5, 2022, TCAT verbally requested an emergency procurement proposal for a fleet maintenance contractor and received a proposal, and

WHEREAS, after careful consideration of the proposal, TCAT has determined that Penn Power Group, LLC d/b/a Penn Fleet Services is a qualified and acceptable contractor, and that acceptance of its proposal would be in the best interests of TCAT, and

WHEREAS, TCAT staff recommends entering into a fleet maintenance and service agreement with Penn Power Group, LLC d/b/a Penn Fleet Services to provide fleet maintenance and related services for a period of twelve (12) months, with automatic renewals for successive twelve (12) month periods unless a party provides notice of non-renewal, and

WHEREAS, Penn Power Group, LLC d/b/a Penn Fleet Services proposes to provide its services to TCAT for the first twelve (12) months at the rates and costs shown in Appendix 1 of its proposed contract, therefore be it

RESOLVED, that the TCAT Board of Directors selects Penn Power Group, LLC d/b/a Penn Fleet Services as TCAT's fleet maintenance contractor under emergency procurement procedures, and be it further

RESOLVED, that the TCAT Board of Directors authorizes the Chairperson of the Board and the General Manager to execute a twelve (12) month contract with Penn Power Group, LLC d/b/a Penn Fleet Services for fleet maintenance and related services at rates and costs not exceeding those shown in Appendix 1 of its proposed contract, and with twelve (12) month successive automatic renewals subject to the Board's approval of increased rates and costs, said contract being subject to the approval of TCAT's attorney.

Adopted by the TCAT Board of Directors on this the 5<sup>th</sup> day of January, 2023.

The last resolution of the meeting was **Resolution 2023-xx Approve System Safety Program Plan Revisions**. F. Proto moves the resolution to get it on the floor, L. Holmes seconds. P. Smith explains that TCAT has a System Safety Program Plan (SSPP) that has been in place for many years and is a requirement from NYS. Recently minor adjustments were made to the document to make it current with the 2022-2023 plan which was approved by NYS DOT on Nov 10, however, the FTA required, under the bipartisan infrastructure law to add a few more elements, which we have incorporated into this. They include 'the approval of the SSPP by the Health and Safety Committee,' which was done on November 30; to add the 'infectious disease exposure' section; and to incorporate 'de-escalation training' to the maintenance personnel. D. Thompson asked who was part of the TCAT Health and Safety Committee. P. Smith said there are 3 UAW members, and 3 administrative members on the committee. There were no other questions and the Resolution was approved with a vote of 7-0-0 as follows:

#### **RESOLUTION 2023 – 04 APPROVE SYSTEM SAFETY PROGRAM PLAN REVISIONS**

WHEREAS, Tompkins Consolidated Area Transit, Inc. ("TCAT, Inc.") has developed and implemented a System Safety Program Plan ("SSPP"), which states one of its primary goals is the continued improvement of public transportation safety through the reduction in the number, rate and severity of bus accidents, and

WHEREAS, the New York State Public Transportation Safety Board ("PTSB") approved TCAT, Inc.'s first SSPP in 2005, and the PTSB has approved subsequent revisions, including the most recent revisions in 2022, and

WHEREAS, certain additional revisions are necessary to reflect new federal requirements,

NOW, THEREFORE, be it RESOLVED that the TCAT, Inc. Board of Directors hereby approves and adopts the attached System Safety Program Plan containing the revisions PTSB approved in 2022 plus revisions to meet new federal requirements, with a revision date of November 30, 2022, and authorizes TCAT staff to send the SSPP to PTSB for its review and approval if and when PTSB requires such submission.

Adopted by the TCAT, Inc. Board of Directors on this 5<sup>th</sup> day of January, 2023.

Chair Thompson said she will be sending an email to all of the Board members to get their input on which committees they would prefer to serve on for the 2023 Board Committees.

**Next Meeting**

The next regular Board meeting will be January 26, 2023.

**Adjournment**

Chair Thompson adjourned the meeting at 3:43 pm, motion by D. Dawson, seconded by F. Proto.

*Minutes respectfully submitted by Taylor Hessler, Recording Secretary, May 25, 2023.*